

Maryland Gazette.

ANNAPOLIS Thursday, January 10, 1828.

No. 2

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

Public Sale.
virtue of an order from the or-
court of Anne-Arundel coun-
subscriber will expose to pu-
on Friday the 18th inst. on
remains part of the

Personal Estate
Day, late of said county, de-
consisting of Negroes, Horses,
Plantation utensils, &c. Terms
—A credit of six months will
for all sums of ten dollars
given to the purchaser giving
with approved security, for the
of the purchase money, with
from the day of sale; for all
under ten dollars the cash to
Sale to commence at 12 o'

2 Nathaniel Day,
Adm'r. D. B. N.

Sheriff's Sale
virtue of a writ fieri facias
out of Anne Arundel county
and to me directed, against the
and chattels, lands and tene-
of Joseph Nicholson, at suit of
and Richard Estep, for re-
of Fridge & Morris, I have
and taken in execution, the
of land situate in the said Ni-
now residing, called "Ander-
Street Walks" and one Negro
named Tom, and on Wednesday
the 29th January 1828, at
11 o'clock, on the premi-
of the right, title claim and in-
of the said John A. Waters,
and unto all those several tracts or
of land, of which Jacob P.
of said county, died seized
possessed, containing 693 acres,
and being in Prince George's
and adjoining the lands of
Gess. Davall, Wm. Beckett, ex-
The improvements consist
of a large and commodious fram-
dwelling house, three Tobacco
pens, and all other necessary in-
together with a first rate Wa-
situated on a never failing
and has an abundance of
ber, freestone, &c. It lies within
of Washington city, 26 miles
Baltimore and 18 of Annapolis.
is deemed unnecessary to give a
description of this property,
it is presumed that those persons
desire to purchase, will view the
premises to the day of sale. The
of sale are—one third of the
price money to be paid in six
months, one third in 12 months and
the residue in 18 months from the
day of sale; the payment of the same
to be secured by bonds, with good
and sufficient security, bearing inter-
est from the date, and upon the pay-
ment of the purchase money, the sub-
scribed to be a title which is
deemed to be indisputable.

2 R. Welch of Ben. late
Snt. A. A. C.

AND FOR SALE.

virtue of a deed of trust, (with
equipment of dower) executed to
the subscriber, by John A. Wa-
of Prince-George's county, and
of record in the clerk's office of
county, I will offer for sale on
Friday, the 29th January 1828, if
at 11 o'clock, on the premi-
of the right, title claim and in-
of the said John A. Waters,
and unto all those several tracts or
of land, of which Jacob P.
of said county, died seized
possessed, containing 693 acres,
and being in Prince George's
and adjoining the lands of
Gess. Davall, Wm. Beckett, ex-
The improvements consist
of a large and commodious fram-
dwelling house, three Tobacco
pens, and all other necessary in-
together with a first rate Wa-
situated on a never failing
and has an abundance of
ber, freestone, &c. It lies within
of Washington city, 26 miles
Baltimore and 18 of Annapolis.
is deemed unnecessary to give a
description of this property,
it is presumed that those persons
desire to purchase, will view the
premises to the day of sale. The
of sale are—one third of the
price money to be paid in six
months, one third in 12 months and
the residue in 18 months from the
day of sale; the payment of the same
to be secured by bonds, with good
and sufficient security, bearing inter-
est from the date, and upon the pay-
ment of the purchase money, the sub-
scribed to be a title which is
deemed to be indisputable.

Notice to Gunners, &c
All persons are forewarned tres-
passing in any way, on our lands or
on the south side of Severn
river. The law will be rigidly en-
forced against all offenders.
Thomas R. Cross,
Henry H. Brown,
John Marriot,
Thomas J. Stockett.

Notice to give Notice
That the subscriber has obtained
of the Supreme court of Anne A-
county, letters of administration
D. B. N. on the personal estate of
Nathaniel Day, late of said county, deced-
ed. All persons having claims against
said estate, are requested to present
the same, duly authenticated, for set-
tlement on or before the 10th day of
February, next, to the subscriber, at
his residence in Annapolis, D. B. N.

Governor's Message.

Transmitted to the General Assembly of Maryland on the 2d inst.

