DECISIONS OF APPEALS OF MARY **PUBLISHED** 

Subscription.

DEGRETONS
COURT OF APPEAL
MARYLAND, ported by Thomas Harry

Clerk of the Court of Apand Reverdy Johnson, ire, Attorney at Luw. cisions willform a continuation of Reports already publishers. Harris and Johnson es with the year-1998, it is published to entire the year-1998, it is publish the Decisions in Symbers, each to contain until similared and twenty five pages unbers to constitute a volume. I make of each wolume will contain the complete index. This melt in a conceived possessed in the givent a decided principles with linking the Reports in him entire the decided principles with linking the sources the darker published in a year, he had not more than for the Reports in the published in a year, he had not be so sensibly felting.



ANNAPOLIS, THUUSDAY, JANUARY 18, 1827.

PRINTED AND EVELTHED 

CVOL. LXXXII.

JONAS GREEN, CHURCH-STREET, ANNAPOLIS.

Price-Three Dollars per annum.

MISCELLANY. HE GASTLE OF ERASMUS,

BERTRAND & EUIZA.

The pipe was mute in the vallies. nd the hills we're no longer responive to the vocal reed. Three years ad clapsed since the young and geherous Bertrand was associated by Caled near the castle of Eras. nus, his lance hung inverted on his omb, and his manes were mingled with the dust of his fathers.

"Oh, when shall my sufferings ave an end, and the grief worn rame return to its kindred clay! ver shall thy lovely image be eased from my memory: thy virtues re engraven on my heart!" It was January inst at the pest he voice of the aniable Eliza, of-il proceed to sell the sidering her evening orisons at the the highest bidder, for ify the debt due as along

Silence held her silent domain aroughout the fertile plains, save here the distant watch-dog markd the rural hamlet. Cynthia had ained the summit of the azure hrune, and smiled in-lucid-majes ty o'er the blue expanse. All naaged oaks led to a cluster of spreadng firs, which discovered a marble epulchre adorned with military rophies. The beautiful El za, aniable in sorrows and patient in afliction, graced the awful scene. he was kneeling in a posture of doration and prayer, her sable arments hung loose in melancholy olds and mingled with her anburn resses; the round stear of affliction tood in her languid eye, and the ypress groves reiterated the sighs a broken heart. In the midst ther orisons, Clifford, (by whose ssistance the assassination of Ber. rand had been perpetrated.) apcared before the sorrowful Eliza. Rage instantly kindled in her cheek, and reproaches burst from her lips -Darest thou, perfidious and prone, approach this hallowed plate? e Gods, where are your avenging olts! Why sleeps the thunder then this wretch draws near? Dost hou not fear the anger of Alwighty lower? Or is thy heart more hard han adamant, leagued with the denons of revenge to ward the stroke

f justice. replied the repentant Clifford.) it was love for thee that led me on bappy Bertrand-I considered life without thee, as an ocean opposed incessant tempests, but with thee, all that heaven could bestow or I wish. I vainly thought one bar aone remained between me and my lancied joys;—in a rash moment I employed the cursed Caled to exeace has been banished from the reast of Clifford, and soon must he cold hand of death bring him to

an expiation of his crimes. And dost thou talk of love, abharred assassin? thou who hast laid ow the image of perfection—my Bertrand was the first, and shall be he last my bleeding heart ever own-d. Hear me beloved shade, and ritness for me all ye cherubs vatching round his tomb, never shall Eliza taste of pleasure more fill we shall again meet in fields of joy; then shall the rays of entless peace and love dispel the earthly mists of pain and woe. Eliza again prostrated herself before the shrine, and Clifford, dejected, returned through the avenue to the castle.

