Jno. Cohall jr.

EASTERN-SHORE WHIG AND PEOPLE'S ADVOCATE.

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The Weekly, on Tuesday morning, at Two Dollars and Fifty Cents;—if paid in advance, Two dollars will discharge the debt.

All payments for the half year, made during the first three months, will be deemed payments in advance, and all payments for the year, made during the first six months, will be deemed payments in advance

No subscription will be received for less than six months, nor discontinued until all arrearages are settled, without the approbation of the publisher.

Advertisements not exceeding a square, inserted three times for one dollar, and twenty-five cents for each subsequent insertion—larger advertisements in proportion.

☞All communications to insure attention should be *post paid.*

POETRY.

From the Albany Argus.

The following is a parody on a song entitled "Harrison and Tippecanoe," which appeared in the Albany Daily Advertiser on All Fool's Day. It will be observed that it has been revised to conform to the opinions and feelings of the great mass of the American people.

VAN BUREN AND TIPPECANOE.

AIR—A health let us drink to the Hero and Sage.

The Tories are fretful and gloomy as night,
Their "Denmark" is rotten about;
Major Noah struck with the horrors outright,
Webb knows not the way to get out!
Our flag, like the sign to the Roman, I ween,
Will lead us to glory; and who
Would'nt stick to that flag, while a star's to be seen,
To defeat Mr. Tippecanoe?

"The sceptre and power" from the people "must go."
The Tories have oftentimes told;
But the "people" will ever defeat them, we know,
For they ne'er can be purchased with gold.
Then on to the rescue, my heartics, we move—
Corruption must sink if we do,
Let's stick to Van Buren, the man that we love
And defeat Mr Tippecanoe?

When War's deadly summons had led us to blows,
Where, then, was our candidate found?
In the front of all danger, while *blue lights and foes*
All hated the cannon's dread sound!
Where was Harrison then? On the field of his fame?
Did he prove himself gallant and true?

When it bellowed at Tippecanoe?

When peace, robed in glory, came to our relief,
Did the soldier return to his plough?
Oh, no! and no "magick" can make him a "chief,"
Over millions of citizens now!
Then fill up the wine cups, fill full to the brims—
Let's drink to Van Buren the true,
And Richard M. Johnson, the "Hero of Thames,"
And down with Old Tippecanoe!

The following beautiful lines from a literary periodical, published, we believe by the talented students of Yale College, in Connecticut, reminds us of the polished, sparkling gems of Halleck's genius in his poem of Fanny:

From the Yale Literary Magazine.

FANNY WILLOUGHBY.

"I love thee, Fanny Willoughby,
And that's the why, ye see,
I woo thee, Fanny Willoughby,
And cannot let thee be;
I sing for thee, I sigh for thee,
And, oh, you may depend on't
I'll weep for thee, I'll die for thee,
And that will be the end on't.

I love thy form so tall and straight,
To me it always seems
As if it were the counterfeit
Of some I've seen in dreams;
It makes me feel as if I had
An angel by my side;
And then, I think I am so bad,
You will not be my bride.

I love thy clear and hazel eye,
They say the blue is fairer,
And I confess, that formerly,
I thought the blue the rarer,
But when I saw thine eye so clear,
Though perfectly at rest,
I did kneel down, and I did swear
The hazel was the best.

I love thy hands so pale and soft,
The which, in days lang syne,
You, innocent as trusting oft
Would softly clasp in mine;
I thought it sure was chisel'd out
Of marble, by the geniuses,
The which the poets rant about,
The virgins and the Venuses.

I love the sounds that from thy lip
Gush holily and free,
As rills that from their caverns slip
And prattle to the sea;
The melody for aye doth steal
To hearts by sorrow riven,
And then I think and then I feel,
That music comes from heaven.

Now, listen, Fanny Willoughby,
To what I cannot keep,
My days ye rob of happiness,
My nights ye rob of sleep;
And, if you don't relent, why I
Believe you will me kill,
For passion must have vent, and I
Will kill myself, I will."

Thus love did truly drive me mad,
For Fanny Willoughby,
I told my tale, half gay, half sad,
To Fanny Willoughby;
And Fanny looked as maiden would,
When love her heart did burn;
And Fanny sighed as maiden would,
And murmered a return.