EXECUTIVE DEPARTMENT,

Annapolis, January, 1828.
Fellow Citizens of the Senate and of the House of Delegates;

The usual period has again arrived when, by the provisions of our constitution, the representatives of a free people, selected for their wisdom and integrity, are convened for the purpose of consulting together for the general good of the State; and coming, as you do, from every part of it, necessarily bring with you a perfect knowledge of the wants and wishes of our common constituents.

That the enviable distinction which you have received is well merited, and that the confidence of the people will be fully rewarded by the wisdom of your measures, we feel the most satisfactory anticipations; and if by an entire co-operation on our part—which we cordially tender you—the public welfare shall be promoted, and the business of the session facilitated, it will afford us the highest satisfaction.

The subjects referred to the Executive by the last General Assembly were but few, and of minor importance—they have all been attended to.

The weights and measures, directed by an act of December session 1826, to be procured, have all been obtained, and delivered in the course of the present summer to the respective levy courts of the several counties. They appear to have been well made, of the best materials, and may be considered correct standards.

We submit, herewith, the annual report of the directors of the Penitentiary, which shows that the concerns of that institution have been well conducted. The additional building authorized to be erected, and which is designed to provide cells for solitary confinement, from which the happiest results are anticipated in the reformation of criminals, is not yet completed. Under the present discipline, (and the building admits of no other arrangement) the penitentiary may be considered a school for vice, where the depravity of one more conspicuous in crime than the rest, is freely communicated and impressed upon the minds of those less wicked.

Every effort should be made to perfect the penitentiary system. Its institution forms a new era in the criminal jurisprudence of our state, and from its superior humanity and benevolence over the former code, has a natural connection with our republican institutions, every feature of which is at variance with the cruelty of unnecessary sanguinary punishments.

It affords us the highest satisfaction to inform you that the subject of internal improvement, so interesting to the citizens of this state, begins, at last, to assume a shape that promises, speedily, beneficial results. The intelligent and enterprising individuals having the direction of the Baltimore Rail Road Company, aided by the United States Topographical Engineers, promptly furnished them, at their request, by the government, at Washington, have so far completed the examination of the ground between the city of Baltimore and the Ohio river, as to ascertain the practicability of the undertaking, and enable the president of the company to advertise for materials preparatory to commencing this important work the next season. By the provisions of the act of incorporation, the state has reserved to itself the right to subscribe for stock to the amount of one million of dollars; and upon so subscribing, to appoint four directors to assist in the management of the affairs of the company, provided the subscription be made within twelve months from the passage of the said act. The time limited for the state to make this subscription will expire on the 28th day of February next. It will, therefore, be necessary, if you should decide to take the stock, to authorize the subscription on or before that day, as no extension of the time can take place without the assent of the company.

The amount of subscriptions to the stock of the Chesapeake and Ohio Canal have been such as leads us to believe that that equally important work will also have an early commencement.

With these two great works completed, Maryland would begin to realize those commercial advantages, which from her geographical position, the fertility of her soil, the variety of her productions, the value of her fisheries, and the abundance and richness of her minerals, she is so justly entitled to. The shortest and most direct communication to the western states can have with the Atlantic, is through Maryland.

Let us then afford them every facility of intercourse with us, and they will richly reward us by the contribution of their valuable productions to swell our foreign commerce, at the same time that we shall greatly extend our inland trade, always more important to a country than its foreign traffic.

Notwithstanding the great advantages Maryland will, obviously, derive from those works, they possess more of a national than local character, and we have no doubt will receive the fostering aid of the national government, which has heretofore been so wisely extended to works of a similar nature, though of minor importance.

Roads and canals are as essential to the growth and prosperity of a country, as arteries are to the health and vigour of the human body. They facilitate intercourse, bring citizens of remote districts together, and thereby remove local prejudices, and diffuse wealth and comfort through the land, by affording a cheap and easy interchange of the surplus productions of one section of the country for those of another.

You will receive, herewith, Doctor Howard's report of the survey of a route for a canal from the Potomac to Baltimore, and of an examination of the country towards this city, with a view of connecting it with the proposed canal. The execution of this survey and examination is highly creditable to that enlightened and worthy citizen, and it contains information very desirable to be possessed both by the general and state governments, which can be resorted to for practical purposes, either at the present or any future period. It is very gratifying to observe, that the United States topographical engineers are so freely detailed on works of this sort. This corps consists principally of graduates from that invaluable military school at West Point; and were no other advantages to be derived from this highly interesting national institution, than the extensive surveys they have been engaged in making through the country, the republic would be amply remunerated for all the expense attending the establishment.