Alwin, surnamed the good. (who was then on the throne;) hearing of the sarraws of Eliza, resolved to undertake the cause of injured in undertake the cause of injured increace, by offering a considerable rward to the champion who would neet Clifford In single, combat. The time of the approaching tournamental draw, on space, at length the day, arrived, appainted for the same of Hisa. The circus was rounded with apoetstors. The d with the righes of the oast, assumed the horo.

and the constant fair: one sat at his right hand; every eye was centered on one object, the lujured Eliza! Clifford appeared in the list, and the trampets were thrice sounded; a stranger instantly accepted the challenge; his helmet of massy gold covered his face; it was stud-ded with diamonds, and the nod-ding plumes shook defiance to his is armour of exquisite workmanship, darted a splendid rediance throughout the circus, and the blood red cross on his breast, displayed a knight zealous in the Christian cause, the dignity of his appearance. The symmetry of his shape, and the graceful manner with which he took up the glove charmed every beholder. Clifford, all trembling approached, and thus addresed the multitude; 'You see before you a wreich destined by the hand of fate, to meet eternal vengeance; fall I must, if not by the sword of my accuser, the weight of my own sins must soon bring me down with sor-

The martial trumpets were again

flourished, and the champions en-

gaged. For some time the victory

row to the grave.

was doubtful, till at length the powerful arm of the stranger laid the lofty Clifford in the dust, and the circus re-echoed with repeated acclamations; his wound was mortal, and his friends gathered around him, even the injured Eliza symnathized in the tears shed on the dying penitent. While the crowd was attentive to the departing Clifford, a man muffled in a pilgrim's habit pressed forward, and throw ing open his garment, thus addressed the vanquished champion; thou man of sorrows, belotd in this disguise the person of Caled, once thy vassal, at whose command I undertook the murder of the worthy Bertrand; if thou has enough of life to hear the event, attend and learn, The eyes of Clifford were nearly set in sight, but agitated by a thousand contions, seemed to express a desire to hear the narrative of Cal ed, who thus proceeded:-Urged by your entreaties and the horrid pur pose, I relented, and discovered my intent to the gailant youth, whom I pressed to depart. I have since heard he rendered himself famous on the plains of Palestine, by en listing in the Holy War. You, in-sisted on my privately burying the corpse in the grove leading to the castle of Erasmus: this I told you was performed, and the amiable Eliza caused a superb shrine to be erected to his memory. I re-ceived my reward and fled; disguised in a pilgrim's habit I followed Bertrand to Jerusalem; but my search was in vain; for soon I heard Bertrand was no more. Flushed with success, he joined the crosses led by the gallant Richard, and met the shafts of death before the walls of Cyprus.' Hope, horror, and despair alternately reign ed in the bosom of Eliza during the narrative, at the conclusion of which she fell lifeless at the feet of reward, and fled, since which time up his helmet, caught her in his cried the stranger) one whose soul is linked to thinerevive, thou paragon of excellency -Tis Bertrand calls thee back to life and me!' At the well known name. Eliza awakened from her trance, and after gazing some time with speachless admiration, at length articulated,—It is, it is my long lost Bertrand!' Clifford lived but a few moments after the discovery—he received the pardom of the injured pair, and closed his eyes in peace. Bertrand turned to the astonished Caled, and embrac-

> trand and Eliza. It is recorded in the annals of the Castle, that virtue shall meet her reward, and vice be humbled at

ed him as a friend, every eye spark-led with joy, and every heart par-ticipated in the happiness of Ber-

After paying the funeral rites to the remains of the unfortunate Chiford, the nuptuals were consummatrd in the utmost style of magnifirence at Alwyn's palace. Eliza by degrees recovered her native bloom -love glistened in her eye, and the roses revelled in her cheek. Ber-ti and again displayed his trophosin the hill of the Castle, and again

dered vocal by the responsive notes ry wings athwart the verdant plain, and the vaulted roofs reverberated Castle of Erasmus.

From the Percy Anecdotes. FIDELITY.

