THE
Chestertown Transcript

CHESTERTOWN, MD.,

Saturday Morning, Feb'y. 20, 1869.

Communications, unless accompanied with the name of the writer, will receive no attention from the Editor.

Opinion of Judge Wickes,

In the case of the Schooner Ray, arrested for violation of the law against dredging in Chester river.

The Ray was arrested by Capt. Davidson, commandant of the Oyster Police Force and brought to Chestertown, Friday the 12th inst., the case was submitted to Judge Wickes the same day on a statement of facts and he delivered the following opinion on Saturday last.

Owing to the peculiar circumstances of of the case the Judge fined the party but fifty dollars.

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, chap. 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 Baltimore: and that George A. Hodges, of Baltimore, is owner of said vessel: that the said George 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 chap. 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 counties, 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 relied 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 Co. 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 unlawful 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. 340, 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 unrepealed 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 section 5th 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 betwen 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 catch them, "provided that such license shall *not authorize* 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 nor 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 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.

It is unnecessary to criticise the language or grammatical structure of the 16th section, as its meaning is clear and well defined when we consider it in connection with the other provisions of the law. If the 16th section stood 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," would 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 water 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 preverting 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 "News" and the Railroad.

The continuation of this subject is doubtless tiresome to our readers, but as the News has "no disposition to misrepresent "the editor," we give them one more chance to get straight. We know that it is difficult for some people to acknowledge error, but the lesson in this case will perhaps make our neighbor "a little particular in the use of terms." The News says, "The editor admits that he had charged "the Board with a want of energy." Now we have never, to the best of our recollection, asserted, or admitted, any such thing. Our files are in their possession; and if it is so, please let us have the proof. If it is not, just say in direct language, we "*admit*" we have been mistaken. The News has somehow been successful in placing us in the position of antagonism to the Railroad Board, when the fact is that less than a year ago, we had the *honor* to be selected as one of their judges of election; and any thing we have said since dwarfs into nothing compared with what the News has recently asserted, and as we understand the matter, up to this time left unrecalled.

But admitting, for the sake of argument, that we had charged the board with a *want of energy*, in no sense could this be construed into a want of competency. "Incompetency" is defined "want of sufficient intellectual powers or talents; as "the incompetency of infants or idiots." Now it is well known, at least to all except the editors of the News, that the most brilliant intellect and "want of energy" sometimes co-exist in the same individual. And, not to be behind our neighbors in giving good advice, we suggest first, "the propriety" of not prostituting their editorial columns to other persons quarrels; and secondly, "the propriety of being a little "particular in the use of terms."

☞ In another column will be found the last letter of 'Sinapis' to the Middletown Transcript, which we should have neither noticed or published, except for the remarks relative to this paper. He has already got into the difficulty that invariably arises from not confining oneself to the truth. He says, "Why the hotel has "mesgre and poor fare is easily accounted "for. Mr. Farson is from Delaware, but "this does not explain the fact, though "the Transcript assigns this as the reason." The Transcript assigned no such reason, and 'Sinapis' knew it when he penned the lines. We said if it be true that the fare is as 'Sinapis' represented, the fault could not be charged to our old town, as the landlord was recently from Delaware.

To make fair weather with Mr. Farson, he now explains that the reason "is found "in the poverty of the Chestertown market." 'Sinapis' knows nothing about the Chestertown market, or else he wilfully misrepresents. The town is also doubtless responsible for the little anecdote he tells about the cheese.

As we said, we have no intention to reply to this letter, it speaks for itself.

Another Letter from Sinapis.

Correspondence of the Middletown Transcript.

KENT COUNTY, MD., Feb. 4th, 1869.

MR. EDITOR.—Is it within the province of Philosophy to account for the fact that human nature can bear with complacent serenity any amount of flatter however fulsome, but not the least particle of plain honest truth? A little of the latter has raised a furious storm of editorial indignation in the Masonic Hall, and Court Street in Chestertown. The Kent News, generally sober, staid and courteous, waxes restive under the application of a simple Sinapasm, while your more irascible name-sake actually boils over and does somebody the honor of publishing entire, an article, which but for its wrath, would never have gained admission to its columns.

Well may we wonderingly ask, in the language of the old Mantuan Bard, slightly modified—

"Tanon ne animis *puerilibus* iron?

Can wrath so dire in minds so microscopic dwell? But let us congratulate ourselves. The end has been attained.—Old Rip Van Winkle has been disturbed. The town is aroused from its inglorious monotony—at least let us hope so.

