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The Kent News.

CHESTERTOWN, MD.

Saturday, Feb. 20, 1869

Judge Wickes' Opinion.

We publish elsewhere the opinion of Judge Wickes, rendered on Saturday last, in a case involving the right of dredgers to take oysters in the rivers of this State. This is a question of great importance to the citizens of our county and of the State at large. Under the provisions of section 16 of the Act of 1868, usually known as the Oyster Police law, it was supposed by many persons that dredging was permitted within the waters of any river forming a divisional line between any two counties of the State, and under this impression dredging has been actively prosecuted for some time past in Chester river and other rivers similarly situated, to the very great injury of the tongsmen, as well as to the interests of the revenue of the State. By agreement among the Commissioners of the State oyster police force, the commanding officer of that force was directed to make a test case upon this point, and in pursuance of this direction the captain of the schooner Ray was arrested while dredging in Chester river, and brought before Judge Wickes for trial. In order to procure a full and complete decision of the point at issue, the case was submitted to his Honor upon an agreed statement of facts, and the opinion which has been filed in the case goes to the exclusion of dredgers from all rivers in the State and confines them to the waters of the Chesapeake Bay, in accordance with the language of their license.

The conclusions of this opinion rest upon solid and substantial argument.—The whole policy of legislation upon this subject since 1833 is reviewed and its intent made clear to the most ordinary understanding. A reasonable construction of the 16th section alone affords ample ground for this opinion, since the Code of this State has provided that "every county lying on any navigable river in this State, shall extend its jurisdiction from the shore to the channel of the river that divides the counties, except where a dividing line has been fixed in such river by law;" and the harmonious interpretation of the whole Act renders any other conclusion impossible. But this opinion is now before the public, and it is therefore unnecessary to enlarge upon its reasoning. In consideration of the fact as stated to his Honor by Captain Davidson, that in pursuance of authority he had permitted dredgers to take oysters within this river, the lightest penalty was inflicted for the offence, but the Sheriff was instructed that it is his duty to arrest future offenders, who will not be so lightly dealt with. It was also understood that for the purpose of procuring a final adjudication of the question, the case would be carried by the defendant to the Court of Appeals; and if the law can still be held doubtful in construction, it is certainly desirable that this should be done—though it is difficult to imagine upon what grounds a reversal could be expected.

THE *Centreville Observer* disclaims any intention of reflecting upon the people of Chestertown in republishing a libelous extract from the first communication of "Sinapis" to the *Middletown Transcript*: says it was done "as a matter of sport," and very pertinently styles the writer "a windy son of Kent, with more words than brains." This is very well said; and of course we are bound to accept the disclaimer. But at the same time the publication of a gross slander is not regarded as "a matter of sport" by the people of Kent, however harmless it may appear to those of Queen Anne's. It is a good rule never to trifle with serious things.

THE BRIDGE AT CRUMPTON.—The County Commissioners for Queen Anne's and Kent met at Crumpton on Wednesday last to examine the condition of the bridge across Chester river, and decided to have it repaired. They appointed Mr. David Harris, of Church Hill, to prepare a report of what is necessary to be done, and they will then provide the material and advertise for proposals for doing the work. —*Crumptonian.*

QUEEN ANNE'S AND KENT RAILROAD.—This road is graded from Millington to Carville's Corner and ready for the rails, with the exception of a few places. The laying of the rails from Millington down will be commenced in a short time.

General Grant has stated to some army friends that in case certain of the bills now pending in Congress, providing for a general mustering out of officers who have been a long time in the army are passed, he shall certainly provide such with good civil offices. He sees no justice in discharging officers after they have given the best portion of their lives to the service.

THE MAMMOTH OX GENERAL GRANT, which was presented to the President elect in New York, has arrived safely in Washington. This animal is a noble specimen, perfectly white, and weighs over 3,000 pounds, and he is 11 years old.

A proposition to strike the word "white" out of the Kansas Constitution was rejected by the Senate of that State yesterday, by a vote of 17 to 14. Three Senators voted against the proposition because females are not allowed to vote.

President Johnson purposes making a visit to Europe. He will sail about the first of April.

KENT COUNTY RAILROAD.—We understand that at a meeting of the Board of Directors of the Kent County Railroad Company, on Wednesday last, a committee, consisting of Messrs. Abel J. Rees, Wm. Stevens and Wm. T. Spry, was appointed to make a contract for building the road from Massey's to Kennedyville by the first of July next, to Belair by the first of September, to Deep Landing by the first of January, and the branch to Chestertown by the first of July, 1870. This resolution differs from that adopted some weeks ago in that it does not provide for a contract with any particular parties, but leaves the committee free to negotiate with whomsoever the best terms can be effected.

