

Maryland Gazette.

ANNAPOLIS, Thursday, March 29, 1827.

No. 13.

DECISIONS

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 Reverend John 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. The mode of publication, it is conceived, possesses advantages which give it a decided preference to that of publishing the Reports in bulky volumes. It enables the earlier publication of the Reports, and as not more than four numbers will be published in a year, the expense will not be so sensibly felt.

TERMS

The price of each number of the Reports will be \$1 25, payable on delivery.
Subscriptions to the above work are received at GEO SHAW'S Store, the Maryland Gazette Office, and the respective Offices of the County Clerks of this State.

Sheriff's Sale.

By virtue of a writ of fieri facias issued out of the court of appeals, and to me directed, against the goods and chattels, lands and tenements, of Lewis Sutton, at suit of Nathaniel C. Dare and William P. Chesley, I have seized and taken in execution all that piece or parcel of land, called Friendship lying and being in the Village of Friendship, near Harving Bay, containing twenty acres of land, more or less; the improvements consist of an excellent framed dwelling house, kitchen and other out houses; also one other lot upon which is erected an excellent store house in good order; also one other lot whereon is erected a blacksmith's shop, and on Saturday the 31st day of March inst. at the premises, I shall proceed to sell the said property to the highest bidder, for cash, to satisfy the debt due as aforesaid. Sale to commence at eleven o'clock.
R. Welch, of Ben. Shiff. A. A. County.
March 15.

February Term, 1827. Anne-Arundel County Orphan Court, March 24, 1827.

Ordered. That Richard Harwood (of Thos.) and Henry H. Harwood, administrators of Benjamin Harwood, late of Anne Arundel county, deceased, give notice by advertisement in the Maryland Gazette, Maryland Republican, Baltimore Gazette and National Intelligencer, once in each of six successive weeks, to the legal representatives of the said deceased, that distribution of part of the personal estate of the said deceased, will be made under the court's direction on the first Monday in June next. In testimony that the foregoing is a true copy taken from the proceedings of the orphan court I hereto set my hand and affix the seal of my office, this 3d day of March, eighteen hundred and twenty seven.
Thos. H. Hall, Reg. Clk. A. A. C. Co.
March 15.

Notice is hereby given.

That an election will be held at the dwelling house of George Place, on Monday the second day of April next for the purpose of electing seven common council men, to represent the City of Annapolis in the corporation thereof.
By order, R. I. Cowman, Corp. Clk. Annapolis.
March 15.

Notice.

Persons having either of the boats mentioned below, having the name of Benjamin Harwood or Richard Harwood of Thos. written thereon, are requested to leave them at this office or to return them to the subscriber, 4th vol. Goldsmith's Works, 5th vol. Analytic Magazine, 21 do Goldsmith's Animated Nature, 24 do Shakespeare Plays, 1 & 2 do Pope's Works, of Thos. H. Hall, of the City of Annapolis.
March 1.

RAGS.

Clean Linen and Cotton Rags, are purchased at the Store of Geo. Shaw, Jan. 4, 1827.

PRINTED AND PUBLISHED BY
Jonas Green,
CHURCH-STREET, ANNAPOLIS.
Price—Three Dollars per annum.

PROPOSAL

FOR PRINTING
The Journals of the Conventions of the Province of Maryland,
held in the City of Annapolis, in the years 1774, 1775 and 1776.

If sufficient encouragement be given, the Subscriber proposes to publish, in one volume octavo, the Journals of the Conventions of the Province of Maryland in the years 1774, '75 and '76. It is believed that there are not more than two copies of these Journals extant; and from the circumstance that they were printed in pamphlet form, and unbound, it may be fairly concluded that they, too, must in a few years be destroyed by the mere decay of time. These Journals are the only authentic evidence of the Political History of Maryland, during that interesting and unquiet period. Although they have, in abundance, histories of Maryland, as connected with the Colonies, at that time, for mutual protection against the improper assumption of power on the part of the Mother Country, yet none of these works embrace that part of the History of Maryland, which is so interesting and so important to the present and future of her people. It should be her pride to hand down to posterity, not only on account of its deep interest, but as a public Record of the voluntary sacrifice, daring spirit, and determined resolution of her citizens, during this period of doubt and dismay.
In the confident expectation that the citizens of Maryland will consider the proposed publication of sufficient importance to entitle it to their patronage, the Subscriber is induced to issue these proposals.
The Price per Copy, not to exceed \$3 00.
J. GREEN.

