The Maryland Gazette.

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RULES OF COURT.

Published by Authority.

ANNE-ARUNDEL COUNTY COURT, *October Term*, 1837.

FOR the orderly conducting of business in Anne Arundel County Court, and to regulate the practice in the said court for the advancement of justice, and to prevent unnecessary delay in the prosecution of suits, it is ordered by the said court that the following rules be observed:

1. The clerk of this court is not to deliver any original paper out of his office to any person whomsoever, without first obtaining the consent of the court, when sitting, or of one of the Judges during the vacation.

2. All subpœnas for witnesses to attend upon trials shall be returnable on the first Monday of the term at 10 o'clock. A. M.

3. In cases of the nonattendance of any witness who shall be summoned, within one hour after the meeting of the court, attachments may be issued on application to the court.

4. At the meeting of the court after charging the Grand Jury, the appearance docket shall be called over, and settled as far as may be.

5. The court will then go over the trial docket, to settle the same as far as practicable, and ascertain the causes to be tried, and will, on the second going over the docket, call up the same for trial in the order in which they stand.

6 The court will not postpone the trial of any cause if the witnesses of the parties attend at the time the court call the said cause, without some legal cause be shewn, although the attornies of the parties consent to postpone the same, unless the court is satisfied justice requires a postponement.

7. If any cause that can continue, be continued, after notice of trial, or if any cause that cannot continue without affidavit be continued, the party applying therefor shall pay the costs of the term.

8. Whenever any cause is postponed, because the witnesses, or some of them, do not attend, and against whom attachments are ordered and taken out, that the parties, or either of them, shall have a right to bring on the trial of the said cause as soon as the witness or witnesses attend, against whom attachments are ordered according to the original right of preference established by rule of court.

9 The court will not postpone the trial of any cause, if the parties have not summoned any witnesses, without some legal cause shewn, although the attornies of the parties consent to postpone the same, unless the court is satisfied justice requires a postponement.

10. All special verdicts, points saved, demurrers, cases in equity, motions for new trial and in arrest of judgment, shall be argued and heard after the trial of jury causes, unless this order be dispensed with for special reasons, and all appeals and errors on Monday the first day of the term, and subpœnas in all cases shall be made returnable on that day and be returned by nine o'clock, A M.

11. Every motion in arrest of judgment, or for a new trial, must be made within two days after verdict, inclusive of the day upon which the verdict shall be found, and the party making such motion shall file reasons in writing at the time of such motion, and if on hearing of the motion he shall suggest additional reasons, those reasons shall be filed in writing, and a further hearing at the discretion of the court be granted.

12. No motion for a new trial shall be received after motion in arrest of judgment, but a motion in arrest of judgment may be received within one day after the decision of the motion for a new trial.

13. The sheriff is directed to return all process to the clerk of the court at nine o'clock on the first day of the term.

14. The sheriff is required to attend in person with two constables during the whole term, unless excused by the court.

15. No attorney, or other officer of this court, or any deputy of any such officer, shall be admitted as special bail in any action commenced or to be commenced in this court.

16. Every sheriff and surveyor shall endorse on every plat returned by them, the amount of fees against the plaintiff and defendant respectively, in words at length, and sign the same, and also return with the plats one account of the particulars of their fees against the plaintiff and defendant respectively, proved and signed by them.

17. In all cases where leave shall be given to complete any survey under any warrant of resurvey, or to make any amendment of, or addition to, any plats returned under a warrant of resurvey, the sheriff shall give the plaintiff and defendant, or their attorney, (or if either plaintiff or defendant are nonresident or absent from the county, to his attorney) notice in writing of the time and place of completing such survey, or of making such amendment or addition, at least five days before proceeding to complete the said survey, or making any addition or amendment of the same plats.

18. When leave is given by the court to make any amendment or addition to any plat, each party shall complete the amendment or addition on his part on or before the second day of April, and second day of October, respectively, and the surveyor shall return two plats thereof to the clerk of the court, or deliver one to each of the parties, plaintiff and defendant, or their attorney, on or before the 9th day of April and 6th day of October respectively, and in case the parties, or their attornies, shall have been furnished with a plat as aforesaid, then the surveyor shall return the residue of the said plats to the clerk of the court at nine o'clock on the first day of court.