Every one must recollect the tra gical story of young humet the Irish Patriot; it was too touching to be soon forgotten. During the trou-bles in Ireland he was tried, condefined, and executed on a charge of treason. His fate made a deep impression on public sympathy. He was so young; so intelligent; so generous; se brave; so every thing that we are apt to like in a young man .- His conduct under trial too was so lofty and intrepid. The noble indignation with which he repelled the charge of treason a gainst his connery; the eliquent vindication of his name; and his pathetic appeal to posterity in the hopeiess hour of concemnation; all these entered deeply into every generous bosom, and even his opponents lamented the stern policy that dictated his execution.

But there was one heart whose anguish it would be impossible to describe- In happier days and fairer fortunes he had won the affections of a beautiful and interest ing girl, the daughter of the late celebrated Irish barrister. She loved him with the disinterested fervour of a woman's first and ear ly love. When every worldly maxim arrayed itself against him; when blasted in fortune, and disgrace & danger darkened around his name. she loved him the more ardently to: his sufferings. Since his tale could awaken sympathy even of his foes what must have been the agony of her, whose soul was occupied by his image? Let those tell who have had the partals of the tomb suddenly closed between them and the be ing they most loved on earth; who have sat at its threshold, as one shut out in a cold and lonely world. whence all that was lovely and loving had departed.

To render her widowed situation more desolate, she had incurred her father's displeasure by her unfortu nate attachment, and was an exile from the paternal roof. But could the sympathy and kind offices of friends have reached a spirit so shocked and driven in by horror, she would have experienced no want of consolation, for the Irish are a people of quick and generous sensibilities. The most delicate and cherishing attentions were paid her by families of wealth and distinction. - She was led into society. and they tried all kinds of occupation and amusement to dissipate ner gricf, wean her from the tragical story of her love, but it was all in vain! There are some strokes of calamity that scathe and scorch the soul; that penetrate to the vital seat of happiness, and blast it, never again to put forth bud or blossom She never objected to frequent the haunts of pleasure; but she was as much alone there as in the depths of solitude. She walked about in a sad reverie, apparently unconscious of the world around her. She car ried with her an inward woe, that macked all the blandishments of friendship, and obecded not the song of the charmer; charm he e-

er so wildely." The person, says the eloquent author of the Sketch Book, who told me her story, had seen her at a masqueraile. After strolling thro' the splendid rooms & giddy crowd, with an air of utter abstraction, she sat herself down on the steps of an orchestra, and looking about for sometime with a vacant air, that shewed her insensibility to the gal rish scene, she began with the capriciousness of a sirkly heart, to warble a fittle plaintive air. She had an exquisite voice; but on this occasion it was so simple, so touching, it breathed forth such a soul of wretchedness that she drew a crowd. mute and silent; around her, and meltred every one into tears,

The story of one so tructand to a dr. could not but excite great in-terest in a country semarkable for

The pipe once more gladdened enthusiasm: It completely won the the values, and the hills were ren- heart of a brave officer, who paid heart of a prave officer, who paid his addresses to her, and thought of the reed. Peace spread her at- that one so true to the death could not but prove affectionate to the living. She declined his attentions, the sound of the harp in the happy for her thoughts were irrevocably engrussed by the memory of her tenderness, but her esteem. He was assisted by her conviction of his worth, and her sense of her own destitute and dependent situation, for she was existing on the kindness of friends. In a word, heat length succeeded in gaining her hand, tho' with the solemn assurance that her

heart was analterably another's. He took her with him to Sicily hoping that a change of scene might wear out the remembrance of early emplary wife, and made an effort to be a happy one; but nothing could cure the silent melancholy that had entered into her very soul. She wasted away in a slow but hopeless decline, and at last sunk into the grave, the victim of a broken heart. It was on this lady that Moore composed the following lines:

She is far from the land where her young hero sleeps. And lovers around her are sighing: But coldly she turns from their gaze and

weeps, 'For her heart in his grave is lying. She sings the wild song of her dear native plains,
Every note which as lov'd awaking,
Ah! Little they think who delight in the

strains, How the heart of the minstrel is breaking! He had lived for his love-for his country

he died,
They were all that to life had entwin'd
him,
Nor soon shall the tears of his country be

dried,
Nor long will his love stay behind him! Oh! make her grave where the sun-beams

when they promise a glorious inorrow;
They'll shine o'er her sleep, like a smile
from the west,
From her own lov'd Island of sorrow.