And so I woo'd Fan Willoughby—
A maiden like a dove;
And so I won Fanny Willoughby—
The maiden of my love;
Though many years have passed since that
And she is in the sky,
I never, never can forget
Sweet Fanny Willoughby.

[BY AUTHORITY.]

LAWS OF THE UNITED STATES PASSED AT THE TWENTY-FOURTH CONGRESS FIRST SESSION.

[PUBLIC No. 9.]

AN ACT amendatory of "the act for the relief of the sufferers by fire in the City of New York," passed March 19th, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That the operation of the act entitled "An act for the relief of the sufferers by fire in the city of New York, passed the nineteenth day of March last past, shall be, and hereby is limited and confined exclusively to such bonds of the description set forth in said act, as were made and entered into at the custom house in the city of New York, prior to the sixteenth day of December last past.

JAMES K. POLK,
Speaker of the House of Representatives.
M. VAN BUREN,
Vice President of the United States
and President of the Senate.
APPROVED, April 5, 1836.
ANDREW JACKSON.

[PUBLIC No 10.]

AN ACT to suspend the operation of the second proviso, third section of "An act making appropriations for the civil and diplomatic expenses of Government, for the year one thousand eight hundred and thirty five.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the third section of the act, entitled "An act making appropriations for the civil and diplomatic expenses of Government for the year 1835," as provides "that the whole number of Custom House officers in the United States, on the 1st of January, 1834, shall not be increased until otherwise allowed by Congress," be, and the same is hereby suspended to the end of the present session of Congress.

JAMES K. POLK,
Speaker of the House of Representatives.
M. VAN BUREN,
Vice President of the United States, and President of the Senate.
APPROVED, April 11, 1836.
ANDREW JACKSON.

[PUBLIC.—No. 11]

AN ACT to repeal so much of the act entitled "An act transferring the duties of Commissioner of Loans to the Bank of the United States, and abolishing the office of Commissioner of Loans," as requires the Bank of the United States to perform the duties of Commissioner of Loans for the several States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first second and third sections of the act entitled "An act transferring the duties of Commissioner of Loans to the Bank of the United States, and abolishing the office of Commissioner of Loans," passed March third, eighteen hundred and seventeen, be, and the same are hereby repealed; and the Bank of the United States and its several branches, and such State Banks employed under the provisions of said act by the Bank of the United States, as have heretofore done and performed, or are now doing and performing, the duties of Commissioner of Loans, shall be, and they are hereby required to transmit to the Secretary of the Treasury, immediately after the passing of this act, all the books, papers, and oecords in their possession relating to their duties as Commissioners of Loans.

SEC. 2. *And be it further enacted*, That the Bank of the United States and its several branches, and the State banks employed by the Banks of the United States, performing the duties of Commissioner of Loans, shall be, and they are hereby required to pay into the Treasury of the United States, within three months after the passing of this act, all the money in their possession for the redemption of the public debt of the United States, and the interest thereon remaining in their hands, which has not been applied for by the person entitled to receive the same.

SEC 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to pay over to the persons entiled to receive the same, the amount so received into the Treasury by virtue of the second section of this act, out of any money in the Treasury not otherwise appropriated.

SEC 4. *And be it further enacted*, That nothing contained in this act shall be construed to authorize the appointment of a Commissioner or Commissioners of Loans in any State District, or Territory of the United States

Approved, 11th April, 1836.

[PUBLIC, No. 12.]

AN ACT making appropriations for the payment of the revolutionary and other pensioners of the United States, for the year one thousand eight hundred and thirty-six.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and the same are hereby appropriated to be paid out of any money in the Treasury, not otherwise appropriated, for the pensioners of the United States for the year one thousand eight hundred and thirty-six.

For the revolutionary pensioners under the several acts, other than those of the fifteenth of May, one thousand eight hundred and twenty-eight, the seventh of June, one thousand eight hundred and thirty-two, and the fifth of July, one thousand eight hundred and thirty-two, in addition to an unexpended balance of three hundred and thirty-five thousand three hundred and ninety-five dollars and seventy cents, the sum of three hundred and forty-seven thousand six hundred and twenty-nine dollars.

For the invalid pensioners, under various laws, in addition to an unexpended balance of two hundred and one thousand, seven hundred and twenty-one dollars and twenty-seven cents, one hundred and five thousand, eight hundred and twenty-five dollars.