19. On an appearance to a single writ the plaintiff may be ruled to file his declaration by the next rule day, but the court, for special cause shewn, may allow further time to declare, and on such terms as they may think reasonable, unless the court shall otherwise order.

20. If a commission shall be ordered to examine witnesses, or to obtain testimony, and the parties do not agree upon commissioners, the party applying for the commission shall name his commissioners during the term, and if the opposite party should not, during the said term, name his commissioners, then the commission may issue to the commissioners so named.

21. Ordered, That the clerk of this court give notice immediately of the filing interrogatories to the other party or his attorney, that he may prepare and file his interrogatories to be forwarded with the commission — Ordered, that the party who obtained the order for issuing the commission shall have the carriage thereof.

22. No commission shall issue in any cause after the time limited by law for the continuance of such suit, unless the court shall be fully satisfied by oath, (or affirmation) or otherwise, that the witness's testimony, alleged to be wanting, hath been discovered, or the cause for issuing such commission hath arisen since the last continuance.

23. All pleadings shall be in writing, but in court the general issue and general replication may be entered by the clerk short on the docket.

24 If the defendant neglect to plead by the rule day, he shall not plead the act of limitation, unless the declaration shall be amended.

25. If the plaintiff or defendant neglect to declare or to plead within the time limited by rule of court, judgment of nonpross or by default, as the case may be, shall be given, but the court for special cause shewn, may allow further time to declare or to plead, and on such terms as they may think reasonable.

26. In all cases where rules are laid to declare or to plead, such declaration or pleadings shall be filed by the twentieth day of March, and the twentieth day of September, respectively, next following the term at which said rule was laid.

27. Special pleas may be withdrawn with consent of the plaintiff, or with leave of the court, to plead the general issue, or other plea to the merit, and the general issue may be withdrawn in like manner for the purpose of pleading any special plea involving the merits of the controvery between the parties.

28. Upon an appearance to a scire facias to revive a judgment, or scire facias against bail or terre-tenants, the defendants may be ruled to plead by the rule day.

29. If there be a demurrer in law, and an issue in fact, the demurrer shall be argued and determined before the trial of the issue in fact.

30. Any issue in fact may be struck out for the putting in general demurrer at the costs of the party making such application.

31. All declarations in ejectment shall be served on the tenants in possession, or set up on the premises, eight days before court, exclusive of the day of service or setting up and day of return, and when so served or set up, the plaintiff may take judgment by default against the casual ejector if no appearance for the tenant in possession, or his landlord, during the term.

32. Upon the appearance of a defendant in ejectment, he shall enter into the common rule, and have leave until the next term to ascertain his defence, and if defence shall not be then taken, general defence may be entered on the docket by the plaintiff, and the issue may be joined, and the cause put under notice of trial to the next term.

33. The principal may be surrendered in discharge of his bail upon a scire facias returned scire feci, at any time during the first four days of the term to which the scire facias is returned, on payment of the costs of the scire facias, but not afterwards, and upon nihil returned upon two successive scire facias', the principal may be surrendered in discharge of his bail at any time during the sitting of the court, upon payment of the costs of the scire facias, but not to extend to any adjourned court.

34. No action or suit shall be continued beyond the term limited by law, with the consent of the parties, unless the issue or issues are made up, or unless some satisfactory reason is assigned to the court for not joining issue. Ordered by the court, That all the subpoenas on the trial docket be returnable to the first day of the term.