REORGANIZATION OF A MILITARY COMPANY.—A meeting of those favorable to the reorganization of the "Reed Rifles" was held at the Town Hall on Tuesday evening last. Mr. J. K. Aldridge was called to the chair and stated the object of the meeting, when some twenty-five or thirty persons enrolled their names as members of the Company, most of whom belonged to the old organization. A recruiting committee was appointed, and other matters attended to looking to the early completion of the organization. The Captaincy, we understand, has been tendered to E. F. Perkins, Esq., the former commander of the "Reeds." Under the new militia law of the State all volunteer companies are provided with uniforms, arms and equipments at the expense of the State.

DREDGING IN RIVERS TO BE PROHIBITED.—Commander Hunter Davidson, of the State oyster police force, gives notice that in consequence of the revised opinion of the Attorney General of the State in reference to the State oyster law, which was recently given, as well as the decision of Judge Wickes, in the case of the pungy Ray, published in our columns this morning, to the effect that dredging for oysters in any river of this State is unlawful, he will be governed accordingly in the discharge of his duty. He therefore announces that after the 28th inst. dredging for oysters in any river of this State must cease. Time is thus allowed until the first of March in order that all interested may become aware of his intention.

UPPER END OF THE KENT RAILROAD.—The contractors are now laying the rails on the road from Townsend to Massey's Cross Roads, and expect to complete the job in the course of a few weeks. This part of the road is being built by the Delaware Railroad Company.

SALE OF THE CHESTER.—The steamer Chester was sold at auction in Baltimore on Tuesday, and purchased by H. J. Albert for $7,000. It is understood that the boat was purchased for her former owners, and that she will continue to run on Chester river.

SALE OF A FARM.—The farm of the late Chas. T. Lusby, near this town, containing about 52 acres, has been sold by R. Hynson, Esq., trustee, to Mr. John T. Dodd at $55 per acre.

STATE DIRECTOR.—Mr. Wm. P. Francis has been appointed a State Director in the Kent County Railroad Company in place of S. W. Spencer, deceased.

VENDUE.—Geo. B. Westcott, Esq., as Executor, will sell the personal property of S. W. Spencer, deceased, on Thursday next, at his late residence near this town.

Baltimore Price Current

[Corrected from the Sun of Thursday.]

WHEAT—White	$2.20a2.25
" Choice Red	2.10a2.15
" Medium and good red	1.90
CORN—Good to prime White	94a95
" " " Yellow	87a88
Oats	73a75

FARM FOR RENT, for the present year, and longer if satisfactory to both parties. I will also sell at private sale the STOCK AND UTENSILS, sufficient for the uses of the farm. To any one with sufficient means and capabilities for conducting a good farm a rare chance is offered.
feb20 J. W. EDWARDS, Chestertown.

FOR SALE,
SAGE PLANTS one year old. 25 cts. per doz. CONCORD GRAPE VINES, two years old, very fine, 25 cents each.
W. F. MASSEY,
feb20-tf. Chestertown.

PRIME
OSAGE ORANGE QUICKS
FOR SALE.
70,000 Osage Orange Quicks for sale by
ALFRED JERVIS,
feb20 5t. Galena, P. O.

FOR SALE,
FIVE HUNDRED BUSHELS of good Seed OATS. Also, a YOUNG MARE, fast to Harness, and safe.
Apply to JOHN A. MILLER,
feb20-3t* Camelworthmore.

MEDICAL CARD.
After nearly ten years practice in Kent Co., Delaware, the subscriber has located in Kennedyville, where he intends continuing the practice of Medicine, and offers his professional services to the citizens of the village and vicinity.
☞ Medicine furnished if preferred.
feb20-3m* WALTER MELVIN.

Final Notice to All.
ALL PERSONS indebted to me for TAXES for 1866, 1867 or 1868 are hereby notified that IN EVERY CASE where said taxes are not paid by the 15th day of March, 1869, I shall immediately proceed to collect the same according to law.
This course is absolutely necessary in justice to myself as well as my bond. The money is principally due the State, and must be paid.—No person need expect to be indulged after the above date, as I intend to treat all alike.
S. G. COPPER,
feb20-4t. Coll. 5th Dist

TOWN HALL
FOR THREE NIGHTS ONLY
PROFESSOR KING, the World Renowned Magician and Ventriloquist,
Will give three of his Pleasing Drawing Room entertainments on Wednesday, Thursday and Friday Evenings next. Admission 25 cents. Reserved Seats 50 cents. Children 15 cents.—Tickets at the door. 1t

THE OYSTER LAW.

OPINION OF JUDGE WICKES.