We regret to have to communicate that the militia are in a state of great deterioration, and that nothing short of the invigorating hand of the legislature can make them what they ought to be. We have been looking to congress some time for a general system; and under its direction considerable efforts have been made to collect information, and to obtain the opinions of intelligent military officers upon the subject. The present session may, probably, produce something decisive in relation thereto.

We must again call your attention to the all important subject of education. The law for the establishment of Primary Schools, so well received by the people, is believed to be so defective that but a very partial attempt has been made to carry it into effect; and without revision and material amendment it will be useless. So much depends upon the intelligence and just discrimination of our citizens, that unless the benefits of education shall be generally diffused amongst them, strong apprehensions may be entertained for the durability of our republican institutions. Our government essentially depends on public opinion for its support; and what reliance can be placed on, what stability looked for, in the opinions of an uneducated population? Men are rash and inconsiderate, generally, in proportion to their ignorance. We should bear in mind, that in this country alone, the experiment is now making, whether man is capable of self-

government, and that deeply as we and our posterity are interested in its success, its propitious influence may be expected not to be confined to us, but to extend to the whole human family.

The donations of the state for purposes of education, to its colleges, academies and common schools, amount, annually, to about the sum of 30,000 dollars; and although this appears to be a liberal grant, yet when we take into consideration the importance of the object, we shall at once see the propriety of extending it to the utmost limit that the resources of the state will justify. It is a lamentable fact that most of our colleges and academies, are not on as good a footing as formerly. A youth in order to complete his education, has to travel to a distant state; which greatly enhances the expense. A parent could often afford to give his son an education at a college within the state, which he could not afford to do out of it.

Some further pecuniary aid to St. John's College, (with the improvement in the condition of which you must be well acquainted,) and it has advantages which would enable it to vie with any similar institution in the country. Since our last communication, Washington College on the Eastern Shore has been burnt; which fact was communicated to the general assembly at the last session, in a memorial praying for aid to rebuild it. The prayer of the memorial has not yet been granted, but we hope it will receive your favourable consideration during the present session.

Experience has satisfied us that some small alterations of the constitution might be made, which would save unnecessary trouble as well as facilitate the transaction of public business. At present it is required that the laws be signed by the governor in the presence of both houses of the general assembly. Was this requisition dispensed with, and the laws authorised to be signed by the governor, in the council chamber, and attested by the clerk of the council, it would conform more to the modern improvements in the science of government, and contribute greatly to the convenience of the legislature. The great seal of the state, we would respectfully suggest, ought to be in charge of the executive, and we recommend an alteration to that effect; and further that all commissions and executive acts now required to be attested by the chancellor, be attested by the clerk of the council. This alteration would relieve the chancellor from much interruption; and the more appropriate duties of that able and faithful officer, are sufficiently arduous without his being diverted therefrom to participate in executive labours; and it would at the same time give more symmetry to our constitution.

We submit herewith, for your consideration, a communication from the Hon. Nicholas Brice, Chief Judge of Baltimore City Court, stating the necessity of a revision of our criminal code, which from the importance of the suggestions it contains, deserves your serious consideration.

Considerable excitement prevails at this time throughout the country, in relation to the contemplated change in the present tariff of duties upon foreign importations. This excitement is the natural consequence of our free institutions, which properly impose no restraint on the freedom of speech or the liberty of the press.

In a country extensive as is ours, embracing every variety of climate, capable of almost every production, and filled with an enterprising, skillful population, doubling itself in less than a quarter of a century, we must expect considerable diversity of views, and contentions, among its citizens, in relation to the measures to be adopted for the promotion and protection of the general interests of the country.

In discussing the measures of the national government, we should always bear in mind that the constitution itself was founded in compromise, and that excellent as it is acknowledged to be, it requires great moderation, forbearance and liberality on the part of the people, towards the conflicting views, feelings

and even prejudices of each other to preserve and perpetuate its blessings.