Extract of a letter from a very intelligent American gentleman, now in London, to his friend in this city, dated in November

"I have now been a month in England, most of which time I have spent in London-I have spent it. as a Yankee would spend it, principaily in gazing. But I am weary of its beggars, its raree shows, and its greasy streets. Its sooty edifices, and fustian brick walls and palaces hane ceased to interest meand perhaps as November advances. I shall either hang or drown in true English style;-I hope, however, to survive and return to a land of purer air and brighter

The condition of England, at this time, is any thing but cheering. The Tariff System is the heaviest blow she has ever received from our country. She begins to feel its operation, and seeks to quarrel with us about the Northern Boundary. The real fact is, the war is fo be waged, not with our country. but with its prosperity. The United States have hitherto afforded the best market for her manufactures low diminishing, and Man chester, Leeds and Birmingham feel the vibration of every loom that is erected in our country. England, also, is in danger of los ing much of her continental mark-et. France, Holland. Russfa, Ger many, &c. are patronizing manufactures to an extent that fills the wisest heads in England with dismay. I am aware that the opposi-tion here is always pretending evil-but even the friends of the ministe-

rial party confess an atarm. The corn laws are the estensible prominent grievance, but the manufacturing distress is the evil which threatens most loudly and permanently the interests and tran-

quility of England.

But I have objects of more personal consideration than the politi-cal situation of this country. It blends itself, however, with almost every matter of even private conhumble objects that brought me

The joint stock companies here have fallen into ruln. They have added to the general distress, and base really benumbed ordinary and straight-going enterprize.

N. Y. Advertiser.

We extract from the George-Town Metropolitun, the following whim-MISS LIVERMORE,

THE PREACHER.

This young lady, we understand, is the daughter of a former member of Congress, whose eccentricity of expression quite equalled that of his fair daughter. Miss Livermore appears to us to have a good mind, illustrates aptly, and speaks eloquently; but, in our opinion, is a little touched in the upper story." She held forth in one of our churches the other evening on the right of females to preach, and contended that they aided the Church in its incipiency, and deduced her premises from the very words of Paul. It was quite unnecessary to go back to Paul for authority-people of this day judge for themselves. As to their right to preach, who ever doubted it? Or if they did, who could make women hold their tongues? But the propriety is another thing. On this head we are like Mr. Speaker Taylor-we would always gladly dispense with women's preaching. There is such a sweet charm in the retiring modesty of the female, that we cannot bear to see it outraged by mounting a rostrum and holding forth to the commune vulgus of both sexes. Miss Livermore is fully possessed with the idea that she to preach the gospel, and was suddenly struck with the idea that the capitol, of all other places, was the one in which she could do most good. We thank Heaven as she has made out her right so clearly from Jupiter, that she has bent her course this way. The corruption and hardness of heart evinced at the late presidential election, call for the melting tones of some divine mouth to purify and soften. Few people know what bouncers in iniquity the administration members of Congress are perfect d-ls incarnate, and, the pious chaplains having failed to convict or convert, we had an idea of robbing the Military Academy of Professor M. livaine, at the very moment when this young lady made her ap-pearance. We pray God to bless her word, and make it carry conviction to the hearts of all the coalition members, but most especially to the soul of Mr. Speaker Taylor! In descanting the other evening on the advice of St. Paul to women, wherein he tells them not to teach but stay at home sand learn of their husbands;' she thanked God she was not one of that class. - We have no doubt that many of her sex. as well as some few of ours, would be very glad to have cause to thank God for the same thing. In this particular we agree exactly with Miss Livermore.—Single folks owe destiny their gratitude, and ourself in particular, that we have at last found one preacher of the gospel to

