

The Maryland Gazette.

VOL. LXXIV.

Annapolis, Thursday, May 14, 1829.

No. 20.

PRINTED AND PUBLISHED BY
Jonas Green,
CHURCH-STREET, ANNAPOLIS.

Spring Goods.
Dennis Claude, Jr. & Co.
CHURCH-STREET.
In addition to their usual supply have just received from Philadelphia, and are opening for sale,
A General assortment of Plain and Fancy Goods,
Among which are a handsome variety of light and dark Calicoes, Ginghams, (received by ship Monongahela,) Girassian, superior Silk Camlet, Black Prunello Serge, Italian Lustring, Cravats, Stocks, Marcellis Counterpanes and Knotted Counterpanes, and Merino Cassimere. Likewise a variety of Gauze, Handkerchiefs and Merino Shawls. Also an extensive assortment of Three Thread English Cotton Stockings of various sizes.

DOMESTIC GOODS.
1 Bale Nashes Brown Shirtings,
5 do Chickopee Shirting,
1 Case Union Bleached Shirtings,
1 do Chickopee Bleached Shirtings,
1 do Merino Prints,
1 do Tanton Prints,
2 Cases Hata, (superior finish.)
May 7.

WILLIAM BRYAN
Merchant Tailor,
Has just received a large assortment of
CLOTHES & CASSIMERES.
Of the most superior qualities.
He has also a general assortment of
PANTALOON STUFFS,
And a variety of handsome
VESTINGS.
All of which he will be glad to make up for his friends, and the public, at the shortest notice and in most superior style; he solicits a continuation of that encouragement from his friends and the public, which he has received heretofore from them.
May 7.

Public Sale.
There will be offered at Public Sale on the premises, on Thursday the 28th day of May next, if fair, if not on the first fair day thereafter, upwards of
300 Acres of Valuable Land,
the property of the subscriber. This land hereby offered for sale, is part of a tract of land called Hammond's Security, lying and being in Anne-Arundel county, on the north side of the river Severn, and nearly two thirds thereof is in thick heavy wood mixed with hickory, red and white oak, and poplar, with a large quantity of pine wood, and several valuable springs of water thereon, and adjoins the lands of the following persons, to wit: Mrs. Ray, the lands belonging to the heirs of the late Dr. Frederick MacKubin, Charles Waters, Esq. Elijah Rockhold, John Arnold, the lands belonging to the heirs of the late John Brice, Esq. and several others. The terms will be liberal, which will be made known on the day of sale, by BA RUCH FOWLER, who is hereby authorized by me to attend to and sell the same.
JULIANN HAMMOND.
April 20,
N. B. The above mentioned land may be sold in small quantities to suit purchasers, should it be thought proper so to do; and further, other lands adjoining the same belonging to the subscriber, may be offered for sale on the same day which is well situated.
Juliann Hammond

Maryland, A. A. county, sc.
I hereby certify, that Thomas Burgess brought before me as a trespassing straggler, trespassing on his enclosure, a Chesnut Sorrel GELDING, supposed to be seven years old, gallops and paces, has three white feet, three old shoes on, a star in his face, and a snip on the nose, with switch tail, and has on the shoe of the left fore foot three letters, two of them nearly obliterated, the third is the letter N. Given under hand of me, one of the Justices of the peace in and for said county, this first day of May 1829.
M. Lane Brown.

The above described horse came to the subscriber living near the 18th mile of the Baltimore and Frederick Turnpike road, on the 28th of April last. The owner is requested to come forward, prove property, pay charges and take it away.
May 7. 2 Thomas Burgess. 3w*

In Chancery.
4th May, 1829.
Ordered, That the sale made and reported by Richard Harwood, of Thos. & Henry H. Harwood, trustees for the sale of the mortgaged estate of Col. Richard Harwood, deceased, be ratified and confirmed, unless cause be shown to the contrary on or before the 4th day of July next; provided a copy of this order be inserted once in each of three successive weeks before the 4th day of June next, in some one newspaper.
The report stated a tract or parcel of land, containing fifty acres, formerly purchased by Henry Carr, sold on the 11th of Oct. 1828, to the said Thos. & Henry H. Harwood, trustees.
Ramsay Waters, Reg. Cur. Can. 3w

FOR SALE,
The subscriber offers his
OFFICE, near the Court House, for RENT.
James Shaw.
April 30.