There is truth, says the Transcript Senior, —your Senior—not of the Boston chap, at the other "hub"—in the fact of the old grave yard; but the world is left to infer that this is all that was true. This is really too bad of your Senior! Was it not asserted that there was a Bank there, and that its present officers are men of integrity? And is not this true? Is the Court Street Editor "some cion transplant" that he can so deliberately ignore the virtues of his fellow townsmen? How are we to account for it? Yet stranger still, —in the same paper in which the editorial thunder (bratum fulmen) is launched at your devoted head,—I find an editorial under the caption of "Public Spirit," in which a comparison is drawn between the "spirit of progress" evized by the citizens of Hanesville and Chestertown. The Editor decides for Hanesville? More of the spirit of progress in Hanesville than in Chestertown? And what is Hanesville? Two dwellings, one store, and and a smith's and cartwright's shop combined, is Hanesville! But who can deny the Transcript's statement?

"Whom the God's would destroy they first make mad" Beware, dear Senior, whatever you do, don't get mad. Our more quiet friends of the News are decidely cool. According to their account Sinapis has not uttered a word of truth. There is no old grave yard, no Bank, no trustworthy officers.—There was no canning business—no abortive effort to get water or gas into the town.—No truth at all. Is there no Missionary in the Delaware forest who could be induced to visit Masonic Hall and labor for the conviction of these dear men? They are in the condition precisely of the unfortunate Malaysian who would not eat because he did not understand how rice grew. His incredulity was measured by his lack of understanding, and he starved to death. By all means send a missionary.

Sinapis would tender his compliments to the Chestertown Editors, with the most positive assurance that he is not an exotic; no "cion of the Delaware forest," but a genuine son of glorious old Kent, to be far more glorious when she shall assert her independence of the little string of houses on her Eastern border, which was sought so long to hamper her enterprize and control her energies.

Further, they may be assured that such is the honest sentiment of ninety of every hundred of her citizens, outside of the town.

As to the terminus of the R. R. at Middletown, which the senior Transcript astutely opines to be the motive of this correspondence, it is all moonshine. It was not taought of. The fact is the K. Co. R. R. is *a myth* and *will so remain* until it is freed from the *paralyzing* influence of Chestertown. The road would now have been in operation, but for this magic influence.

The charge of your abandonment of your State rights principles comes with an exceedingly ill grace from those who have persistently for years aimed to trample upon the rights of the people of this clique-ridden county.

Perhaps your "mustard" was stronger than the patient could well bear with patience, but it was of that kind so shrewedly guessed by the Transcript Editor; it was a small seed, it grew in the marvellously fertile soil of Kent County, and an apt emblem of that faith which looks forward to the extension and "reconstruction" of the little town by the energy and intelligence of the people of the county.

If there was too much vinegar in the cataplasm, the Editor can remedy the mistake by throwing in a little of his *all-call-lie*.

Should another application be needed, we may undertake the task of ventilating the subject of bogus votes manufactured to defeat the ridge route of the railroad, and other appliances to secure a majority in the Board of Directors, in favour of the curve into Chestertown.

It is easy to call names, and quite smart, but Mrs. Fidget can whisper a good deal about the doings of this town clique that neither the News nor Transcript dare whisper.

Why the Hotel has meagre and poor fare is easily accounted for. Mr. Farson is from Delaware, but this does not explain the fact, though the Transcript assigns this as the reason:

It is found in the poverty of Chestertown market. It cannot supply his table. Mr. F might, however, do better. There is a steamboat from Baltimore nearly every day and he could easily procure his meats from that city. In justice to himself and his guests he ought to do so, but an amiable weakness keeps him dependent on the town for his provisions. In another point there is a much needed reform; the servants are intolerably slow. One loses patience and temper, if not appetite, in waiting for them. At a table one evening a guest noticed a plate with three little chunks of cheese upon it, accurately cut to the dimensions of the first finger joint. Two of these were appropriated, and the visitor called for cheese. The remaining lump was handed to him. With malice prepense he said "yes! bring me some *this that!*"

But in other respects the Voshell House is an excellent hotel. Its sleeping arrangements are equal to any in the State, and the proprietor is courteous and obliging

It was built by an enterprizing citizen of *Kent County*, then and now a resident of Baltimore, and not by the capital or enterprize of Chestertown. So far the Transcript agrees with me and is right.

Most, perhaps, of the new buildings erected in the town within the last six or eight years have been built by Major Richard Smythe, a citizen, not of Chestertown, but of the county.

Yours, as pungent as ever,

SINAPIS.

Sale of the Chester.