Commission Business.
Alexander Miller,
No. 8, Light-Street Wharf,
BALTIMORE.
respectfully informs his friends, and the public generally, that he continues to transact the business of
COMMISSION MERCHANT,
and devotes his attention principally to
Tobacco, Grain and Flour
for the Planters and Farmers, and directs himself that the experience of nearly four years attention to this business, and his best exertions to give satisfaction, will ensure him the continued support of his old friends, and him many new ones.
March 15.

For Sale or Rent,
VALUABLE CITY PROPERTY

The Subscriber offers for Sale or Rent, the House and Lot, opposite the Dock, now occupied by him. The dwelling is large and commodious, the Store one of the best stands for business in the City. For terms apply to
Richard Ridgely.
Feb 22.

The fine fast sailing PACKET SLOOP GEORGE WASHINGTON.

GEORGE W. DUVALL, MASTER.
has commenced her regular line between Annapolis and Baltimore, leaving each place exactly twice in each week; her accommodations are excellent, being fitted up particularly for the comfort and convenience of passengers, with separate cabins for Ladies and Gentlemen. Great care will be given to give entire satisfaction to all who continue to this packet, the great share of public patronage she has always experienced.
The following are the low terms at which accommodations are put:
Passage 75 cents.
Dinner 37 1/2
Breakfast and Supper each 25
The greatest care will be taken of all baggage and freight sent by this packet, every attention paid to the safe delivery of the same, with a choice selection of the LIQUORS, and every attention to the demands of the guests, by their obedient servant
G. W. DUVALL.

TITLES OF ACTS Passed December Session, 1826.

(EXCLUDED.)