35. To prevent surprise upon the parties, to notify them of the particular matters in controversy, to avoid the useless accumulation of costs by summoning witnesses to testify to facts not controverted, to promote the despatch of business, the due administration of justice, and bring disputed questions of facts fairly to trial before the jury, it is ruled by Anne-Arundel County Court, that all cases at law hereafter for trial therein, against executors or administrators, or on testamentary or administration bonds, where under the pleadings the due administration of the estate of the deceased, or the amount of assets in the hands of the executor or administrator, may appear to be subject for ascertainment by the jury, shall be referred to the auditor of the court, or to an auditor to be specially appointed for that purpose, who shall state the accounts between the parties in relation to such estate or assets of the deceased, upon such evidence and vouchers as may be submitted to him by the parties, respecting which accounts or statements of the auditor shall (unless otherwise assented to by both parties,) remain in court liable to exceptions, to be filed by either party, for one entire term, and all debts and credits not excepted to, during the regular session of said term, shall in the trial before the jury be deemed facts admitted.

36. Ordered, That the papers in any suit on the reference docket be delivered to the referees on application.

37. In all cases of appeals from the judgment of a justice of the peace, that the appellant, shall on filing his petition at the first court, order a subpoena to be issued for the appellee, or his appeal will be dismissed with costs. unless the appellant appears at the said first court.

38. The clerk of this court may, upon application made by either the plaintiff in any cause, or by his attorney, deliver the original cause of action, the execution of which is not put in issue by the pleadings, upon retaining a copy of the same.

WM. S. GREEN, Clk.

MAMMOTH SHEET.

OFFICE OF THE SATURDAY NEWS AND LITERARY GAZETTE.
Philadelphia, November 26, 1836.

THE very liberal patronage bestowed on the SATURDAY NEWS, since its commencement in July last, and a desire to meet that patronage by corresponding exertions, have induced us this week to publish a *Double Number*—being the largest sheet ever printed in Philadelphia for any purpose, and the largest literary paper ever printed in the United States To those of our friends who are practical printers, it need not be mentioned that this undertaking has involved serious mechanical difficulties. The largest —or one of the largest presses in Philadelphia is used for our ordinary impression—but this would accommodate only a single page of the mammoth sheet, and we were obliged, therefore, to work four forms at different periods. The care used in preparing the paper—in removing and folding the sheets, &c., can only be estimated by those who have seen the experiment made; and, added to the necessarily increased amount of composition, press work, &c., these supplementary expenses have made an aggregate cost, which would have deterred many from engaging in the enterprize. A gain of two thousand new subscribers will not repay the actual cost of this single number.

We flatter ourselves that, besides its extraordinary size, this number presents attractions that entitle it to some attention.—It contains the whole of *Friendship's Offering* for 1837, the London copy of which costs $4, and has 384 closely printed pages of letter press. Distinguished as the present age, and particularly our own country, has been for cheap reprints, we believe this surpasses any former instance. For *four cents* subscribers to the *Saturday News* receive, in addition to their ordinary supply of miscellaneous matter, an English annual, the largest yet received for the coming season; and they receive it, moreover, in a form that, from its novelty, gives it additional value.

Of the general character of the *Saturday News* we need not speak. That has now become so well known as to require no comment. We may take occasion to say, however, that in enterprize and resources we yield to no other publishers in this city or elsewhere, and we are determined that our paper shall not be surpassed. We have entered the field prepared for zealous competition, and we stand ready in every way to realize our promise, that no similar publication shall excel that which we issue. Our articles, both original and selected, we are not ashamed to test by any comparison which can be adopted; and there is no periodical in the United States, monthly or weekly, which might not be proud of many of our contributors.

The issuing of this number may be regarded as an evidence of our intention and ability to merit success. Nor will it be the only effort—From time to time, as opportunity offers, we proprose to adopt extraordinary means for the interest and gratification of our subscribers.

L. A. GODEY, & Co.

Dec. 15.

PRINTING
Neatly executed at this Office,

A NEW AND CHEAP PERIODICAL

Attention is requested from our readers to the following prospectus of a new, and even a cheaper book periodical, which will be issued from this office in the first week of next January. It will not be in so convenient a form for binding as the present, with which it will in no way interfere, but it will make *books cheap beyond all precedent*. It will contain the works of the day, which are much sought after, but are *comparatively* dear, and which cannot penetrate the interior in any mode half so rapidly as by mail, in which *volumes* of books are prohibited. A fifty cent American reprint will be furnished entire for from *four* to *six cents*; a Marryat novel for twelve cents, and others in proportion.

