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MISCELLANY.

from the Little Falls (N. Y.) People's Friend.

TALES OF THE MOHAWK.

The rich lowlands of the Mohawk, at an early period of our history, caught the eye of European pilgrims; and the German was the first to light his pipe under the willow of the stream, and first to follow the oak in the adjoining forest. In his habits, simple in his manners, honest in his heart—he lived, enjoyed a competence, and was happy. His homely dwelling was ever open to the wanderer, and his simple kindness would melt and cheer the heart. His wife too, a honest woman, could ever pile the plate of her guest too high, and was never to be convinced that the stranger's appetite was loved, or his stomach satisfied with her peculiar cookery—and if the Yankee but smelt her favourite fish-bone, turned convulsed away—she astonished dame would look forth mute wonder on the fellow—then on her husband and on the purer—and then would fill her own and husband's plate, and eat contentedly.

Amongst others who fixed their carts on the fertile banks of the stream, and the most ancient and famed of all, was Johan Dederick Van Der Heyn, a simple yeoman, possessed of wealth and habits of industry. Even to this day is Johan renowned for many famous cures of burns, ulcers and cancers, which he effected by laying his right hand on the afflicted spot, and addressing the evil spirit with unintelligible sounds and mystic motions. But his chief renown, as tradition has it, was occasioned by the eternal pipe which enveloped his tri-cornered hat, and his untiring zeal in the cause of tobacco; inasmuch that report says his pipe was never cold, and hands him down to posterity by the name of Johan the smoker.

The old man, after having spent his life of industry and quiet, and after his lamp of life and tobacco pipe were extinguished, and he exhaled his foggy whif no more—was buried on the south side of the Mohawk, between Little Falls and Berkimer, near the spot, where the old fort now stands—and his good wife, liking his example, soon followed and was laid at his side.

Now the reason of my mentioning this worthy couple will be known at once, by declaring them the parents of Johan Just Dederick Van Der Heyn, who inherited the name of his father, and who made something of a figure in the traditions of the neighbourhood. The addition of Just to the name of his father was a whim of his mother, who always contended that he looked very like her brother of that name, whom she had left in the old country, to follow her husband's fortunes in the new—and the old gentleman, after consulting his maiden sister, at length reluctantly assented to the addition of Just. This Johan Just was left alone on the death of his parents—and at the time of the revolution had almost grown to manhood; and was not little annoyed in the course of his Sabbath evening gallantries by the yells of the savages, whose yells not infrequently caused an imprudent rap into the mire, to the destruction of the gloss of his boots, as he went across to widow Shoemaker's to visit her daughter, Marie Catrine. In truth the widow's daughter was the flower of his neighbourhood—and Johan's eye was not the only one that was attracted there—for there was Yary Van Schack, a school-fellow of Johan's, and when they were together they were often found to be laughing at Marie Catrine's antics with little Marie. But after the death of Johan's father, and the consequent loss of his property, Yary, conscious of manhood, look-

ed also with tolerable prospects upon the world, if they met at the same time was to turn on the heel for home; while Marie, unconscious of offending, and pretending wonder at the change, would plead at the door with smiles and blushes, to soothe the offended youth's return.

Dame Margaret was a kind-hearted old lady, and loved her only pride, Marie, most tenderly. She had in a measure obtained her support since the death of her husband, by frequent thefts of furs; and was so expert in the art of fortune-telling, that no one doubted her inspiration. Was there a horse or cow lost in the neighbourhood, the dame pointed out the runaway course of the stray, and pledged her reputation that immediate search would procure a return—was property stolen from her neighbours, she would tell the day, hour and minute of the depredation, describe the face, form and coat of the aggressor, and leave him little hope to escape the vigilant eye and eager pursuit of the believing German—But were the horses' tails knotted, the cows' horns made sharp and crooked; did the water's cream refuse a promise of butter, or the maiden's spinning wheel set about its task at midnight, without the touch of any visible hand—then were dame Margaret's talents put in requisition to discover the offender; and where-soever her finger pointed, there the deed was done—there did credulity fix the crime to the offender—and there must speedily vengeance fall, did not the suspected save herself by flight, or by the true faculty of a witch, of shrouding herself "in air."