For pensions to widows and orphans, payable through the office of the Third Auditor, in addition to the unexpended balance of two thousand one hundred and ninety-five dollars and twenty-two cents, two thousand dollars.

SEC. 2. *And be it further enacted*, That hereafter, no bank notes of less denomination than ten dollars, and that from and after the third day of March, Anno domini, eighteen hundred and thirty-seven, no bank note of less denomination than twenty dollars shall be offered in payment in any case whatsoever in which money is to be paid by the United States or the Post Office Department, nor shall any bank note, of any denomination, be so offered, unless the same shall be payable, and paid on demand, in gold or silver coin, at the place where issued, and which shall not be equivalent to specie at the place where offered, and convertible into gold or silver upon the spot, at the will of the holder, and without delay or loss to him; *Provided*, That nothing herein contained shall be construed to make any thing but gold or silver a legal tender by any individual, or by the United States.

A Broom Corn Mania is getting up in this region says the Northampton Courier, and the coming spring, from appearances, little else will be seen in meadows. Broom brush is unexampled in price, selling readily, at fifteen cents, and ashes to put on broom corn land, sell now at twenty-five cents per bushel in that village. The produce of an acre of Broom corn was sold the other day in that town for $130!

It is stated in the New York Star that owing to the high estimation in which American flour is held all over the world, "the government of Denmark have recently sent out a gentleman to our country, who is charged with the duty of making a special examination of the plan upon which our mills are constructed This circumstance, adds the Star, like the mission of the French government to our penitentiaries, and that of the English rail road companies to examine our inclined planes, is another flattering proof of the extorted homage rendered by European civilization and science to American ingenuity,—realizing already what has frequently been predicted, that the old world would sooner or later come to receive lessons from a people whose free institutions make it probable that the untrammelled mind will, on this side the Atlantic, reach the high state of development and expansion, which has ever heretofore been deemed a dream of optimists, but which our example will, we hope, demonstrate [illegible] by the defective and false systems of government which have hitherto existed rather than from the incapacity of our nature to attain that perfection."

MEETING IN LONDON.
CONFLAGRATION AT NEW YORK.

Saturday a public meeting was held at the Freemason's Tavern, for the purpose, as stated in the bills, of raising a subscription for the relief of the sufferers by this calamity. Among the persons present known to the public were Lord Dudley Stuart, Mr. D. O'Connell, Dr. Bowring, Mr Potter, M. P. Mr. Ewart, M. P. Lieut. Col. Stanhope, and Mr. Sheridan Knowles. A letter was read from the Lord Mayor, expressing regret at being unable to preside, and expressing sympathy with the sufferers on whose behalf the meeting was convened.

Lord Dudley Stuart having been called to the chair his Lordship stated the object of the meeting.

Mr. O'Connell then moved the first resolution, expressing a sympathy with the sufferers, which he introduced with a speech stating their claims as the asserters of liberty, and descended from the same stock.

Col. L. Stanhope seconded the resolution.

Mr. Ewart moved the second resoluiton, expressing the admiration of the meeting at the fortitude with which the sufferers have sustained their loss.

He said he felt a deep interest in America, as it was assimilated to a great portion of the people of Great Britain in democratic principles.

Dr. Bowring seconded the resolution.

Here a boy about fourteen years of age, the son of Ellen Courtney, and who claims Mr. O'Connel for his father, rose to speak, but was prohibited by the Chairman. The boy sat down, and Mr. O'Connell almost immediately after retired.

Mr. Sheridan Knowles seconded the resolution in an eloquent speech. It was the only one worthy of notice.

Mr Potter moved the last resolution, recommending a subscription, which was carried unanimously; after which the meeting seperated.

THE BIBLE.

A small pamphlet has been published at Providence, entitled, "Testimony of Washington and of the Congress of 1776 in favor of Special Providence of God, and the Bible." The following is an extract:

"In those days of peril, and when all intercourse with the parent nation was cut off, and the advantages for printing in this country small, Bibles were in great demand!

"In 1777, Congress answered a memorial, appointing a committee to advise as to the printing an edition of 30,000 Bibles.

"The committee, finding it so difficult to obtain paper and types, recommended Congress—"the us of the Bible being so universal, and its importance so great, to direct the committee of Commerce to import at the expense of Congress 20,000 English Bibles from Holland, Scotland or elsewhere, into the different ports of the States of the Union;" and Congress ordered the importation!