LAW OF MARYLAND
Passed at December Session, 1828.
A Supplement to the act, entitled: An act to regulate Sales by Public Auctions, passed at December Session 1827.

Sec. 1. Be it enacted by the General Assembly of Maryland, That it shall and may be lawful for all persons obtaining a special license as auctioneer, under the fifth section of the act to which this is a supplement, to sell books, stationary, maps or prints, by candlelight, any thing in the said section to the contrary notwithstanding.

Sec. 2. And be it enacted, That all persons obtaining a license as auctioneer under the sixth section of the said act for the purpose of selling furniture and wearing apparel, lands, lots of ground, and other articles mentioned in the said sixth section, and shall pay for the said license the sum of three hundred dollars, and enter into recognizance prescribed in the said sixth section for said license, shall have the liberty to sell under the provisions of said law, jewelry, watches, tin ware, guns, pistols, lamps, candlesticks and mechanical tools.

Sec. 3. And be it enacted, That all real estate and vessels sold by any auctioneer under the said law, shall be subject to the same duty which is paid on other articles, except the same be sold by an executor or administrator of any deceased person, or under distress for rent, or taken in execution, or as effects of any bankrupt or insolvent debtor, transferred or conveyed to assignees by a general assignment for the benefit of all his creditors, or under the order or decree of any court.

Sec. 4. And be it enacted, That it shall and may be lawful for every auctioneer who takes out a general license under the law to which this is a supplement, to sell goods in the original form and package as imported, and bulky articles, such as have usually been sold in warehouses or in the public streets, or on the wharves, at such other places within the city of Baltimore, than their regular house or stand, as shall be desired by the owner or importer of said articles.

Sec. 5. And be it enacted, That every auctioneer, duly appointed and authorized by virtue of the law to which this is a supplement, in and for the city of Baltimore, shall hereafter, within twenty days after the first day of January, April, July and October, make the returns to one of the judges of the city court of said city, as provided in the eighth section of said law, and shall, within fifteen days thereafter pay to the treasurer of the western shore the amount of all duties upon the account of sales, under the same penalty and forfeiture as prescribed by the ninth section of the act to which this is a supplement, or he may deposit the same in such bank, as may be designated by the said treasurer, in the city of Baltimore.

Sec. 6. And be it enacted, That the authority of each auctioneer to act for the term of one year shall commence with the date of his license.

Sec. 7. And be it enacted, That the returns on accounts which are directed to be made by the eighth section of the said act to a judge of the City Court of Baltimore, shall be attested by the oath of the principal auctioneer, his partner or partners, salesman or salesmen, and book-keeper, or book-keepers, and no other attestation shall be required.

Sec. 8. And be it enacted, That the sixteenth section of the act passed at December session eighteen hundred and twenty-seven, chapter one hundred and eleven, and all other parts of the said act as shall conflict with the provisions of this supplement, be and the same are hereby repealed; Provided that the said treasurer shall include the amount received from the duties on sales at auction, in his regular annual report and statement of the revenues of the state.

Sec. 9. And be it enacted, That so much of the act, of December session eighteen hundred and twenty-seven, chapter one hundred and eleven, as requires an auctioneer to enter into recognizance with two sufficient sureties for the payment and satisfaction of claims that may be against him as auctioneer for property committed to his charge, or consigned for sale, with reference to property hereafter to be consigned, be and the same hereby repealed.

Sec. 10. And be it enacted, That the sum of thirty thousand dollars in which an auctioneer, appointed under the act of December session eighteen hundred and twenty-seven, chapter one hundred and eleven, is required, by the fourth section of the said act, to enter into recognizance, be and the same hereby is reduced to ten thousand dollars, and that so much of the said act as is inconsistent herewith, be and the same hereby is repealed; Provided nothing hereinafter contained, shall operate to affect any recognizance heretofore entered into.