Confined by the peculiar nature of our government, to measures of domestic policy and internal police, operating only within the limits of our own state, whilst the great and leading interests of the country, of which we are a component part, is committed to the management of a separate authority, embracing the whole union in the sphere of its action; we do not deem it necessary to descend to particulars in the expression of our opinion of measures over which we have no control. But with the fullest reliance on the integrity, talents & experience of the functionaries, to whom those great interests are entrusted, we rest with entire confidence, that they will continue to be, as they have heretofore been, so managed, as to promote the general interests and prosperity of the country, and to secure to us all the blessings and advantages which our incomparable system of governments was designed to secure and perpetuate.

During the past year we have been favoured with abundant productions of the earth, and a general prevalence of health throughout the country. Grateful for these blessings, let us look to Him with thankfulness, who in his munificence bestowed them, and who formed and can influence the human mind, to direct our attention to such public measures as may be best calculated to promote the real and substantial interests and prosperity of the state. In all measures calculated to promote those ends, you will assuredly have our prompt and zealous co-operation.

With the highest respect we have the honour to be your ob'dt. servt.
JOSEPH KENT.

Legislature of Maryland.

House of DELEGATES.
Wednesday, Jan. 2.

The clerk of the senate delivered a communication from Littleton D. Teackle, esquire, superintendent of public instruction, addressed to the president of the senate, transmitting for the information of the legislature, his first annual report. Read and ordered to be printed.

Also, the memorial of John T. Worthington, and others, of Baltimore county, relative to an act of assembly passed at December session 1813, authorising a lottery for the erection of a church in said county. Read.

Mr. J. W. Thomas presented a petition from James Galbraith, of Cecil county, praying for a divorce. Read and referred.

Mr. G. Goldsborough and Mr. Lansdale, who were appointed to wait on the Rev. Charles A. Davis, and request his attendance in the house every morning to perform divine service, reported that they had discharged that duty.

Mr. J. Douglas presented a petition from William Vickers, and Rebecca his wife, of Dorchester county, praying for a divorce. Read.

Mr. J. Douglas obtained leave to introduce a bill to repeal all such parts of the constitution and form of government as relate to the election of four delegates from each county.

Mr. Ely asked leave to introduce a bill to extend the jurisdiction of justices of the peace in Baltimore county.

Mr. Boon proposed as a substitute, that leave be granted to introduce a bill to extend the jurisdiction of magistrates throughout this state.

Mr. Boon's proposition was adopted.

Mr. Goldsborough obtained leave to introduce a bill to reduce into one act the several acts of assembly relating to the civil jurisdiction of justices of the peace, and for other purposes.

Mr. Shower presented a petition from the members of Zion Church, in Baltimore county, praying the passage of an act to change the name of the church therein mentioned. Read and referred.

Mr. J. W. Thomas obtained leave to introduce a bill to alter and abolish all such parts of the constitution as relate to the election of two delegates from the city of Annapolis.

Mr. Gaunt obtained leave to introduce a bill concerning the inspection of tobacco in this state.

Mr. Sellman obtained leave to introduce a bill to regulate the manner of marketing by slaves and free negroes in Anne-Arundel county and the city of Annapolis.

Mr. J. Douglas asked leave to introduce a bill to prohibit any person or persons owning a slave or slaves for life, or for a certain term of years, from hiring the same to any free negro or negroes, so far as relate to Dorchester county, and for other purposes.

On motion by Mr. Teackle, "Somerset" was inserted after "Dorchester."

On motion by Mr. Ringgold, "Kent" was inserted after "Somerset." The leave was then granted.

Thursday, Jan. 3.

Mr. Douglas presented a petition from Luffkin Tall, of Dorchester, to change his name.

Mr. Goldsborough, a petition from sundry inhabitants of Taylor's Island, for the passage of an act for the erection of gates across a certain public road.

Mr. Stewart, of Anne-Arundel, from sundry inhabitants thereof, for an alteration in the law authorising the opening of a road from Westminster to Washington.

Mr. Boon, from Temperance Hudson, of Kent, for a divorce. Also from Elizabeth McKenry, for a support for her child; and from Samuel M. Cloak, for a support.

Mr. Kemp, from sundry citizens of Frederick county, for the passage of a supplement to the act to prevent excessive gaming.

Mr. Shiriver, from sundry citizens of Frederick county, for an annual assessment to repair a portion of the Westminster and Hagerstown turnpike road. Also from the heirs of Joshua Cockey, for a law to authorise the manumission of negro slaves.

Mr. Holtz, from Henry Stuller, for a divorce.