Now, to relate half of the wonderful cures effected, and events foretold by the dame, would be to recount volumes of well approved tradition; but so to tell of her many virtues; her observance of holidays, her far-famed dish of sourcrout, the rich variegated laces of her painted eggs, and, without, her silence at church, her perfect recollection of the text, and her jolly Sunday after-meeting visits, would swell the pages of this history, and leave but little space for the deeds of Johan and Yary. But to name only this virtue in Margaret, she was the mother of Marie—and to be the best mother of so approved a maiden was both a virtue and a praise.

All with whom I have consulted agree most cheerfully in pronouncing Marie the fairest flower that decked the banks of the stream; the fairest memories dwell with rapture on the virtues, and the coldest hearts yet treasure in their deepest depths her sainted name.

"Nay, my son," said Yark Hans De Wanaker, when answering my interrogatories, concerning the renowned Marie—(Now Yark was a grey bearded old man, and tottered on his cane as he addressed me)—"nay, my son, thou canst but know but little of the maid; thou hast not seen her in these days; and hence I can give thee no idea by comparing her with any of thy Yankee sweet-hearts. Thou hast seen the lily—she was even more slender than is a stem. The blooming rose—her cheek was far more lovely. Thou hast noted the gait of the nimble deer, as he tripped across the lawn—she was even more gay and sprightly. Thou hast breathed the sweet breath of the morning—aye, she was sweeter still. My son, thou canst know but little of the maid—and then her voice! She would sing on a mild summer evening, and how did her sweet melody cheer me at my window. Even the nightingale was charmed, and would cease her plaintive strain and listen! I was a young man then, but alas! I was a married one."

Here the old man sighed, and before he resumed his speech I inquired after the colour of her hair. Yark rested his forehead on his hand; knitted his brows in a most memory-searching manner; looked intent on me and then upon the ceiling; and having rummaged the store-house of his memory to no effect, gave up the search, and declared frankly, but with much regret, that he had forgotten. This imperfection in Yark's memory has left me to conjecture the colour of the maiden's ringlets; and I shall not abuse my privilege, but only state that they were neither black, red, nor yellow; leaving to those who ask a more definite account, to search more deeply than I have done into the traditions of the neighbourhood.

Up to this period of our history I have gathered the facts already stated from the old people who could recount them; but what follows is translated from a German MSS. found under a grey limestone, that composed part of the floor of the old fort; which stone had upon it these initials, K. V. S. and hence the MSS. is supposed to have been written by one Rip Van Schneider, an eminent school-master, historian and philosopher, who lived and wrote about the close of the revolutionary war. This Rip could never compose his nerves on the yell of the savages, and from his reclusive and studious manner of life, was never called to act in bloody scenes of the Mohawk; and it being found that he was employed in writing a history of the times, each hero, on his return from slaughter, would recount to Rip his bloody deeds, and hence his writings may be deemed authentic. The MSS. commences—

"The hordes of savages that occupied our western and northern frontier were not infrequently found lurking in the forests, as far down the river as the village of Schreneck, and every inhabited spot in their course was laid waste; and husbands, wives and children made captive in their infernal progress. At the solemn hour of midnight, the numbers of our babes were broken by their yells; and the flames of our cottages, touched by barbarian hands, illuminated the sky. From the conflagration of their dwellings, families were seen at that hour in flight for the fort, where a few soldiers were stationed, and where was afforded a temporary protection from savage butchery.

"But what was more cruel than the whole, now and then a painted and tinkered toy neighbor could be distinguished among the Indians, and who the more assisted the infernals, from his acquaintance with our habitations, and his knowledge of the defenceless situation of this portion of the state. The fiery demon, thus leading his sable cohorts, could glut his hellish maw with feasts of cruelty, exerted toward those who had incurred his displeasure, and on whom he was now at liberty to inflict all the cruelties of savage barbarity.