Sec. 11. And be it enacted, That the annual report of the mayor and city council of Baltimore, required by the twenty-second section of the act to which this is a supplement, to be made on or before the first day of January in each and every year, may be made on or before the twentieth day of January hereafter, any thing in said section, or in any law of this state, to the contrary notwithstanding.

A Supplement to the act, entitled, An act to regulate the Gauging of Casks and the Inspection of Domestic Distilled Liquors in this State, passed at December Session eighteen hundred and twenty-seven, chapter one hundred and eighty-one.

Sec. 1. Be it enacted by the General Assembly of Maryland, That from and after the first day of April next, it shall be the duty of the gaugers and inspectors of domestic liquors, appointed under the act to which this is a supplement, in addition to the mark of the capacity of the cask, and the number of gallons of proof spirit which he is required to make under the fourth section of said act, to mark also, in the same manner, the degrees of proof of said liquors, as first, second, third, fourth or fifth proof, agreeably to the standard established by said section.

A Further Additional Supplement to an Act to regulate the Inspection of Tobacco.
Sec. 1. Be it enacted by the General Assembly of Maryland, That hereafter no tobacco shall be passed, or accounted lawful tobacco, unless the same shall be packed in hogheads not exceeding fifty inches in the length of the staves, and seven-six inches in the whole diameter within the staves, at the cross and bilge, and the owner of tobacco packed in any hoghead of greater dimensions shall repack the same in sizeable hogheads as herein before expressed and directed, at his own expense, before the same shall be passed.

Sec. 2. And be it enacted, That no inspector or inspectors of tobacco in this state shall require any owner or owners of tobacco, heretofore packed in hogheads varying from the dimensions required by the act of assembly passed at November session 1801, chapter 63, section 125, to repack the same in hogheads of the dimensions required by said act, before the first day of December next, any law to the contrary hereof notwithstanding.

An Act to provide for taking Testimony in Civil Cases.
Sec. 1. Be it enacted by the General Assembly of Maryland, That it shall be lawful for the several county courts of this state to appoint such and so many discreet persons, not exceeding three in their respective counties, as commissioners to take the deposition of witnesses, in any civil action which shall be depending in said courts, on such notice to the opposite party, and in such manner, as the said court shall prescribe.

Sec. 2. And be it enacted, That either party in any action depending in the said courts, after due notice to the other party, or his attorney, agreeably to such rule as shall be made by said courts respectively, may take the deposition of any witness before any one of the said commissioners, to be used as testimony on the trial of such action, in case only of the death of such witness, or of proof to the satisfaction of the court, of the inability of the party to procure the

attendance of such witness at the time of trial, and the probable continuance of said inability until and at the next term before the court shall permit such testimony to be used; and the opposite party shall be entitled to cross examine any witness whose deposition shall be so taken, or to examine him or her on notice, before the same, or any other commissioners, and all depositions and examinations so taken shall be certified, and returned by the commissioner taking them, under his hand, to the clerk of the court in which it shall be intended to use them; and if such court shall be any other than that by which such commissioner shall be appointed, there shall be annexed to his return a certificate that he is such commissioner, by the clerk, and under the seal of the court by which he shall have been appointed; and all depositions of witnesses, so taken and returned, shall be subject to the same exceptions and objections as the testimony of the same witness would be if examined in open court, and shall have the same effect and validity.