Mr. Harlan, from Saml. Mearns, of Cecil, that a certain suit may be dismissed.

Mr. Douglas, of Dorchester, from Henry D. Bailey, and wife; and from John Easham, each for a divorce.

Mr. Stewart, of Baltimore, from Samuel Davis, a revolutionary soldier.

Mr. McMahon, a memorial from Samuel R. Smith, for an indemnification of losses sustained by the establishment of state warehouses for the inspection of tobacco. Also, a petition from William Patterson, and others, for the restoration of license money paid by them under act of 1821, ch. 245.

Mr. Watkins, from Frederick Branch, of Licking county, Ohio, to withdraw an original paper from the archives of this house.

Mr. Douglas, of Dorchester, reported the following bills:

To confirm the name of Luffkin Tall Traverser.

To repeal an act to exempt servants of overseers of county roads in Dorchester, from doing duty on said roads.

LEAVES GRANTED.
To Mr. Hope to introduce a bill to abolish all such parts of the constitution as relate to the time and manner of electing the senate, &c.

Mr. Linticum—a bill to make a public road from the late Annesa Linticum's to intersect the road leading from Baltimore to Sweetser's bridge.

Mr. Goldsborough—a bill to confirm an act passed last session, relative to election districts in Dorchester.

Mr. Tilghman—to confirm an act relating to election districts in Queen-Anne's.

Mr. Wells—a bill to provide for the election of judges of the levy court for Anne Arundel.

Mr. Boon—a bill to compel plaintiffs or complainants to satisfy, or cause to be satisfied, upon record, all judgments or decrees paid without executions.

Mr. Somerville—a bill to revalue the real and personal property of Calvert.

Mr. Mills—a bill to repair the public roads in Talbot.

Mr. Douglas, of Dorchester—a bill to fix the compensation of jurors in Dorchester.

NEW STORE.

The subscriber having purchased the entire Stock of Goods from Evans & Iglehart, on favorable terms, and having added to them a new and superior assortment of

New and Seasonable GOODS

Purchased principally from the latest arrivals, and from them for sale at the lowest price. He solicits a share of public patronage, as he is determined by unremitting attention, to give satisfaction to those who may favour him with their custom, (being only for past favours.) He has occupied by Evans & Iglehart, a new and commodious building, situated opposite and convenient to the Market House and Dock.

JAMES IGLEHART
Nov. 1, 1827.

Co-partnership Dissolved

The co-partnership heretofore existing between the subscribers, in the firm of EVANS & IGLEHART, was dissolved on the 1st inst. mutual consent. All persons having claims against said concern, are requested to present them to the subscriber, for settlement, within the time specified in the advertisement, and settle the same immediately, and settle the same with JOSEPH EVANS & IGLEHART, Oct. 22d, 1827.

DR DAVIS

Intends, on the first of January, to open a Classical and Mathematical School at his dwelling near the Spring. The annual charge will be For tuition, (stationary not included.) Total, Quarterly payments as advised, expected, Nov. 15.

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 Esquire, Clerk of the Courts, and Beverly Johnson Esquire, Attorney at Law.

These Decisions will form a continuation of the first volume of Reports already published by Messrs. Esquire and Johnson which closed with 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 numbers to constitute a volume. A full and complete index is made of publication, it possesses advantages which decided preference to that published in Reports in bulky volumes. It ensures the earlier publication of Reports, and as not more than one number will be published in the expense will not be so great.

TERMS:

The price of each number of Reports will be \$1 25, payable in advance.

Subscriptions to the Reports are received at GEO. SHAW'S Store, the Maryland Gazette Office, and the respective Offices of the County Clerks of this State.

STEAM-BOAT

The Maryland will discontinue Sunday routes until the Spring, when she will again resume her regular routes. She will likewise leave Annapolis for the Eastern Shore at 10 o'clock, instead of half past 11.

MARYLAND

The Maryland will discontinue Sunday routes until the Spring, when she will again resume her regular routes. She will likewise leave Annapolis for the Eastern Shore at 10 o'clock, instead of half past 11.

Just Published

And for Sale at Shaw & Claude's Store, A Discourse on Education, Delivered by F. S. Kirtland, Esq. in the city of New York, on the 23d day of February, 1827. Price—50 cts. Annapolis: Issued by

PRINTING

of every description, executed in the most accurate manner.