"Among others, who were about to become victims of savage vengeance, was dame Margaret—a lady of good standing among us, both for her useful talent of prophecy,

and her virtues as a friend and neighbour. She lived in a log house, upon a small farm adjoining that of Johan Dederick Van Der Heyn, deceased, and at about a mile's distance from the fort. Yark Johan Just, son of the Johan above named, was reputed to be not a little attached to Marie Catrine, daughter of dame Margaret; and on one Sabbath evening was snugly seated by the maid before the kitchen fire, while dame Margaret was beguiling the passing hours by recounting the scenes of the French war, in which her husband bore a part. The dame had so occupied their attention, and fired their souls with holy patriotism, that the hours had passed unheeded away, and the dim fire had wasted to ashes—when Johan, on going to the door to discover whether it was midnight by the setting moon, was alarmed by a splash of the waters of the river, and the yell of savages on its bank. That dame Margaret and Marie were the intended victims he had no doubt, and to risk every thing in their defence he had no lack of courage. He immediately stepped within and the dame assisted to secure the door. Margaret then put into Johan's hands the old musket, which her husband had used during the French war, and which, she said had "peppered many a blanket," and then set about packing the flint of an old pistol, which had remained some years without a taste of powder. After she had succeeded in her effort, so that on collision the fire rolled in torrents from the flint, she handed it to Marie, and taking her axe in hand, stood valiantly by the side of Johan, awaiting the expected attack.

"Although Johan inherited all his father's virtues, among which, courage stood conspicuous, yet he could not restrain his eye from gazing on Catrine; and associated in his mind as was her lovely person with her impending fate, poor Johan wept and viewed, and viewed and wept again. And Catrine, too, was conscious of the sufferings of her lover, she felt that Johan's love had drawn him there, and now he was to jeopardize his person for their common defence. Each mutual pitying eye then caught the other's, and each mutual tear fell silent to the earth, till at length they were grasped in warm embrace, imparting all their depth of soul and tender feeling, when they were aroused to a keener sense of danger by a rush upon the door by the enemy without. Barred and supported as it was, it withstood the desperate effort of the savages, and dame Margaret at that instant "let drive" with her axe at the barrel of a gun, which was levelled through a crevice in the logs at her fellow soldier, Johan; which matronly blow somewhat disturbed the purposes of the intruder, and caused him to withdraw his crooked musket from his hostile operations.

"Now the savage yell was heard, and the hellish blow was levelled on every side of the little cottage. Dame Margaret's party were alternately firing at the foe through the crevices of the logs, evading the deadly aim of the intruding muskets, and extinguishing the flames set to their frail fort by the hands of the barbarians. Margaret's axe bent each intruding gun, while Johan and Marie aimed at each eye, which through the logs was pointing out the victims within.

"The strength of two or three lusty Indians was again applied without success at the door, and then a rush was made from thence, and after one fell whoop a sullen stillness ensued. Now the discharge of a gun, and the lodge of its contents in the logs of the cottage, announced a renewed attack; and then was heard a scampering of savages' feet, as if in precipitate retreat to the forest. But every artifice failed to draw out the warring three from their sad fortification; and now Johan perceived that an effort was making to break into the garret of their hut, and gun in hand he rushed up the ladder to repel this new manner of attack. One, by removing a board at the end, had succeeded in entering, and another was gaining entrance through the same opening and coming fast to his aid. Johan fired on the first intruder, and stretched him at length on the floor, but before he could make a second fire the other was full upon him—they struck, a scoundrel fell; but Johan was a robust lad, and as strength would have it, he fell atop, and manfully fixed his antagonist to the floor. In the struggle the hatchet of the latter had fallen from his hand, and Johan perceiving, caught it up, and raising one desperate blow, sunk it deep into the head of the intruder.

"As he was again about to sink the impending hatchet, he felt the grasp of the fallen foe relax, and heard a faint and dying groan. In the faulting accents he recognized the voice of Yary Van Schack, and caught his dying words:—"Johan, I have merited my fate—and God grant, what I did not intend, that you and the lovely Marie may yet be saved from the hands of my hellish colleagues!" Johan was palsied at the sound—his firm grasp upon the fallen insensibly relaxed, and in wild confusion he returned to his anxious associates below.

"Day had now faintly marked the horizon, and their leader being missed, the foes retreated precipitately to the thicket."

Thus ended the unequal strife—thus ended a scene as glorious on the one side as hellish on the other—for Yary intended by his tory league, to gain the person of the lovely Marie, who had modestly declared for Johan Just, and against Yary's claim to her heart—and to destroy the life of Johan, whom he hated as his rival; hypocritically bearing him every outward mark of friendship and esteem.

Thus did the crimes of Yary end in death, and Marie was restored to the bosom of her Johan, and long did they live in wedded love, and many were the little Johans that blessed their nuptial bed, and smiled and prattled around their endeared parents.