As but very few copies will be printed but what are actually subscribed for, those who wish the Omnibus, must make their remittances at once.

Books at Newspaper Postage.

WALDIE'S LITERARY OMNIBUS.

NOVEL AND IMPORTANT LITERARY ENTERPRISE!!

NOVELS, TALES, BIOGRAPHY, VOYAGES, TRAVELS, REVIEWS, AND THE NEWS OF THE DAY

IT was one of the great objects of "Waldie's Literary," "to make good reading cheaper, and to bring literature to every man's door." That object has been accomplished; we have given to books wings, and they have flown to the uttermost parts of our vast continent, carrying society to the secluded, occupation to the literary, information to all. We now propose still further to reduce prices, and render the access to a literary banquet more than twofold accessible; we gave and shall continue to give in the quarto library a volume weekly for two cents a day; we now propose to give a volume in the same period for less than *four cents a week*, and to add as a piquant seasoning to the dish a few columns of shorter literary matters, and a summary of the news and events of the day. We know by experience and calculation that we can go still further in the matter of reduction, and we feel that there is still verge enough for us to aim at offering to an increasing literary appetite that mental food which it craves.

The Select Circulating Library, now as ever so great a favourite, will continue to make its weekly visits, and to be issued in a form for binding and preservation, and its price and form will remain the same But we shall, in the first week of January 1837, issue a huge sheet of the size of the largest newspapers of America, but on very superior paper, also *filled with books* of the newest and most entertaining, though in their several departments of Novels, Tales, Voyages, Travels, &c., select in their character, joined with reading such as usually *should* fill a weekly newspaper. By this method we hope to accomplish a great good; to enliven and enlighten the family circle, and to give to it at an expense which shall be no consideration to any, a mass of reading that in book form would alarm the pockets of the prudent, and to do it in a manner that the most sceptical shall acknowledge "the power of concentration can no farther go." *No book which appears in Waldie's Quarto Library will be published in the Omnibus*, which will be an *entirely distinct* periodical.

TERMS.

WALDIE'S LITERARY OMNIBUS will be issued every Friday morning, printed on paper of a quality superior to any other weekly sheet, and of the largest size. It will contain,

1st. Books, the newest and the best that can be procured, equal every week to a London duodecimo volume, embracing Novels, Travels, Memoirs, &c., *and only chargeable with newspaper postage.*

2d. Literary Reviews, Tales, Sketches, notices of books, and information from "the world of letters," of every description.

3d. The news of the week concentrated in a small compass, but in a sufficient amount to embrace a knowledge of the principal events, political and miscellaneous, of Europe and America.

The price will be two dollars to clubs of five subscribers where the paper is forwarded *to one address*. To clubs of two individuals, five dollars; single mail subscribers, three dollars. The discount on uncurrent money will be charged to the remitter; the low price and superior paper absolutely prohibit paying a discount.

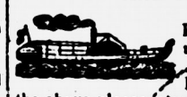
On no condition will a copy ever be sent until the payment is received in advance.

As the arrangements for the prosecution of this great literary undertaking are all made, and the proprietor has redeemed all his pledges to a generous public for many years, no fear of the non fulfilment of the contract can be felt. The Omnibus will be regularly issued, and will contain in a year reading matter equal in amount to two volumes of Ree's Cyclopedia, for the small sum mentioned above.

Address, post paid,
ADAM WALDIE,
46 Carpenter St. Philadelphia.

☞ Editors throughout the Union, and Canada, will confer a favour by giving the above one or more conspicuous insertions, and accepting the work for a year as compensation.

FOR ANNAPOLIS, CAMBRIDGE AND EASTON.



The Steam Boat MARYLAND, leaves Baltimore every TUESDAY & FRIDAY MORNINGS, at 7 o'clock for the above places, starting from the lower end Dugan's wharf, and returns on Wednesday and Saturday.