In 1718, "when from the circumstance of the war, an English Bible could not be imported, and no opinion could be formed how long the obstruction might continue, the subject of printing the Bible was again presented to Congress, and by them referred to a committee of three. The committee reported in 1782, recommending to Congress an edition printed by Robert Atkins of Philadelphia. Whereupon it was Resolved, That the United States in Congress assembled highly approve the pious and laudable undertaking as subservient to the interests of religion, and being satisfied of the care and accuracy in the execution of the work, recommended this edition of the Bible to the inhabitants of the United States."

"How interesting is such a history of one of the earliest impressions of the Holy Bible in English in these United States. What moral sublimity in the fact, as it stands imperishably filled in the archieves of our national council, in the records of the Congress of 1782. What an act this, considered in reference to the dealings of God in our behalf at the time of our nation's perils! A fact which should be remembered, and told to every child and every young man in the nation, at a day when many of the rulers, and the ruled too, would fain despise the book their fathers, nay the chief men of this nation, honored."

From the Globe.

MR. CLAY'S LAND BILL.

This bill has been before the Senate for some days, and Mr. Hill, Mr. Benton, and Mr. Wright have spoken against it, and Mr. Southard and Mr. Crittenden for it Mr. Hill's speech has been published, and has been received by the public with the satisfaction which the patriotic and logical speeches of that gentleman always give to the democracy of the Union. Mr. Benton's and Mr. Wright's speeches were principally of a documentary and financial character. Mr. B. undertook to show from the reports of the Secretary of War and Navy, that the defences of the country would require the whole surplus, and more too. The naval branch of the defence would require forty millions of dollars, including the annual repairs, and the military branch about sixty millions, to wit: the Ordnance Department near thirty millions, and the fortifications a little over thirty millions. Those sums, he argued, would be greater than the *surplus* in the Treasury could ever meet. Mr. Wright took a much more extended view, and from *data* held in his hand, showed that out of about 770 bills before the two Houses of Congress, only one small general appropriation bill had yet passed, and that *seventy* of these bills alone proposed to appropriate twenty-seven millions of dollars; the other 700 he presumed would require several millions more. The Florida war was yet to have its cost ascertained; and he alluded to subjects understood by the Senate to show that two items, smounting to about seven millions of dollars, and not in any appropriation bill, would have to be passed upon. The result was that, instead of thirty-two millions of surplus now in the Treasury, for which there was no use, the bills now before the two Houses would much more than absorb the whole of it; and he showed the unreasonableness of counting on the same income from lands and customs; for years to come, which they were now yielding; the expansion of the paper system, and some other transient causes having produced speculations in lands and commerce which cannot last; which must, in the nature of things be followed by contraction, and leave the revenue to fall below its proper level. He took an extended view of our finances, to show, that if the proceeds of the public lands were abstracted from the Treasury for *five* years, as the bill proposes; the tariff of duties must be raised before the five years were out; for the present revenue from customs would not be sufficient to carry on the Government. [illegible] this part of Mr. Wright's argument [illegible] must look for it with impatience. Mr. Wright replied to Mr. Southard, and besides showing him the documents, that if the appropriation bills were passed, this thirty-two millions of *surplus*, as it was called, would be required to satisfy those bills; that he had fallen into the wildest calculation about the proceeds of the public lands hereafter to be divided among the States. Mr. Southard stated it at one thousand two hundred and fifty millions of dollars!! Mr. Wright showed that he included in his computation all the lands beyond the Mississippi, which were permanently guarantied to Indian tribes! and that the public lands could no longer be an object of speculation or profit to the Government, as they had for years past been paying the Indians full value for them; and these purchases ought not to be paid for out of the custom-house revenue, but by the proceeds of the lands themselves, and thereby would leave nothing to divide. The whole speech was full of interesting views, and will completely DISABUSE the public mind about the SURPLUS, when it is published. The fact is, there would be NO SURPLUS to hold up for distribution, if the appropriation bills and the defence bills were passed; and this the whole country will see, as soon as Mr. Benton's and Mr. Wright's speeches are published. Mr. Southard's speech was fully as *panical* as any that he delivered during the panic; and he was just as certain of forty millions of surplus now, as he was two years ago that there would not be a dollar at this time in the Treasury; and was just as positive that distribution was the *only* means of saving the country now, as he was that the restoration of the deposities and the renewal of the charter was the *only* means of saving it two years ago; and, finally, he was just as sure that all the deposite banks would break now, as he was two years ago that all the safety fund banks would break. Mr. Wright gave him a reply which both he and the country will remember.