OHIO.

Extract of a letter from a member of the Ohio Legislature to his friend in this place, dated 29th January, 1827.

"On the 27th instant the two Houses met for the purpose of electing a Senator to Congress; and on the ninth ballot, Mr. Roggles received 54 votes, the number which was necessary to a choice.

PROCEEDINGS OF THE LEGISLATURE OF MARYLAND HOUSE OF DELEGATES.

WEDNESDAY, February 7, 1827.

Petitions were this day presented, viz. By Mr. Millhenny, the petition of David Kieffer, of Frederick county, praying the passage of an act to authorise the extension of a ten feet alley in the town of Westminster, to the width of twenty feet; referred to Messrs. Millhenny, Farquhar and Barnes. And

By Mr. Linthicum, the petition of Ann Merriken, of Anne-Arundel county, praying for support and pecuniary relief; referred to the committee on that subject.

Leaves were this day asked and obtained to introduce bills of the following titles, viz. By Mr. Beall, An act to repeal all such parts of the constitution or form of government as disqualify a minister or preacher of the gospel, of any denomination, from having a seat in the general assembly, or the council of the state. Messrs. Beall, Barnes and Brooke, were named as a committee to prepare the bill. And

By Mr. Buchanan, A supplement to an act, entitled, An act for the more effectual protection of public worship in this state. Messrs. Buchanan, Tyson and Linthicum, were named as a committee to prepare the bill.

On motion by Mr. Ridgely it was Ordered, That the committee of claims be instructed to inquire into the propriety of allowing to the securities of Thomas Pollard, former sheriff of Allegany county, the amount of any sum or sums of money deposited or left in the hands of Roger Perry, esq. the then attorney to the state, which said money was left for the state debt.

THURSDAY, February 8th, 1827.

The several bills of the following titles, passed by this house yesterday, were sent to the senate for concurrence, viz.

An act to authorise the governor and council of Maryland to appoint inspectors of salted pork and beef in this state.

An act to divorce Jane Atkinson, and her husband Hugh Atkinson, of the city of Baltimore.

An act for the relief of James Kelly, of Kent county. Petitions and memorials were this day presented, viz.

By Mr. Buchanan, the memorial of sundry inhabitants of Baltimore county, praying the passage of a law to provide means to put the state system of public education into speedy operation; referred to the committee on public instruction.

And the petitions of Francis X. Gindhart, and Sarah Gindhart, his wife, of the city of Baltimore, each praying for a divorce; which were severally referred to the committee on divorces.

By Mr. John W. Thomas, a petition from sundry inhabitants of Harford county, praying that the law incorporating a company to build a bridge over the river Susquehanna at Havre-de-Grace, may be repealed; referred to the same committee, to whom has heretofore been referred similar petitions.

By Mr. Hope, the petition of Christopher Wilson, of Harford county, praying relief, and compensation for his services therein intoned; referred to Messrs. Hope, Sutton and Norris.

FRIDAY, February 9.

A message was received from the senate, by the clerk thereof, returning the bills that were sent from this house for concurrence, of the following titles, viz.

An act concerning certain dealers in lottery tickets, endorsed "will pass with the proposed amendments;" which amendments were read the first time, and with the bill, referred to the committee on lotteries. And

An act for building a new prison in Calvert county, and for other purposes; endorsed, "will pass." Whereupon it was ordered, that the said bill be engrossed.

And also communicating a bill, that originated in, and passed the senate, entitled, An act to regulate the corporate elections of the city of Baltimore, and the appointment of corporation officers; which was read the first time, and referred to Messrs. Tyson, Stricker and Buchanan.

Mr. Barnes reported a bill, entitled, An act to prevent gaming; which was read the first time; and on motion by Mr. Barnes, the house by a special order, agreed to proceed to the consideration thereof; when, in the progress of the second reading of said bill, on motion by Mr. Barnes, the first blank was filled with "two thousand dollars." Mr. Barnes then moved to fill the second blank with "five hundred dollars." Mr. Brooke moved to fill the second blank with "one thousand dollars." and the question being taken thereon, it was resolved in the affirmative.

On motion by Mr. Barnes, the third blank was filled with "four thousand dollars;" the fourth blank was filled with "two thousand dollars;" and the fifth blank was filled with "twelve months, nor less than three months."