LONGEVITY.—It appears by Worcester's Memoir on Longevity, that New Hampshire furnishes a dered, That the committee of ways larger proportion of centenarians than Sweden or Russia. Of the 93 persons in New-Hampshire who reached the age of from 100 to 110, fifty nine were women and thirty-four men, while all the five who arrived at one hundred and upwards were men. Mr. W. considers the case of Peter Tortin or Z tin, of Hungary, the most remarkable instance of longevity known in molern times. This man died on the 5th of January, 1724, at the age of 185. A few days before his death, he walked, with the assistance of a stick, to the post-lique in Horcock, to solicit charity .- Salem Observ.

agree with us on any point.

YEARS rush by us like the wind-We see not whence the eddy comes or whither it is tending. and we seem ourselves to witness their flight without a sense that they are numbered unto us; yet time is beguiling a man of his strength as the winds rob the woods of their foliage.

Industry, is somotimes, poor, be cause, so the prophet Haggi says, she puts her wages hito a purse with

FROM COLOMBIA.

PROCLAMATTON OF BOLIVAR. Colombians: Five years since I Colombians: Five years since I left this 'espitel to march at the head of the Liberating army from the shore of the Cauca to tile silvery heights of Poinsi. 'A million of Colombians, two sists Prepublics, have obtained independence and the world of Colombia has exceed to be Spanish. Such is the result of our absence. result of our absence.

Your misfortunes liave called mo back to Colombia: I come full of zeal'th consecrate myself to the national will, which shall be my code,

qecause it is infallible. The national voice obliges me to take upon myself the supreme com-mand; I abhor it mortally, since by that I am accused of ambition and an attempt at monarchy. What! Do they think me so mad as to aspire to degrade myself? Do they not know that the destiny of Libe! rator is more sublime than the Throne.

Colombians: I return to submit to the insupportable weight of the magistracy; for in moments of danger, to give it up were cowardice, not moderation; yet count on mo only until the law or the people recover their sovereignty. Permit me then to serve you as a plain soldier and a true republican, as a citizen armed in defence of the beautiful frophies of our victories -your rights Bolivar.
Palace of the Gov't. Bogota,

Nov. 23. 1826.

ABSTRACT

OF THE **PROCEEDINGS** 

OF THE Legislature of Maryland.

HOUSE OF DELEGATES. Wednesday January 10.

LEAVES GRANTED. Mr. Tidball, to report a bill to abolish the court of chancery and orphans courts, and establish a more efficient system of equity.

Mr. Mon gomery,—That the sense of the people of this state be taken on the expediency of calling Convention to reform the constitution.

Mr. Wright,-To regulate and define the duties of Registers of Wills.

Mr. Jno. W. Thomas-Relative to the establishment, of a Light on Point Concord, at the mouth of the

Susquehanna.
On motion by Mr. Brooke, it was Ordered, That the committee of ways and means be instructed to inquire into the expediency of appropriating the revenues arising from taxes on marriage licenes, lotteries and billiard tables, and an equitable proportion of such, revenues as arise from taxes on consumption, and in their nature and operation bear upon the great body of the people, for the support of the public instruction of youth in pri-

into the expediency of a further reduction on a total abolition of the direct tax, and that said committee report thereon to this house.

Mr. Peach reported unfavourauly on the petition of Jane White. Concurred in. BILLS REPORTED.

Mr. Tearkie-An act supplementary to an act to provide for the prompt settlement of public ac-

counts, and the collection of the Mr. John W. Thoma To repeal an act to incurporate a com-

pany to build a bridge over the Susquehanna.

Mr. Speed—Making appropriations for the benefit of the Ameri-

can Colonization Society.

Mr. Tyson-Relative to the ac-

knowledging & recording of deeds, and examining femrs covert.

of Negro Esther, and her descend-

The applyment to the act to provide for a new assessment, and to appoint collector of the county is in and the tocounty and city. of Baltimore.