The following is the opinion of Judge Wickes in the oyster dredging case, referred to in our editorial columns:

The charge against the defendant is, that being the master of the schooner Ray, a vessel regularly licensed to be used in taking and catching oysters, with scoop, drag, scrape or dredge, within the waters of the Chesapeake Bay, he used and employed that vessel to catch and take oysters with a dredge in Chester river.

The vessel with its tackle and furniture were seized by the commanding officer of the State Oyster Police Force, and the defendant arrested and brought before me, in compliance with the provisions of the Act of 1868, chapter 406, now usually known as the Oyster Police Law. The plea is "not guilty;" and the case has been submitted to me upon the following agreed statement of facts, signed by the State's Attorney for Kent county and the defendant:

"It is agreed that the defendant in this case, John Jones, is a resident of the city of Baltimore, and is at the present time the master of the schooner "Ray," a vessel duly enrolled in the United States Custom House in the city of Baltimore, and that George A. Hodges, of Baltimore, is owner of said vessel; that the said Geo. A. Hodges has been duly licensed by the Comptroller of the Treasury of Maryland to catch oysters with scoop, scrape, drag or dredge, as provided for in chapter 406 of the Act of the General Assembly of Maryland, passed in the year 1868; that the dredging number of said vessel is 109, and that said number is duly marked, as required by law, upon the mainsail of said vessel; that the said John Jones did on the 11th day of February, 1869, use and employ said vessel in taking and catching oysters with a dredge in Chester river, at or near Piney Point, about twelve miles above the mouth of said river, and on both sides of the channel of said river, he being then and there the master of said vessel, and while so engaged in using and employing said vessel in taking and catching oysters with a dredge in said river as aforesaid, was arrested by Capt. Hunter Davidson, commander of the State Oyster Police Force, and was by him brought to Chestertown, Kent county, Maryland, to be dealt with according to law."

Chester river divides the counties of Kent and Queen Anne's; and it is contended that the Act of 1868 does not prohibit dredging in rivers which form the dividing line between two counties, but only in such rivers as are wholly within the territorial limits of one county. In support of this opinion the 16th section of the Act is replied upon, which is as follows: "It shall be unlawful for any owner, master, &c., to use or employ any vessel, licensed under this article, to take or catch oysters with scoop, drag or dredge, in any river, creek, cove, inlet, bay or sound *within the limits of any county* of this State." The single question, therefore, which is presented, is, has the defendant violated the law by dredging for oysters in Chester river, or had he in virtue of the license to dredge in the waters of the Chesapeake bay, the right to catch them in a similar manner in any river of this State, which forms the dividing line between two or more counties.

The object of all rules for the interpretation of statutes, is, to ascertain the intention of the Legislature, and that intention is to be gathered from a view of the whole and of every part of the statute, taken and compared together. Though penal statutes are said to be construed strictly, yet the courts are bound to give effect to their plain and obvious meaning, and not to construe them so strictly, as to defeat the obvious intention of the Legislature. Keller vs. the State, 11th Md. Rep. 525; Parkinson vs. the State, 14th Md. Rep. 184; American Fur Company vs. the United States, 2d Pet. Rep. 367.

In construing statutes similar to the one now under consideration, it is important to ascertain the object the Legislature had in view, the end to be accomplished, and the evil the law was designed to prevent or remedy. To do this, it is necessary to recur to the pre-existing laws in reference to the same subject, and the previous condition of the subject or interest, which the particular statute effects and controls.

Prior to the Act of 1865, chapter 181, the laws of the State had strictly forbidden any person to catch or take oysters with scoop or dredge in *any* of the waters of the State. The Act of 1833, chapter 254, recites in its preamble that "the destruction of oysters in the waters of this State is seriously apprehended, from the destructive instruments used in taking them;" and makes it lawful to catch oysters in *any* of the waters of the State with scoop or drag or any other instrument, than such tongs or rakes as were then in use and authorized by law. The punishment prescribed for the violation of its provisions is, the forfeiture of the vessel, and a fine imposed upon each offending boatman. The Act of 1837, chap. 310, is a supplement to the Act of 1833, and continues the prohibition against the use of dredges, and with the forfeiture of the vessel, increased the fine which was to be imposed. The same provisions are contained in the Code which was adopted in 1860, and continued unrepealled until the Act of 1865 was passed. These laws were passed for the purpose of preventing the destruction of the oyster beds in the State, which it was well known would result if scoops and dredges were permitted to be used.