Mr. Teackle offered the following as an amendment and an additional section, viz. "And be it enacted, That nothing herein contained shall operate to abate any prosecution now pending under the laws of this state."

Which was twice read, and the question taken on the adoption thereof. Determined in the negative.

On motion by Mr. Barnes, the question was propounded, Will the house adopt the following amendment as an additional section, to be inserted immediately preceding the last repealing clause of the bill, viz. "And be it enacted, That all fines imposed under this act, shall be paid, one half to the informer, and the other half to the state."

Resolved in the affirmative.

On motion by Mr. Teackle, the question was propounded, That the house reconsider its decision on the amendment which he had proposed as above? Determined in the negative.

The question then recurred, and was propounded; Shall the said bill pass? Resolved in the affirmative; and so the bill was passed.

The house then adjourned until to-morrow morning at 10 o'clock.

Washington Telegraph.

Notice.

In pursuance of a commission... as heretofore issued from... county court, authorizing... the subscribers to divide the... state, lying and being situate in... county, whosoever... Valston, his of said county... issued, without having disposed... by will, among the several... entitled to the same by the laws... his State, the subscribers will... the said real estate on Monday... 5th day of March next, for the... of performing the duties, enjoined on them by the said commission.

David Howard
Joseph Leonard
James Fooks, esq.
Thomas Gordy, &
Saml. Gordy,
Worcester county, Jan. 8, 1827.

Sale of Land for Cash.

To be sold for CASH, at Public Sale, on Saturday the third day of March next,

TWO TRACTS OF LAND

lying on Severn River, five miles from the city of Annapolis, and contiguous to each other. The one called "Radsum" and the other "Anglin's discovery," the two tracts contain three hundred and twenty acres or thereabout. John Camden, who lives on the land, will show it to any person inclined to purchase. The sale will be at Mr. Hunter's Hotel. Mr. Richard J. Crabb will attend the sale, and is authorised to receive the cash, and will receive in payment good negotiable Notes, with two indorsers, payable and negotiable at the Farmers Bank of Maryland. The sale commences at eleven o'clock.

Jan 18 Jeremias T. Chase.

Chancery Sale.

By virtue of a decree of the Court of Chancery, the subscriber will expose to public sale, at Hunter's Tavern, in the city of Annapolis, on Saturday the 10th day of February next, all the right, title and interest of Susanah Elliott, formerly Susanah Nicholson, in and to a tract or parcel

LAND

whereof John Nicholson, died seized, called "Beard's Habitation," lying and being in Anne Arundel county. Also sundry articles of personal property. Terms of sale—Cash to be paid on the day of sale, or on the ratification hereof. Sale to commence at 11 o'clock.

Jan 18 1827 Cassaway, Trustee.

December Term,

Anne Arundel County, Orphans Court, January 8th, 1827.

Ordered, That Thomas J. Hall, administrator of Jesse Leitch, late of Anne Arundel county, deceased, give notice, by advertisements to be inserted in the Maryland Gazette and Baltimore Gazette, once in each of three successive weeks, to the legal representatives of the said Jesse Leitch, that distribution of the estate will be made under the court's direction on the second Tuesday in April next. In testimony that the foregoing is a true copy taken from the proceedings of the orphans court, I hereto set my hand and affix the seal of my office, this 8th day of January, eighteen hundred & twenty-seven.

Thos. H. Hall, Reg. Wills A. A. County.

DECISIONS

OF THE

Court of Appeals of Maryland.

PUBLISHED

By Subscription.

THE DECISIONS

OF THE

COURT OF APPEALS OF MARYLAND,

To be Reported by Thomas Harris, Esquire, Clerk of the Court of Appeals, and Reverdy Johnson, Esquire, Attorney at Law.

These Decisions will form a continuation of the first volume of Reports already published by Messrs. Harris and Johnson, which closes with the year 1805. It is proposed to publish the Decisions in a Series of Numbers, each to contain not less than one hundred and twenty five pages, and four numbers to constitute a volume. The last number of each volume will contain a full and complete Index. This mode of publication, it is conceived, possesses advantages which give it a decided preference to that of publishing the Reports in bulky volumes. It ensures the earlier publication of the Reports, and as not more than four numbers will be published in a year, expense will not be so sensibly felt.

TERMS

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