N. B. All Baggage at the owner's risk.
LEM'L. G. TAYLOR.

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PUBLIC NOTICE.

I HEREBY PUBLICLY GIVE NOTICE to Merchants and others residing in the city of Annapolis, not to credit my account unless by a written order from me, as none others will I consider myself bound to pay.

RICHARD M. CHASE.

I know of no pursuit in which more real or important services can be rendered to any country, than by improving its Agriculture.

WASHINGTON.

SUBSCRIPTION

FOR THE

FIFTH VOLUME OF

THE CULTIVATOR,

CONDUCTED BY J. BUEL.

Office, No. 3, Washington-street, Albany.

THE CULTIVATOR is a monthly publication of 16 pages, devoted to agriculture, on a sheet of the largest size of paper —28 by 40 inches. The price is ONE DOLLAR per annum, payable in advance. The postage on a volume of the *Cultivator* will not exceed 18¾ cents to any part of the Union, and within the state, and a circle of 100 miles, it will be but 12½ cents. A volume will contain more than 200 pages quarto, will be illustrated with cuts of animals, implements, &c. and be furnished with a copious index. It will comprise as much letter press print as 1500 pages of common duodecimo—as much as the Penny Magazine, published by the British Society for the Promotion of Useful Knowledge, and which, at two dollars per annum, has been reputed to be the cheapest periodical any where published.

The *Cultivator* will continue to treat of the science of agriculture, to furnish instructions for the best models of practice in all the departments of husbandry, in horticulture, and other rural affairs, and to furnish useful lessons for the improvement of the young mind The Conductor will endeavour to render it a *present help*, and a volume of *useful reference*, to all who have the ambition to distinguish themselves in rural labours and rural improvements—to help themselves and to benefit society

☞ Subscriptions to the above work received by

A. COWAN, Annapolis.

N. B. Those who wish the Cultivator will please send their subscription by the 10th of February next. A. C.

December 7, 1837.

Anne-Arundel County, Sct.

ON application to the County Court of Anne-Arundel county, by petition in writing of James B. Brewer, of Anne-Arundel county, stating that he is now in actual confinement, and praying for the benefit of the act of the General Assembly of Maryland, entitled, An act for the relief of sundry insolvent debtors, passed at December session 1805, and the several supplements thereto, on the terms therein mentioned, a schedule of his property, and a list of his creditors, on oath, so far as he can ascertain the same, being annexed to his said petition, and the said James B Brewer having satisfied the said Court by competent testimony that he has resided two years within the state of Maryland immediately preceding the time of his application, and the said James B Brewer having taken the oath by the said act prescribed for the delivering up his property, and given sufficient security for his personal appearance at the county court of Anne-Arundel county, to answer such interrogatories and allegations as may be made against him, and the court having appointed William Brewer his trustee, who has given bond as such, and received from said James B. Brewer a conveyance and possession of all his property real, personal and mixed—It is hereby ordered and adjudged, that the said James B Brewer be discharged from imprisonment, and that he give notice to his creditors by causing a copy of this order to be inserted in some newspaper published in Anne-Arundel county, once a week for three consecutive months, before the fourth Monday of October next, to appear before the said county court at the court house of said county, at ten o'clock in the forenoon of that day, for the purpose of recommending a trustee for their benefit, and to shew cause, if any they have, why the said James B. Brewer should not have the benefit of the said act, and supplements, as prayed.

By order,
WM. S. GREEN, Clk.

May 10. 3m.

FOR ANNAPOLIS, ST. MICHAELS, AND WYE LANDING.

The Steamboat MARYLAND will leave Baltimore on SUNDAY MORNING NEXT at eight o'clock, for the above places from the lower end of Dugan's wharf. Returning the next day, leaving Wye Landing at 8 o'clock for St. Michaels, Annapolis and Baltimore. She will continue this route throughout the season. Passage to Annapolis $1 50, to St. Michaels and Wye Landing $2 50.

N. B. All Baggage at the owner's risk.
LEM'L. G. TAYLOR.