In a large portion of the State, thousands of her citizens depended upon these oyster beds for employment and support, and the Legislature had, through a series of years, extended the protection of the law to this important interest; the only change being an increase of the penalties and more stringent laws. While it was known that the use of dredges was destructive to the oyster beds, it was supposed that many of them in the Chesapeake Bay, could not be reached by tongs or rakes on account of the great depth of water, and for the purpose of increasing the revenue of the State the Legislature in 1865, authorized, with certain restrictions, the Comptroller of the Treasury to issue licenses to dredge "within the waters of the Chesapeake Bay, and not within any other bay, river, creek or sound." The Act of 1867, chap. 104, also authorizes the Comptroller to issue licenses to dredge in the waters of the Chesapeake Bay, but being similar in its provisions to the law of 1868, by which it was repealed, it is unnecessary to do more than refer to it.

Admitting that the 16th section of the Act of 1868 is somewhat obscure in its phraseology, yet when considered in connection with the other parts of the statute the meaning of the Legislature is plain and obvious. Section 2d of the Act forbids *all* persons to use any boat or vessel, in taking or catching oysters, in *any* manner, without having first obtained a license as thereinafter provided. The prohibition is general and universal. Section 3d authorizes the Comptroller, "upon the application of any resident of the State, being the owner of any boat licensed or enrolled, &c., to issue to such resident, license to catch or take oysters with scoop, dredge or any other instrument, within the *waters of the Chesapeake Bay.*" The privilege granted by the license to dredge is special in its character. The authority is limited, and is confined to the waters of the Chesapeake, and does not extend to any river, creek, cove, inlet, bay or sound. By reference to sec. 5 we find this provision: "that every boat or vessel engaged in the oyster trade in any of the waters of this State shall be licensed as required by law, and be subject to all the provisions of this article;" and section 6th prescribes the punishment for any violation of its provisions. The license to dredge, given in the 3d section, is confined to the waters of the Chesapeake Bay. It confers no authority to dredge in any river, and to do so, is not only in direct violation of the authority conferred by the license, for which the person offending is punishable under the 5th and 6th sections, but is in fact to dredge without a license, which is forbidden by section 2d of the Act.

Believing the views which I have expressed in reference to the preceding sections of the law, to be the true construction, I feel no difficulty in construing the 16th in such manner, as to harmonize it with the other provisions of the law, and the obvious intention of the Legislature. When the 16th section was adopted, the Legislature did not intend that it should annul or contradict the provisions of the preceding sections. The language used is: "That it shall be unlawful for any owner, master, &c., to use or employ any vessel licensed under this article, to take or catch oysters with scoop, drag or dredge, in any river, creek, cove, inlet, bay or sound, *within the limits of any county* of this State." It does not give permission to dredge in the Chesapeake Bay: that has already been granted in the 3d section; but repeats the prohibition, in effect expressed, in the previous sections.

The fact was familiar to the members of the Legislature, as to every well informed citizen of the State, that many rivers of the State from which oysters are taken form the divisional lines between two or more counties, and to say that the prohibition to dredge in any river, within the limits of any county, applies only to rivers wholly within the territorial limits of one county, would be attributing an omission and incongruity to the Legislature which should not be done, unless absolutely unavoidable. It is not pretended that the 16th section gives in direct terms the right to dredge in *any* river, but that it is not forbidden in rivers which divide two or more counties, and the whole argument is based upon the words "within the limits of any county in this State." Section 7 of the Act confers the right to catch oysters with rakes or tongs, is expressed in the same language, and shows clearly that the construction of the 16th section which is contended for, is erroneous. That section provides, "That any resident of this State, owning or having in his possession any canoe or other small boat, and desiring to take or catch oysters with rakes or tongs," shall first obtain a license from the clerk of the circuit court for the county wherein he may desire to take or catch them, "provided that such license shall *not authorise* the taking or catching of oysters in any creek, river, cove, inlet, bay or sound, *within the limits of any county, other* than where the license may be granted." The inhibition is to take oysters in any river within the limits of any county, other than the one in which the license is obtained; in other words, that the river shall be wholly within the territorial limits of the county in which the license is granted; and consequently, if the river divides two or more counties, the citizens of each are forbidden to take oysters therefrom with rakes or tongs.—If this construction shall prevail, then it necessarily follows, that neither the citizens of Kent or Queen Anne's counties, each lying on Chester river, can take oysters from that stream, unless they obtained a license to *dredge* in the Chesapeake Bay; and the same prohibition would extend to the counties lying on the Patuxent, the Choptank, the Wye, the Wicomico, and indeed nearly every river in the State. It will overthrow the whole previous policy of the State, and we must attribute to the Legislature, an omission to protect an important interest, which has uniformly received the protection of the law. It will antagonize the local interest and welfare of every county which lies upon a river forming a boundary line; and while depriving the citizen of an immemorial privilege, open the various rivers of the State to a species of depredation which will in a short time destroy every oyster bed within their limits. I cannot therefore so narrow the construction of these sections that the whole purpose of the law shall be defeated or evaded, and by a technical construction of the words *within any county*, utterly annul its salutary provisions.