- No. 80. An act to incorporate a company in the city of Baltimore to be called The Vigilant Fire Company.
- 81. An act to incorporate the stockholders of the Temascalcepe Mining Company of Baltimore.
- 82. An act regulating fences in Charles and Allegany counties.
- 83. An act for the relief of Mary Snowden, of Cecil county.
- 84. An act to alter the time of holding the county courts in Caroline county, at their March terms.
- 85. An act for the relief of the sheriff of Caroline county, and others of said county.
- 86. An act to divorce Henrietta Hewitt, and her husband William Hewitt, of the city of Baltimore.
- 87. An act for the opening of Ensor-street, in the city of Baltimore.
- 88. An act to prevent gaming.
- 89. An act for the relief of Priscilla North, of Somerset county.
- 90. An act to divorce Lucinda D. Lushy, and her husband Thomas R. Lushy, of the city of Baltimore.
- 91. An act for the opening of Monument-street, in the city of Baltimore.
- 92. An act for the relief of Sophia Porter, of Baltimore county.
- 93. An act to divorce James Bosworth, and Mary Amanda his wife, of the city of Baltimore.
- 94. An act for the relief of Rachel Russell, of Prince-George's county.
- 95. An act to make valid the election of a Burgess and commissioners of Emmitsburg, in Frederick county.
- 96. An act to protect the breed of fish in Anne-Arundel county.
- 97. An act authorizing the appointment of commissioners for the regulation and improvement of the village of Greensborough in Caroline county.
- 98. A further additional supplement to the act, entitled, An act to alter and change the name of Elizabeth-Town, in Washington county, to Hager's Town, and to incorporate the same.
- 99. An act to make valid certain proceedings therein mentioned.
- 100. A further additional supplement to an act, entitled, An act for the more effectual collection of the county charges of Allegany county.
- 101. An act to incorporate the Cumberland Engine Company, in the town of Cumberland, in Allegany county.
- 102. A supplement to an act, entitled, An act for the valuation of real and personal property in the several counties of this state, passed November session eighteen hundred and twelve, chapter one hundred and ninety-one, so far as relates to Dorchester county.
- 103. An act to provide for the payment of jurors in Harford county.
- 104. An act to authorise the erection of gates on the public road therein mentioned in Dorchester county.
- 105. A supplement to an act, entitled, An act for changing the name of Charles-Town, in Charles county, to that of Port-Tobacco, for securing the titles of proprietors of lots and houses therein, and for the regulation and improvement of said town.
- 106. An act for the regulation and improvement of the village of Denton, in Caroline county, and for other purposes.
- 107. An act to change the names of the Bank of Westminster and Office of Pay and Receipt, to the Farmers and Mechanics Bank of Frederick County, and to locate said bank at Frederick city, with a branch at Westminster.
- 108. An act for draining certain lands in Caroline county.
- 109. An act to facilitate the collection of taxes levied on the lands of non-residents in Anne-Arundel county.
- 110. An act to encourage the destruction of crows in the several counties therein mentioned.
- 111. An act to authorise the governor and council of Maryland, to appoint one justice of the levy court for each election district of Washington county.
- 112. An act to provide for the payment of the bailiffs of Prince-George's county court.
- 113. An act to authorise and empower commissioners to open and extend the breadth of an alley in Westminster, in Frederick county.
- 114. An act for draining a branch and the low lands at Parson's creek and Tobacco Stick, in Dorchester county.
- 115. An act for the relief of Henrietta S. Love, of the city of Baltimore.
- 116. A supplement to an act, entitled, An act to authorise the sale of tickets in a lottery to be drawn in Virginia, for the disposal of the property of Thomas Jefferson.
- 117. An act to provide for the more speedy payment of jurors in Charles and Kent counties.
- 118. An act to alter and repeal such parts of the constitution and form of government, as relate to the division of Worcester county, into election districts.
- 119. An act, for the benefit of Adam Robb, executor of Upton Beall, late clerk of Montgomery county.
- 120. An act authorising John T. Barnes, a free man of colour, to bring his wife Jane, into this state.
- 121. An act authorising Isaac Sweet, a free man of colour, to bring his wife Katy Sweet, into this state.
- 122. An act to incorporate a company in Funk's-town, in Washington county, to be called the Funk's-town Fire Company.
- 123. An act to incorporate the Baltimore and Ohio Rail Road Company.
- 124. An act to authorise the securities of Charles Jones, late sheriff and collector of Somerset county, to collect balances due him.
- 125. A supplement to an act to incorporate the town of Williamsport, in Washington county.
- 126. An act to make public a road therein mentioned.
- 127. An act supplementary to an act, entitled, An act authorising the commissioners to lay out a road in Montgomery and Anne-Arundel counties, passed December session, 1823, chapter 45.
- 128. An act to give the levy court of Caroline county, certain discretionary powers therein mentioned.