Messrs. F. W. Bennett & Co. auctioneer, sold Tuesday, at the Exchange salesroom, the Steamer Chester, built in Kent county in 1861, of 326 tons burthen, 148 feet long, 23 feet width of beam, and in every respect considered a good passenger steamer; purchased by H. J. Albert for 7000.—*Balt. Sun.*

[COMMUNICATED.]

CHESTERTOWN, Feb. 15, 1869.

My Dear Transcript—For your able vindication of our old Town, and her good people from the attack, parricidal blow of SINAPIS, (neither pepper nor salt) but, as you say, a dissatisfied (whatever it is in your paper.) office-holder, I will be one of *twenty-five* of the working men—the men at whom this masterly Greek scholar aims his squibs of bad Greek, printed in a paper that has no Greek type,—to place my name upon your subscription lists.

I am a working man! Yes, I glory in it. I work my brains, my hands, my heart, in doing good for my fellow-men; and if ever I should turn aside from this, may it not be to vilify a town—a people—of my native county.

Working men! rally to our vindicator! Public opinion should be directed by our Journals; and I, for one, am for helping him who he puts us.

As to the slur at the old College, and our new Professors, ("neither of which is President,") they are able to take care of themselves. I am pleased with the idea that the office of President has been abolished, (if it has been, for I do not know,) but what I do know about these gentlemen is, that they are very polite men to even us "working men;" that I do not suppose they feel ashamed will notice "Sinapis"—nor did I think, dear Transcript, that I would at present; for I have heretofore thought that correspondents to newspapers were men who were really scholars; or, perhaps I too, might have been troubling your paper, as now, with some of my effusions. Should you publish this, understand it is upon the condition that I'll not trouble you again, except it be to thank you for a like defence, should you be forced to make it, by this said "Sinapis" or any confrere of this Pepper-Ginger-Mustard-disappointed family. Your friend,

A NEW SUBSCRIBER.

The Official Announcement of the Result of the Election—Gen. Grant's Reply to the Committee.

On Saturday, at half-past ten o'clock, Senator Morton and Representatives Pruyn of New York, and Wilson, of Iowa, made their appearance at the headquarters of the army for the purpose of presenting to General Grant the certificate of his election as President of the United States.

General Grant was in his office at the time of the arrival of the committee, busily engaged in the performance of official duties. They were soon invited into his presence, and, with but very little delay, Senator Morton addressed the President elect, announcing that they were the committee appointed by Congress to notify him of his election as President of the United States for four years, commencing on the 4th of March next, and in a few remarks assured the General that his election was extremely gratifying to his countrymen, and that the people felt assured he would, in exercising the duties of his distinguished office, apply the same energy, integrity and patriotism that had characterized him in a former sphere of usefulness, and in concluding his remarks said that he would have the support of the people of the nation, even including those politically opposed to him.

General Grant said, in reply, "I will inform the committee that my best efforts will be used to conduct my administration so as to secure the best interests of the country, and to call around me as my assistants such men as I believe will be thoroughly able and efficient. At least my whole attention shall be directed to that end. If should fail in making my first choice of assistants and officers, I trust that a second or even a third trial will result more successfully. In the matter of removals I shall be governed alone by the interests of the public service. I should just as soon remove from their positions my own appointees as I should those of my predecessors. [A pause.]

"There is one other matter it may be proper to mention here— or it may be that something of the kind is expected of me—and that is the composition of my cabinet. I have always felt that it would be indelicate and premature on my part to announce whom I intend to invite into my cabinet, or even to consult with friends in regard to their selection. I am prepared even now to announce the names of gentlemen to whom I intend offering positions in my cabinet, and hope that this course will meet with the approval of my friends.'"

Senator Morton bowed acquiescence.

General Grant continued: "Until I have made nominations to the Senate, I do not think I shall make any declaration whatever as to who I shall select for any position in my cabinet."

The interview was of a conversational character, the speaking not being in a formal manner.

At the close of Gen. Grant's remarks Representative Pruyn said that although he differed with the President elect politically, yet he, and the democratic party generally, would give the administration of General Grant a cordial support.

Dreadful and Painful Accident.

We are pained to record the unfortunate and painful death of Mr. Wm. Thos Dennis, of Wicomico Co., which occurred at Pittsville, on the Wicomico and Pocomoke railroad, late on Monday afternoon last. Mr. Dennis having been to the switch for the purpose of taking off a freight car, attempted to jump on the steps of the engine as it was passing, but his feet slipping were projected across the rail upon which he fell, the wheels passing over him above the knees, breaking and lacerating his limbs in a dreadful manner. Surgical aid was summoned, but he died from the effects of his wounds before it arrived. Mr Dennis was an officer of the last House of Delegates, and brother of Dr. S P. Dennis, of Salisbury He leaves a wife and three children.—*Wor. Shield.*

KENT COUNTY, To Wit:

I hereby certify that Abraham Hurlock, farmer of Kent county, brought before me, the subscriber, one of the justices of the Peace in and for said county, this 16th day of February, in the year 1869, as estrays trespassing upon his enclosures, 19 head of white Sheep, not marked, and one Black Sheep, not marked.