For the reasons which I have stated, I am of the opinion that the privilege granted by the license to dredge, is limited in its character, and must be confined to the Chesapeake Bay; and that the prohibition to dredge "in any river within the limits of any county," contained in the 16th section, applies to every river in the State, and necessarily includes not only those rivers which are wholly within the territorial limits of one county, but also all rivers within the State which form the dividing lines between two or more counties.

If the 16th section stand alone, and without reference to the other sections of the Act, or the manifest intention of the Legislature, I could not concur in the opinion that the words "in any river within the limits of any county" necessarily refer to those rivers which are entirely within the territorial limits of one county. The Code provides in Article 75, sec. 90, "That every county lying on any navigable river in this State, shall extend its jurisdiction from the shore to the channel of the river that divides the counties, except where a dividing line has been fixed in such river by law." The jurisdiction, therefore, of Kent county over Chester river extends from the shore to the channel; and from the channel to the opposite shore, will be subject to the jurisdiction of Queen Anne's county, unless a different dividing line has been established by law. The words above quoted from the 16th section, without perverting the force of the language, may reasonably be construed to refer to the jurisdictional, and not the territorial limits of a county, and thus all apparent inconsistency between the different sections of the law be reconciled and the manifest intention of the Legislature be carried into effect.

The officer who made the arrest stated when the case was submitted to me, that, acting under the opinion of the Attorney General of the State, he had conceded to the defendant and others the right to dredge in Chester river. While that concession is no excuse for the violation of the law, it is an important fact in mitigation of the punishment. The punishment therefore will be the least which the law inflicts, which is a fine of fifty dollars.—I will render a judgment accordingly.

J. A. WICKES.

February 13th, 1869.

THE Boston papers do not spare their harsh criticism of General Butler for his recent antics in Congress.

Sugar is going up, in consequence of the Cuban troubles.

Black silks are now the fashionable reception dresses in New York.

MARRIED:

Feb. 9th, by Rev. J. Hough, Mr JAMES B STEVENS to Miss JULIET M HURN, both of Queen Anne's county.

Feb. 16th, by the same, Dr. F. A. CLIFT to Mrs. EMILY F. ARMSTRONG, both of Kent.

In the M. E. Church, Chestertown, on Thursday evening, by Rev. H. S. Thompson, JOHN W. STARTT to Mrs. MARTHA A. MORRIS, both of this county.

PREACHING at the Court House by one of the Ministers of the M. E. Church South, on Thursday Evening next, at 7½ o'clock. f20.

Select Private Academy.
ENCOURAGED by numerous promises of patronage, J. W. MACBETH, A. M., having had eight years University education, and ample experience in teaching, will open in Chestertown, on the first Monday of March a Select Private Academy for Young Ladies and Gentlemen; assisted by MRS. MACBETH, who will teach the younger children. Latin and Greek, French and German; Book Keeping, &c. Special attention given to the common branches of Education. Terms moderate. fe20-3t.

LOST OR MISLAID,
THREE PROMISSORY NOTES, viz:—One drawn by Jas. J. Webb, dated Kennedyville, January 1st, 1869, at 3 months, to the order of Noland & Co., for $149.25, payable at the Kent National Bank, Chestertown, Md. One drawn by John T Dodd, to the order of Noland & Co., dated Chestertown, Md., Dec. 31st, 1868, at 90 days, for $100, payable at the Kent National Bank, Chestertown, Md.; and one drawn by B F. Nalls, to the order of J. R. Trimble, dated Baltimore, Md, Dec. 28th, 1868, for $262.16.
The public are hereby warned not to negotiate said Notes. NOLAND & CO.
Feb. 20, 1869—2t.

NOTICE.

U. S. INTERNAL REVENUE.

NOTICE IS HEREBY GIVEN, that I am receiving and ready to receive returns of INCOME for the year ending December 31st, 1868, and articles liable to tax for 1869.

The law requires all persons to make their return on or before the first day of March, and to pay the tax on or before the 30th day of April.

All persons doing business liable to License or Special Tax are notified to renew the same by registering their names with the Assistant Assessor.

Delinquents are liable to penalty of 50 per cent. and I am positively instructed to add said penalty.

I will be at the Court House in Chestertown, until the first day of March, to wait upon the public, and hope that there will be no cause to add penalty.

WILLIAM H. LAMBERT,
feb20-tf. Assist. Assessor.

County Commissioners' NOTICE.

ON TUESDAY, the 16th day of March, 1869, the County Commissioners for Kent county will commence the appointment of

Road Supervisors,

and will continue them until all public roads are put out. Persons intending to make application will do so at that time, or as soon thereafter as convenient.