Sec. 3. And be it enacted, That it shall and may be lawful for any person or persons to have the deposition or depositions taken of any witness or witnesses, who may have knowledge of any fact, in proving which such person or persons may apprehend him, her or themselves, to be interested, before any commissioner appointed in virtue of this act, upon reasonable notice to each party against whom such depositions shall be intended to be used, or to his or her agent, or attorney, or guardian, if such party be a minor, if within this state, of the reasonableness and proof of which notice, unless the party, agent, attorney or guardian, shall attend, the court in which the same is offered in evidence, shall be satisfied before such deposition is permitted to be offered in evidence; and in case of the absence of any such party from this state, and no agent, attorney or guardian, of such party, in this state, of which the commissioner may require satisfactory proof, then upon such notice, by advertisement or otherwise, as the said commissioner shall direct; and every such deposition shall be written by the commissioner, and signed by the deponent, and the taking thereof certified by the commissioner before whom they shall be so taken, and by him lodged with the clerk of the county court of the county in which he shall act as commissioner, to be recorded by such clerk, who shall record the same on receiving therefor compensation at the same rate allowed for recording deeds; and all such depositions, or a transcript thereof, under seal, whether taken before or after any suit commenced, may be read in evidence on any arbitration or trial at law, or in equity, if such deponent or deponents die before such arbitration or trial, or be out of this state, or cannot be had to attend, of which satisfactory proof shall be made, as is provided in the second section; and such depositions shall be subject to all exceptions as in the second section is provided.

Sec. 4. And be it enacted, That the said county courts shall from time to time prescribe what fees shall be allowed to the commissioners for the services authorized by this act, which shall be paid by the party requiring the performance of the service, and taxed as other costs in the action.

Sec. 5. And be it enacted, That any commissioner appointed in pursuance of this act, before he proceeds to act as such, shall take an oath before some judge or justice, that he will faithfully and impartially execute the duties of commissioner aforesaid, according to the best of his judgment; a certificate of which oath shall be recorded among the records of the said counties respectively.

Sec. 6. And be it enacted, That any person swearing falsely, or procuring any person to swear falsely, before any of the said commissioners, shall be liable to the same penalties as if the testimony were given in open court.

An Act Supplementary to an act, entitled, An act to regulate Elections.
Sec. 1. Be it enacted by the General Assembly of Maryland, That from and after the passage of this act, at all elections of delegates to the general assembly, elections of elect-

ors of the senate, elections of president and vice-president of the United States, and of members in congress, and of sheriffs, it shall be lawful for any justice of the peace for the respective county in which such election is held, to qualify the justices of such respective election, and their clerks, and the oaths administered by such justice shall be as valid as if administered in the manner heretofore prescribed by law.

Remarks of J. C. WEEMS, Esq.
(Concluded from our last.)
Mr. speaker, I hope the House will excuse the time I have taken to recite these two facts, which, but for the sort of personal accusation, not made sir, but insinuated against me, I should not have made mention of, although I have no objection that the world should know "Tark as I may, in common with all other slave-holders, be denounced formally sir on this floor. Having said all I will say, touching this wonderful preamble, the crimes, as set forth therein, if fully examined, I have no doubt will turn out, from beginning to end, about as offensive as the two taxes explained, as coming under my own knowledge, I will now call the attention of the nation, through this house, to that view of slavery, which, as a slaveholder, I have received for myself, and am ready to defend, whenever assailed by reasons only half as well supported by proofs such as I shall now offer. Sir I have more than once heard men, themselves slaveholders, denounce slavery and every man who would be so hardy as to attempt to justify it in the abstract—I said sir, that I have heard this from slaveholders;—yes sir, and, if I mistake not, you too have heard the like. What shall I say to such men? "He that esteemeth a thing unclean, to him it is unclean," then "Touch not, handle not the unclean thing," shall I be answered by such men? "Policy requires it; we found them slaves; policy requires we keep them so," sir, will any of the demands of policy justify my doing what in itself I believe to be evil? shall I do evil, that good shall come of it? God forbid! No sir, such selfishness, I trust, shall never be found in mark any part of my life. "He that would save his life shall lose it, but he that would lose his life for my sake, shall save it." God forbid, sir, that I should be found practicing that which I cannot fully justify to myself; rather would I see a wife and ten children begging their bread from door to door; and myself another Lazarus lying at a gate with no other physician, than a dog to lick the sores of which, like him, I was soon to die, than to be such a one. Sir the member from Pennsylvania tells us, and tells us truly, that this is not the first time that he has been meddling in this matter. (I would add sir, with all due respect, to this august body,) was it not out of order, this mischief making, if not fraudulent business, sir, for what was the Constitution of these United States, (under the authority of which we are convened here,) made? I would say sir, condensely speaking, in harmony and to compromise all the varied interest of the whole; and not the least in the catalogue, was that of forever separating, the long felt distressing effects, growing out of an un-
lucky union of an established church and state. What do we see here in this preamble and resolution sir, and other like attempts making, but so many entering wedges, of a secret combination forming under the most deceptive appearances, again to unite them, so suspicious as to enlist in their ranks, some of the best but unsuspecting men, in all sections of our land, and shall we sir, seeing this, remain silent, and continue as heretofore inactive, until all chance to defeat by exposure be prostrate, by the edicts of an ecclesiastical hierarchy, locking up the consciences of men before we are aware of it. No sir, the beneficial influence of such an unnatural union, shall not take place again in my generation, without at least having met with my protest—Sir, I understand not the meaning—I have to learn the character of that sort of christianity, to be made or produced by legislative enactment; and I save every man to venture the price it will cost, not only myself, but the nation to learn it. In a word, sir, and every such attempt to influence Congress to pass laws, enforcing any religious observance would be an open violation not only of the Constitution, but of the very purpose for which we seem to have been created and placed in this world of probation: Sir, you are thereby enlisted to counteract the very purposes of his Creator, by obliging him, by your laws to do that which God left him as a free agent to do or not, upon his own responsibility. The honorable member from Pennsylvania, having (as I have already called upon this house to hear in remembrance,) pronounced