Given under my hand this 16th day of February 1869. WM. BACCHUS, J. P.

The owner or owners of the above described property are hereby notified to come forward, prove property, pay charges and take them away. A. HURLOCH.

February 20, 1869—3t.

Baltimore Grain Market.

[From Thursday's Paper.]

WHEAT—White—no sales.
Red—1.55@2.25.
CORN.—White—90@95 cts. Yellow 87@90.
OATS—67@75 cents.

MARRIED.

DENNE—CURREY.—In Baltimore, on the 24th of December last, by Rev J. A. Lefevre, CHARLES H DENNE to MISS A REBECCA CURREY of that city, formerly of this county. [Kent News please copy.]

DIED.

PENNINGTON.—On the 13th, inst. near Black's Cross Roads, EDWARD PENNINGTON, in his 69 year.

Cecil Democrat please copy.

HALL.—On the 26th ult., of consumption, in Tuscaloosa, Alabama, (at the residence of his wife's father, Dr Gill,) J. E. HALL, M. D., in the 35th year of his age, formerly of Queen Anne's County, and late of Galena, Kent County, Md.

Doctor Hall was a man of acknowledged ability, very superior talents and attainments in his profession; respected and beloved; his untimely death, although not unexpected to his friends, is universally lamented by all who knew him. Kind and courteous in his manners to all persons, he never forgot his dignity as a gentleman. He practiced the arduous duties of his profession in this county, till within a short time of his death, and died five days after his arrival at the South. "May he rest in peace." AMICUS.

VENDUE

AT THE

late residence of S. W. Spencer, dec'd.,

ON THURSDAY,

February 25th.

THE subscriber will sell, at Public Sale, all the PERSONAL ESTATE of the deceased, consisting in part of a *very large* and *valuable variety* of

HOUSEHOLD AND KITCHEN FURNITURE,

AMONG WHICH ARE

Several Fine Carpets, Matting, Tables, Chairs, Wardrobes, Hair Mattresses, Bedsteads and Bedding, one Set of Cottage Furniture, several Stoves, Glass-Ware and China-Ware, among which are two Dining Sets, two German Silver Breakfast Sets.

Two Gold Watches,

one of them a very costly and superior Swiss Chronometer, with heavy Cases; Secretary and Book Case, Books, &c.

83 bushels of Wheat seeded

14 HEAD OF HORSES,

MULES & COLTS,

Oxen,

Cows, Sheep, and Hogs,

A LARGE ASSORTMENT OF AGRICULTURAL IMPLEMENTS.

8 Subsoil Plows, 3 Peach Orchard Gang Plows, 4 Flushing Plows, 2 and 3 mold; Cultivators, 5 Harrows, Machinery, Thrasher and Cleaner, Horse Power, Wheat Drill, Wheat Rakes and Fan, 3 Carriages, 6 set of Carriage Harness, 2 set new, has never been used; 3 Ambulances, 1 Wagon, 2 Carts, lot of new Fencing Board, lot of 500 Peach Boxes, some 50 Baled Peach Picking Baskets. A large lot of Seed Potatoes, Beans, Peas, and Seeds generally; about 40 Hot-house Glass Frames; 1 Peach Drying House, together with 5 Stacks of Straw and Corn Blades, with a great variety of other property.

Sale to commence at 9 o'clock, A. M.

TERMS.—A credit of Six Months will be given for all sums over Twenty Dollars, by giving Note with approved security. All sums under $20.00 cash.

GEO. B. WESTCOTT,
Executor of S. W. Spencer, dec'd.

February 20, 1869—4ts.

STATE OF MARYLAND.

State Oyster Police Force.

BALTIMORE, February 15, 1869.

NOTICE TO OYSTERMEN.

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 the 13th instant, "contrary to his 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 Purgy "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 the 13th inst.

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.

February 20, 1869.

Lot & House in Chestertown for Sale.

The subscriber, as Attorney for the owner of the property, will offer at Private Sale, the

DOUBLE FRAME BUILDING AND THE LOT

on which it is situated, on Cannon street in Chestertown, adjoining the Lot belonging to Mr. John Smith. The Lot is 40 feet front by 100 feet deep. The Dwelling has been built but two years, and is in good order. It is a one-story double dwelling, and is rented for the present year.