Supervisors will be allowed one dollar and fifty cents per day for each able-bodied hand; two dollars per day for plow and horses, or cart and horses, and two dollars and fifty cents for two horses with scoop. Twenty-five cents will be allowed for the supervision of each hand.

Persons not regularly appointed Supervisors of the roads will not be allowed for work done, unless by special order of one of the County Commissioners. By order,

JOHN RUSSELL, Clerk.
Feb. 20, 1869—5t.

To the Honorable,
the Commissioners of Kent Co.

GENTLEMEN:—The undersigned citizens of your county, most respectfully represent, that the safety and convenience of the public travel over the road from the "White House" to Chesterville and down Morgan's Creek Neck requires that the branch on said road, at the foot of Perkins' Hill, should be well and substantially bridged, and the road raised on both sides. That after a heavy fall of water the branch is almost impassable; and travelers have been compelled to take a long and circuitous route to avoid it, or to imperil their lives and property in crossing it. That the attendance of the children from the West side of the branch at the School on the opposite side, has been frequently interrupted by the dangerous or impassable condition of the branch. They therefore pray your honorable body to cause each of those improvements to be made on the aforesaid road. And as in duty bound, &c.

JACOB HIGHLY,
WM. B WILMER,
WILLIAM WELCH,
GEO. W. T. PERKINS,
GEO. W. SPENCER,
A. W. MELVIN,
JOHN F. MELVIN,
Feb. 20, 1869—5t. and others.

ROAD NOTICE.

THE undersigned hereby give notice, that thirty days after the date of this notice, they intend to apply to the Honorable County Commissioners to appoint examiners to locate a public road from the road leading from Mann's Corner to Dulaney's Chapel, to run with the lines of Samuel Hurlock and James Yeates, to and over the Cypress Branch, thence through the Dulaney lands, to a private road between Jonathan Hodgson and Stephen Boyer, thence with said private road to the public road leading from Massey's Cross Roads to Smyrna.

SAMUEL HURLOCK,
BENJ. HAZELL,
SAMUEL CACY,
STEPHEN BOYER,
JAMES YEATES,
Feb. 20, 1869—5t. and others.

VENDUE
AT THE LATE RESIDENCE OF S. W. SPENCER, DEC'D,
On THURSDAY, Feb. 25th instant.

THE subscriber will sell at Public Sale ALL THE PERSONAL ESTATE of the deceased, consisting of:

A VERY LARGE AND VALUABLE VARIETY OF

Household & Kitchen FURNITURE,

Among which are several FINE CARPETS, MATTING, TABLES, CHAIRS, WARDROBES, HAIR MATTRASSES, BEDSTEADS and BEDDING, One Set of Cottage Furniture, several Stoves, GLASS-WARE and CHINA-WARE, among which are TWO DINING SETS, and 2 GERMAN SILVER BREAKFAST SETS,

2 GOLD WATCHES,

one of them a very costly and Superior SWISS CHRONOMETER, with heavy cases;

Secretary and Book Case, Books, &c.

14 Head of HORSES,
MULES AND COLTS,
OXEN, COWS, SHEEP and HOGS.

A LARGE ASSORTMENT OF

Farming Implements,

3 Subsoil Ploughs, three Peach Orchard Gang Ploughs, 4 Flushing Ploughs, two and three mould, Cultivators, 5 Harrows,

MACHINERY,

One Thresher and Cleaner, Horse Power, Wheat Drill, Wheat Rakes and Fan,

THREE CARRIAGES,

SIX SET CARRIAGE HARNESS, two set new, has never been used.

3 Ambulances, 1 Wagon, 2 Carts

LOT OF NEW FENCE BOARD, 500 PEACH BOXES, 50 Bail Peach Picking BASKETS, a large lot of Seed Potatoes, Beans, Peas and Seeds generally.

83 Bushels of WHEAT seeded;

About 40 Hot House Glass Frames, 1 Peach Drying House,

5 *Stacks STRAW & CORN BLADES,* together with a great variety of other property.

☞ Sale to commence at 9 o'clock, A. M. TERMS.—All sums of and under $20 cash, over that amount six months credit with note and approved security.

GEO. B. WESTCOTT,
Executor of Samuel W. Spencer, dec'd.
Feb. 20, 1869—1t.

VENDUE
OF THE PERSONAL ESTATE OF THE LATE JAMES P. WICKES.