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Sec. 2. And be it enacted, That no inspector or inspectors of tobacco in this state shall require any owner or owners of tobacco, heretofore packed in hogheads varying from the dimensions required by the act of assembly passed at November session 1801, chapter 63, section 125, to repack the same in hogheads of the dimensions required by said act, before the first day of December next, any law to the contrary hereof notwithstanding.

An Act to provide for taking Testimony in Civil Cases.
Sec. 1. Be it enacted by the General Assembly of Maryland, That it shall be lawful for the several county courts of this state to appoint such and so many discreet persons, not exceeding three in their respective counties, as commissioners to take the deposition of witnesses, in any civil action which shall be depending in said courts, on such notice to the opposite party, and in such manner, as the said court shall prescribe.

Sec. 2. And be it enacted, That either party in any action depending in the said courts, after due notice to the other party, or his attorney, agreeably to such rule as shall be made by said courts respectively, may take the deposition of any witness before any one of the said commissioners, to be used as testimony on the trial of such action, in case only of the death of such witness, or of proof to the satisfaction of the court, of the inability of the party to procure the

attendance of such witness at the time of trial, and the probable continuance of said inability until and at the next term before the court shall permit such testimony to be used; and the opposite party shall be entitled to cross examine any witness whose deposition shall be so taken, or to examine him or her on notice, before the same, or any other commissioners, and all depositions and examinations so taken shall be certified, and returned by the commissioner taking them, under his hand, to the clerk of the court in which it shall be intended to use them; and if such court shall be any other than that by which such commissioner shall be appointed, there shall be annexed to his return a certificate that he is such commissioner, by the clerk, and under the seal of the court by which he shall have been appointed; and all depositions of witnesses, so taken and returned, shall be subject to the same exceptions and objections as the testimony of the same witness would be if examined in open court, and shall have the same effect and validity.

Sec. 3. And be it enacted, That it shall and may be lawful for any person or persons to have the deposition or depositions taken of any witness or witnesses, who may have knowledge of any fact, in proving which such person or persons may apprehend him, her or themselves, to be interested, before any commissioner appointed in virtue of this act, upon reasonable notice to each party against whom such depositions shall be intended to be used, or to his or her agent, or attorney, or guardian, if such party be a minor, if within this state, of the reasonableness and proof of which notice, unless the party, agent, attorney or guardian, shall attend, the court in which the same is offered in evidence, shall be satisfied before such deposition is permitted to be offered in evidence; and in case of the absence of any such party from this state, and no agent, attorney or guardian, of such party, in this state, of which the commissioner may require satisfactory proof, then upon such notice, by advertisement or otherwise, as the said commissioner shall direct; and every such deposition shall be written by the commissioner, and signed by the deponent, and the taking thereof certified by the commissioner before whom they shall be so taken, and by him lodged with the clerk of the county court of the county in which he shall act as commissioner, to be recorded by such clerk, who shall record the same on receiving therefor compensation at the same rate allowed for recording deeds; and all such depositions, or a transcript thereof, under seal, whether taken before or after any suit commenced, may be read in evidence on any arbitration or trial at law, or in equity, if such deponent or deponents die before such arbitration or trial, or be out of this state, or cannot be had to attend, of which satisfactory proof shall be made, as is provided in the second section; and such depositions shall be subject to all exceptions as in the second section is provided.