- 129. An act to prevent the going at large of swine, in the town of Rockville, in Montgomery county.
- 130. An act for the improvement of the town of Rockville, in Montgomery county.
- 131. An act for the relief of the trustees of the Hager's-town academy.
- 132. An act for the relief of Aquila Beall and Trueman Tyler, of Prince-George's county.
- 133. An act to repeal and alter all such parts of the constitution and form of government as relate to the division of Baltimore county into election districts.
- 134. An act to authorise the moderator and commissioners of Hagers-town, to levy the sum of three hundred dollars for certain purposes.
- 135. An act to enable Charles Carroll, of Carrollton, to receive patents for two warrants of survey on lands in Baltimore county, heretofore conveyed in trust by him.
- 136. An act to incorporate the Pennsylvania and Maryland Canal Company.
- 137. An act authorising the governor and council of this state to appoint inspectors of salted fish for the city of Baltimore, and for other purposes.
- 138. An act for the relief of Martin Fenwick, of Anne-Arundel county.
- 139. An act for the relief of John Yeamans, of Cecil county.
- 140. An act for the benefit of Hester Whitaker and others, the heirs and representatives of Alexander Whitaker, of Montgomery county, deceased.
- 141. An act for the relief of Jacob Getzendanner, of Frederick county.
- 142. An act for the establishment of a road, and the condemnation of land for its repair, in Kent county.
- 143. An act incorporating the master and wardens of Clinton Lodge, No. 83, of Free and Accepted Masons, for the purposes therein mentioned.
- 144. An act to revive and extend the provisions of an act entitled, An act to provide for the appointment of commissioners for the regulation and improvement of Salisbury, in Somerset and Worcester counties.
- 145. An act to authorise and empower the levy court of Frederick county, to levy a sum of money and rebuild a bridge over Monocacy, on the road leading from Taney-town to Emmitsburg, in said county.
- 146. An act to authorise the levy court of Caroline county, to build a bridge and open certain roads in said county, and for other purposes.
- 147. An act supplementary to an act incorporating a company to introduce a copious supply of water in the town of Emmitsburg, in Frederick county.
- 148. An act to change the road and divisional line between Queen-Anne's and Caroline counties.
- 149. An act for draining the right prong of a branch in Queen-Anne's county, known by the name of the Andover Branch.
- 150. An act to rebuild or repair a bridge at Federalsburg, between Dorchester and Caroline counties.
- 151. An act authorising Elizabeth R. Howard, of Montgomery county, to convey a certain lot of land, therein mentioned.
- 152. An act to change and alter the names of David Trundle and Hezekiah Trundle, sons of John L. Trundle, of Montgomery county, to David Henry Trundle, and Hezekiah William Trundle.
- 153. An act for the benefit of John Aisquith, the administrator of Robert C. Aisquith, late of the city of Baltimore deceased.
- 154. An act relating to division fences, between different proprietors, in Anne-Arundel county.
- 155. A further supplement to the act, entitled, An act for the better regulation of apprentices.
- 156. A supplement to the act, entitled, An act to incorporate Frederick-Town, in Frederick county.
- 157. An act relating to injunctions.
- 158. An act relating to the commissioners of the tax of Worcester county.
- 159. A further supplement to an act, entitled, An act for enlarging the power of the high court of chancery.
- 160. An act for the relief of Elizabeth Gibson, of Harford county.
- 161. A further additional supplement to the act, entitled, An act for the better regulation of apprentices.
- 162. An act for the relief of Ann Gilder, of Queen-Anne's county.
- 163. An act for the benefit of Alfred H. Dashiell, and others, of the city of Baltimore.
- 164. An act for the relief of Sarah Henderson, of Montgomery county.
- 165. An act to alter the time of holding the county courts of Frederick county, and for other purposes.
- 166. An act for the relief of William H. Burwell, of Washington county.
- 167. A supplement to an act, entitled, An act to amend and reduce into one, the several acts of assembly relating to the public roads in Worcester county, passed at November session 1821.
- 168. A further supplement to the act, entitled, An act to establish a bank and incorporate a company under the name of the Cumberland Bank of Allegany.
- 169. An act for the relief of certain negroes therein mentioned.
- 170. An act to facilitate the collection of taxes due upon lands in Charles county, belonging to non-resident proprietors.
- 171. A supplement to the act, entitled, An act to incorporate the president and directors of the Firemen's Insurance Company of Baltimore.
- 172. An act making appropriations for the benefit of the American Colonization Society.
- 173. An act to repeal the eleventh section of an act, entitled, A further supplement to the act, entitled, An act to regulate the inspection of tobacco.
- 174. An act to provide for completing the records in the office of register of wills for Charles county.
- 175. An act to authorise and empower the levy court of Frederick county, to levy a sum of money and erect an engine and house in Frederick-Town.
- 176. A further supplement to the act, entitled, An act to