On THURSDAY, March 4th, 1869,

The undersigned as the administrators of James P. Wickes, deceased, at his late residence on Eastern Neck Island, Kent County, Maryland, by authority of the Orphans' Court for said County, will offer at public sale the

Personal Property,

of the said deceased, consisting of a LARGE AND VALUABLE COLLECTION of

STOCK, FARMING IMPLEMENTS and HOUSEHOLD & KITCHEN FURNITURE,

of which the following is a brief enumeration:

11 Head of HORSES,

Including a pair of well matched FANCY MARES; a pair FAMILY HORSES, and a superior SADDLE HORSE, 3 YEARLING COLTS.

26 HEAD OF CATTLE,

Including 3 YOKES of broken OXEN, and 2 YOKES unbroken; the latter are two years old.

10 Large and 9 Small Shoats,

2 Brood Sows, and 1 Male Hog.

62 head of Sheep

(38 Cotsworth and 28 Leister.)

1 Family Carriage and Harness

1 ROCKAWAY,

1 Germantown Carriage and Harness;

1 no-top BUGGY and 1 DEARBORN.

109½ BUSHELS WHEAT SEEDED, with 4½ Tons of Guano in prime land and well put in.

1 Westing House Thresher and Horse Power; 1 Bickford & Hoffman Drill, 1 Pennock Drill, 1 Whitman Reaper and Mower, 1 Woods Reaper, and 1 Adkins' Reaper.

3 Ox-Carts, 1 Horse Cart and Harness, 1 Truck and Corn Dray, 2 Wheat Fans, 2 Corn Shellers, 20 Ploughs and Gears, 1 A A and 1 Twin Harrow, 1 Grist Mill,

20 TONS OF SUPERIOR HAY, and 1 HAY PRESS.

A Very Fine Yawl Boat,
A FOWLING RIFLE and a DOUBLE BIRD GUN.

A further description of the property is not deemed necessary. It is large, and embraces some very superior Stock, a number of good Farming Implements, and

A FINE COLLECTION OF Household & Kitchen FURNITURE.

☞ The sale will be opened at half-past nine o'clock, A. M., when the terms and conditions, which will be liberal, will be made known.

CHARLOTTE A. WICKES,
RICHARD HYNSON,
Administrators of James P. Wickes, dec'd
Feb. 20, 1869—ts.

AGENTS WANTED in every City, Town and County in the United States to sell our new and popular engraving, THE PRESIDENTS OF THE UNITED STATES, elegantly engraved and handsomely printed in colors, 28 x31 inches, on heavy plate paper, making the most beautiful and saleable picture ever issued, appropriate for the Parlor or Counting-house. Agents are making from Twenty-five to One Hundred Dollars per week. Send for Circular.

TO AGENTS.—SPECIMEN COPIES of the above picture will be sent to any address, by mail, carefully put up upon the receipt of the Retail Price, Two Dollars. Address

RUSHTON & CO., Publishers,
fe20-2t. 210 Dock Street, Philadelphia.

Trustee's Sale.

BY virtue of a Decree of the Circuit Court for Kent county, sitting in Equity, the undersigned as Trustee will offer at public sale on

WEDNESDAY, the 10th of March next,

at 11 o'clock, A. M., at the Frame Hotel in Millington, Kent county, Maryland, all that

LOT,
OR PARCEL OF LAND,

situate and being in the said village of Millington on Cross street, adjoining the property of Thomas Stewart and others, and now occupied by William McCauley.

The Lot contains upwards of

2 Acres of Land,

and the Improvements are a FRAME DWELLING with a Kitchen attached; a Meat House, Stable and other improvements, all in good repair. It being the same property which Wm. J. Anderson sold to Wm. McCauley, and which was conveyed to the former by two several deeds, one from J. H. Wheeler and wife, and the other from Edwin Crouch, Sheriff.

THE TERMS OF SALE prescribed by the decree are, that the whole purchase money shall be paid on the day of sale or on the final ratification thereof by the Court, as the Trustee may elect.

RICHARD HYNSON, TRUSTEE.
Feb. 20, 1869—ts.

BONE DUST! BONE DUST!
Ground by Ourselves at Lowest Market Rates,
ALSO,
GRIMES' PATENT
Raw-Bone Phosphate
AT $40 PER TON.

The past two years have fully realized this RAW BONE PHOSPHATE to be the Cheapest and Best in the Market, and unsurpassed by the highest priced Guanos. Its adaptation to WHEAT, CORN, OATS, Buckwheat, Tobacco, Garden Truck, Grasses, &c., has been fully and most satisfactorily tested. Finely ground and suitable for drilling, put up in Bags of 167 lbs. each.

☞ Read the following certificates, and call at our Warehouse and examine hundreds of a similar character from those who have been using it with the most satisfactory results.