If not sold by MONDAY, the 8th day of MARCH next, it will, on that day, be offered at PUBLIC SALE, on the premises, at 11 o'clock, A. M.

TERMS.—One half cash; the balance in 12 months from the day of sale.

E. F. PERKINS,
Feb. 20, 1869. Attorney.

PEACH TREES.

THE undersigned offer for sale, at low prices, and terms to suit purchasers,

100,000 Peach Trees,

hardy and of vigorous growth, propagated from natural fruit seed, and budded from the best varieties in their own orchard of 100,000 bearing Trees.

C. P. MORTON & CO.
Round Top, Feb. 20, 1869—2m.*

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.

JNO. RUSSELL,
Feb. 20, 1869. Clerk.

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,
Feb. 20, 1869—4t. Coll. 5th Dist.

ROAD NOTICE.

THIRTY DAYS after date, the undersigned intend to apply to the County Commissioners to widen and straighten the road in Quaker Neck, commencing at or near Bond Chapel and running to the new road to Quaker Neck Wharf.

Also, the road from or near the Friend's Meeting House to Walton Chapel.

C. H. BAKER,
Feb. 20, 1869—5t. and others.

ROAD NOTICE.

THE UNDERSIGNED hereby give notice, that they intend, thirty days after this notice, to apply to the County Commissioners to widen and improve the public road, commencing at the Public Landing on Fairlee Creek and running through the lands of Richard Smith and Others; also to widen and improve the road leading from Bel Air to Oak Grove School House; also, to erect Bridges over Taylor's and Frazier's Run, on said road. GEO. D. S. HANDY,
Feb. 20, 1869—5t. And others.

NOTICE.

UNITED STATES 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 Returns 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 a 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 there will be no cause to add penalty.

WM. H. LAMBERT,
Feb 20, '68. *Ass't Assessor.*

The Teachers' Association of Kent Co.

WILL MEET AT THE SCHOOL HOUSE

In Chestertown,

On SATURDAY,

FEBRUARY 27th, 1868, at 1 o'clock, P. M.

A full attendance of the teachers is desired.

The following Programme has been fixed upon.

1st.—HOLMES' GRAMMAR. *For*—Mr. C. H. Crittenden. *Against*—Mr. J. J. Hogg.

2d.—GUYOT'S GEOGRAPHY. *For*—Mr. J. V. Crosby. *Against*—Mr. S. S. Baker.

3d.—CORNELL'S GEOGRAPHY. *For*—Mr. Chas. G. Ricaud. *Against*—Jno. F. Copper.

4th.—GENERAL DISCUSSION OF THE COMPARATIVE MERITS OF PINNEO'S, SMITH'S AND JUACKENBOS'S GRAMMARS.

5th.—The comparative importance of branches taught and the time to be employed in teaching each per day.

H. MEEKS, *Pres't.*

JOHN F. COPPER, *Sec.* [Feb. 13—tm

H. McCoy. *Wm. A. Rasin*

McCOY & RASIN,

General Commission Merchants,

No. 73 South Street,

OPPOSITE CORN EXCHANGE,

BALTIMORE.

Tendering our thanks to the citizens of Kent, for the liberal patronage extended to us in the past, we ask for a continuance.

☞ We refer to the following among our patrons in Kent:

Judge Joseph A. Wickes,
Hon. William Welch,
Hon. Samuel Comegys,
George D. S. Handy,
William B. Wilmer,
George T. Hollyday,
Dr. Samuel A. Beck.

Feb. 13, 1869—y.

EXAMINERS' NOTICE.

THE undersigned having been appointed by the County Commissioners, Examiners, to locate and lay down a PRIVATE ROAD in the Fifth Election District of Kent county, from the premises of William A. Miller, at the head of Gray's Inn Creek, through J. W. Crosby's land, or such other person or persons land as will suit the interest or convenience of the said William A. Miller or those persons residing on the said land of William A. Miller, hereby give notice to all parties concerned, that they will meet on the premises of the said Miller, on

Saturday, the 20th day of March,

at 10 o'clock, A. M., to execute the duties of their commission.

WILLIAM STEVENS,
SAMUEL A. J. WICKES,
SAMUEL G. COPPER,
Feb. 13, 1869—6t. *Examiners.*

RECEIVED THIS WEEK, a large assortment of Table and Pocket Cutlery, Tea and Table Spoons, Scissors, Shears, &c., &c., at

ALDRIDGE'S.

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