- establish state warehouses for the inspection of tobacco in the city of Baltimore.
- 177. An act to appoint commissioners for the purpose of dividing Dorchester county into seven separate election districts.
- 178. An act to regulate the manner of giving public notice in cases required by law.
- 179. An act to alter the mode of appointing commissioners of the tax for Somerset county.
- 180. An act to change and repeal so much of the constitution and form of government of this state, as relates to the division of Queen-Anne's county into election districts.
- 181. An act to repeal all that part of the constitution and form of government as relates to the division of Dorchester county into six separate election districts.
- 182. An act relative to the lands of which James Busick, of Dorchester county, died seized intestate.
- 183. An act relating to revolutionary officers and soldiers, and their widows.
- 184. An act relative to certain property of Rebecca Smith, of Baltimore county.
- 185. An act to divorce Theodoric Kimmel, and Elizabeth Kimmel his wife, of the city of Baltimore.
- 186. An act to authorise the levy court of Frederick county, to levy a sum of money for the purpose of building a bridge over Little Pipe Creek, in said county.
- 187. An act to change the name of William Connelly, of Dorchester county, to that of William Smoot.
- 188. A supplement to the act, passed at December session eighteen hundred and twenty-six, entitled, An act to repeal all such parts of the constitution and form of government as relate to the division of Frederick county into eleven election districts.
- 189. An act to incorporate the Maryland Savings Institution.
- 190. An act to authorise Rachel Colvin, and Samuel Colvin, of the city of Baltimore, to execute deeds for certain property therein described.
- 191. An act for the benefit of James Wolfenden, and Joseph Jamison of Baltimore county.
- 192. An act relating to mortgages in the city and county of Baltimore.
- 193. A further supplement to the act, entitled, An act to incorporate a company to make a Turnpike road from the city of Baltimore to Havre-de-Grace.
- 194. A supplement to the act, entitled, An act for regulating the mode of staying executions, and for repealing the acts of assembly therein mentioned.
- 195. An act to incorporate the Maryland Chemical Works.
- 196. An act to legitimate Robert Delahay, Henry Delahay, the younger, and James Delahay, of Talbot county, the children of Henry Delahay and Susan Millington.
- 197. An act relating to lunatic and insane persons.
- 198. An act to authorise Mary C. Spence, of Baltimore county, to sell or lease and convey the real estate of Robert T. Spence, deceased.
- 199. An act relating to the courts of equity in this state.
- 200. An act regulating writs of error, and granting appeals to the court of appeals.
- 201. An act relative to the establishment of a light-house on Point Concord at the mouth of the Susquehanna river, and for other purposes.
- 202. An act to open and extend Pine-street, in the city of Baltimore.
- 203. An act for the relief of Samuel M'Bride, of Allegany county.
- 204. An act to repeal an act passed the twenty seventh day of January 1827, entitled, An act to prevent boats and other vessels from taking sand from that part of the eastern branch of the Patomac lying and being in Prince-George's county.
- 205. An act to authorise the appointment of a treasurer for Baltimore county.
- 206. A supplement to an act, entitled, An act for the benefit of Adam Robb, executor of Upton Beall, late clerk of Montgomery county.
- 207. An act to incorporate the Vulcan Furnace Company of Baltimore.
- 208. An act to authorise the clerk of Prince-George's county to record a deed therein mentioned.
- 209. An act to make valid and effectual the letters of attorney therein mentioned.
- 210. A supplement to the act, entitled, An act to establish a patrol in Calvert county, passed at December session 1823, chapter 85.
- 211. A supplement to the act, entitled, An act for the promotion of internal improvement.
- 212. An act to provide for the valuation and condemnation of water at the mouth of Cambridge Creek in Dorchester county, for the erection and establishment of a tide mill.
- 213. An act to alter and amend the third section of an act entitled, An act respecting elections.
- 214. An act for the payment of the journal of accounts.
- 215. An act to regulate the amount of capital on which the annual tax shall be paid by the banks therein mentioned.
- 216. An act relating to the Bridge over the Great Falls, of Gunpowder, in the eleventh election district of Baltimore county.
- 217. An act to provide for electing commissioners for Baltimore county, and prescribing their powers and duties.
- 218. An act for draining a pond of water on Church Hill, in Queen-Anne's county.
- 219. An act to authorise the clerk of the city court of Baltimore to grant licenses to the keepers of billiard tables in the said city.
- 220. An act to pay the civil list and other expenses of civil government.
- 221. An act relating to bail in civil actions.
- 222. A further supplement to the act entitled, An act for enlarging the power of the high court of chancery.
- 223. A further supplement to the act entitled, An act to provide for the administration of justice in the case of crimes and misdemeanors in the city and precincts of Baltimore.
- 224. An act to appoint a warden for the jail of Baltimore county.