O. P. MERRYMAN & CO.,
Sole Manufacturers,
54 S. Gay St., between Lombard and Pratt, BALTIMORE, MD.

Bowly's Quarter, Balt. Co., Md., Nov. 21, '68.
Messrs. O. P. Merryman & Co.,
Gentlemen:—The Raw Bone Phosphate I bought of you last Spring, I applied to Corn by the side of Peruvian Guano in equal quantities, and if there was a difference at all it was in favor of the Phosphate. My Corn crop was excellent. I applied it also upon Oats and Potatoes with the most satisfactory results. I prefer it decidedly to Peruvian Guano from the fact, that whilst the Guano spends itself upon the growing Crop, the effects of the Phosphate can be strongly seen in the crops following. Some that I applied to Potatoes by the side of Fish Manure, made a splendid yield, the Fish turning out an abundant crop of vines, the Phosphate the Potatoes. I have used it this fall upon my Wheat, and at this time it looks as well as I could desire.
GEORGE EDWARDS,
Overseer for Dr. Wm. H. Keener.

12th Dist., Balto. Co, Nov. 11, 1868.
Messrs. O. P. Merryman & Co.,
Gentlemen:—I applied the Raw Bone Phosphate purchased of you last Spring on my Corn side by side with one of the most popular and expensive Fertilizers in the Market, and I could see no difference; yours was fully equal to it. I also applied it to Turnips with perfect success. It gave such entire satisfaction that I used nothing else upon my Wheat this Fall. I sowed the most of it the latter part of September, and at this time it bids fair to make as good crop as I ever produced by the use of Peruvian or any of the expensive Guanos. I have every confidence in it. It is only to be tried to be appreciated. Yours. Respectfully,
JOHN E. WILLIS.

Anne Arundel Co., Md, Nov. 10th, '68.
Messrs. O P. Merryman & Co.,
Gentlemen:—In answer to your enquiry as to what I think of your Raw Bone Phosphate purchased in July last, allow me to say—I gave it a fair trial on Cabbage by the side of three other Fertilizers of acknowledged merit and found it equal if not better than the other, and at less cost. I am so well satisfied with it, I intend to use it the coming Spring.
Yours, truly, REZIN HAMMOND.

☞ For sale at Manufacturer's price (the cost of transportation added) by
JOHN W. HINES,
Feb. 20—3m. Chestertown, Md.

NOTICE TO OYSTERMEN.

STATE OF MARYLAND,
STATE OYSTER POLICE FORCE,
BALTIMORE, February 16, 1869.

I HEREBY GIVE NOTICE, that after the 28th day of this month

DREDGING FOR OYSTERS IN ANY RIVER IN THE STATE OF MARYLAND MUST CEASE.

This notice is given in consequence of the Attorney General of the State having published an opinion on the 13th instant, "contrary to his first impressions" regarding the construction of section 16 of the Oyster Law, and also of the decision of Judge Joseph A. Wickes, in the case of the Pungy "Ray," of Baltimore, Captain John Jones, which was seized by the State Oyster Police Force, agreeably to instructions from the "Commissioners of the State Oyster Police Force," and tried at Chestertown, Kent county, as a test case, on Saturday, the 13th instant.

The reviewed opinion of the Attorney General and the decision of Judge Wickes being that Dredging for Oysters in any River of the State is unlawful, I shall be governed accordingly in the discharge of my duty.

Time is allowed until the 1st proximo in order that this notice may be known to all interested.

HUNTER DAVIDSON,
Commander State Oyster Police Force.
Feb. 20, 1869—2t.

Constable's Sale.

BY virtue of a writ of fieri facias, issued by James Graves, one of the Justices of the Peace of the State of Maryland in and for Kent county, and to me directed, at the suit of Wm. K. Merritt & Co., against the goods and chattels, lands and tenements of Jacob Wilson, colored, I have seized and taken in execution all the right, title, claim and interest of the said Wilson, in and to all that

House and Lot,

near Parsons, Nicholson & Co.'s Mill, in the Third Election District.

And I hereby give notice, that on

MONDAY, the 15th of March, 1869,

at 11 o'clock, A. M., at Smithville, I will sell said property to the highest bidder for cash, to pay and satisfy said debts, interest and costs due and to become due thereon.

feb20-ts. S. S. USILTON, Const.

Notice to Creditors.

NOTICE IS HEREBY GIVEN, that the subscriber has obtained from the Orphans' Court for Kent County, letters of administration on the personal estate of Wm. H. Brown, late of said County, deceased.

All persons having claims against the said deceased's estate are hereby warned to exhibit the same, with the proper vouchers thereof, to the undersigned, on or before the 14th day of September, 1869, otherwise they may by law be excluded from all benefit in the said estate.

Given under my hand and seal this 16th day of February, 1869.

MARGARET A. BURCHINAL,
Adm'rx D. B. N. of Wm. H. Brown, dec'd.
Feb. 20, 1869—4t.