Sec. 4. And be it enacted, That the said county courts shall from time to time prescribe what fees shall be allowed to the commissioners for the services authorized by this act, which shall be paid by the party requiring the performance of the service, and taxed as other costs in the action.

Sec. 5. And be it enacted, That any commissioner appointed in pursuance of this act, before he proceeds to act as such, shall take an oath before some judge or justice, that he will faithfully and impartially execute the duties of commissioner aforesaid, according to the best of his judgment; a certificate of which oath shall be recorded among the records of the said counties respectively.

Sec. 6. And be it enacted, That any person swearing falsely, or procuring any person to swear falsely, before any of the said commissioners, shall be liable to the same penalties as if the testimony were given in open court.

An Act Supplementary to an act, entitled, An act to regulate Elections.
Sec. 1. Be it enacted by the General Assembly of Maryland, That from and after the passage of this act, at all elections of delegates to the general assembly, elections of elect-

ors of the senate, elections of president and vice-president of the United States, and of members in congress, and of sheriffs, it shall be lawful for any justice of the peace for the respective county in which such election is held, to qualify the justices of such respective election, and their clerks, and the oaths administered by such justice shall be as valid as if administered in the manner heretofore prescribed by law.

Remarks of J. C. WEEMS, Esq.
(Concluded from our last.)
Mr. speaker, I hope the House will excuse the time I have taken to recite these two facts, which, but for the sort of personal accusation, not made sir, but insinuated against me, I should not have made mention of, although I have no objection that the world should know "Tark as I may, in common with all other slave-holders, be denounced formally sir on this floor. Having said all I will say, touching this wonderful preamble, the crimes, as set forth therein, if fully examined, I have no doubt will turn out, from beginning to end, about as offensive as the two taxes explained, as coming under my own knowledge, I will now call the attention of the nation, through this house, to that view of slavery, which, as a slaveholder, I have received for myself, and am ready to defend, whenever assailed by reasons only half as well supported by proofs such as I shall now offer. Sir I have more than once heard men, themselves slaveholders, denounce slavery and every man who would be so hardy as to attempt to justify it in the abstract—I said sir, that I have heard this from slaveholders;—yes sir, and, if I mistake not, you too have heard the like. What shall I say to such men? "He that esteemeth a thing unclean, to him it is unclean," then "Touch not, handle not the unclean thing," shall I be answered by such men? "Policy requires it; we found them slaves; policy requires we keep them so," sir, will any of the demands of policy justify my doing what in itself I believe to be evil? shall I do evil, that good shall come of it? God forbid! No sir, such selfishness, I trust, shall never be found in mark any part of my life. "He that would save his life shall lose it, but he that would lose his life for my sake, shall save it." God forbid, sir, that I should be found practicing that which I cannot fully justify to myself; rather would I see a wife and ten children begging their bread from door to door; and myself another Lazarus lying at a gate with no other physician, than a dog to lick the sores of which, like him, I was soon to die, than to be such a one. Sir the member from Pennsylvania tells us, and tells us truly, that this is not the first time that he has been meddling in this matter. (I would add sir, with all due respect, to this august body,) was it not out of order, this mischief making, if not fraudulent business, sir, for what was the Constitution of these United States, (under the authority of which we are convened here,) made? I would say sir, condensely speaking, in harmony and to compromise all the varied interest of the whole; and not the least in the catalogue, was that of forever separating,