A GENTLEMAN MIXING IN SOCIETY.—Who is that gentleman who has just ordered his seventh tumbler of punch? He seems to be a member of every Club in London. I believe he is, but I forget his name; he is evidently a person who *mixes* a good deal in society.

MAGISTRATES' COURTS.

A BILL, Entitled an act to establish Magistrates' Courts in the several counties of this State, and to prescribe their jurisdiction.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That from and after the first day of May next, the number of justices of the peace in every county of this State shall be so appointed as that there shall be three at least always resident in each district, and it shall be the duty of the Governor and Council to select, appoint and assign to each of the said justices of the peace in each election district, to be justices of a court to be held in said election district, in the manner hereinafter provided, which said justices when so appointed and assigned, shall be styled in their commission district justices, and before they shall act as such and during their continuance in office, they shall reside within the election district for which they are appointed—and each of the said district justices, out of court, shall have and exercise throughout their respective counties, all the powers, duties and jurisdiction of other justices of the peace therein, and also such further and other jurisdiction within their respective districts, as is hereinafter given and provided.

SEC. 2. *And be it enacted*, That the said district justices or any two of them shall constitute and hold a court, to be styled the district court, in the several and respective election districts to which they shall be appointed and assigned, at least once in every month, on such days and at such places, within the several election districts, as the said district justices, or a majority of them, shall, for their respective districts, fix and ascertain; and it shall be the duty of the said district justices, as soon after their appointment as may be, and so from time to time, as the public convenience may, in their judgment, require, to fix and designate the most suitable and convenient days and place or places, in each election district, for holding the said district courts, at least once in every month; it shall the duty of the said district justices on the several days and at the places so as aforesaid fixed and designated, to meet and hold the said district courts; and the said district justices or any two of them, so met, shall have jurisdiction over, and may take cognizance of all cases whatever, now within the jurisdiction or cognizance of a single or two justices of the peace, and in all like or similar cases where the debt or damages laid or cleared shall not exceed the sum of one hundred dollars, and under like and similar restrictions and limitations, except so far as the same may be inconsistent with the provisions of this act, and shall have and exercise original jurisdiction in all cases of debt or contract expressed or implied, where the debt or damages do not exceed one hundred dollars; in all actions of replevin where the value of the property in dispute, when appraised on the service of the writ of replevin, as hereinafter provided does not exceed one hundred dollars: in which actions of replevin the court may besides adjuding a return of the property, award damages as in a county court, may be recovered in case of replevin; in all actions of trespass, (except where the title to lands is in any manner involved,) and the persons against whom a complaint is made under this act, before the said district court, shall appear on the return day of the warrant, and allege that he or she is entitled to the property on which the trespass is charged to have been committed, or that he or she had acted under a person named by him or her, claiming title to the same, and shall verify the allegation by oath or affirmatian, where the damages claimed do not exceed one hundred dollars; in all actions of trover, where the damages claimed do not exceed one hundred dollars; in all actions of assault and battery, where the damages claimed do not exceed one hundred dollars—Provided the defendant at the time of the suit or action being brought, resides within the district, or does not reside in the State; and it shall be the duty of the said district justices in all cases, in which jurisdiction is herein given to them, to try, hear and determine the matter in controversy, and upon full hearing of the allegations, evidence and witnesses of both parties, to give judgment thereon, according to the laws of the land and equity and right of the matter.

SEC. 3. *And be it enacted*, That in all cases whatsoever within the jurisdiction or cognizance of the said district court, whenever either party shall think himself aggrieved by the judgment thereof, he shall be at liberty to appeal to the next county court, in case the said judgment shall be rendered within ten days before the next sitting of the said county court, to the next or second term thereafter—Provided such appeal be taken within 60 days after the rendition of such judgment, but no such appeal shall operate as a stay of execution or supersedeas of any judgment, unless upon bond and security being given and approved by any one of the said district justices, in the same manner and form as heretofore used and practised in cases of appeal from the judgment of a single justice of the peace;—and the judges of the said county court shall hear and determine the same as heretofore used and practised in cases of appeal from the judgment of a single justice of the peace; and all such cases of appeal shall be tried by the said county court *de novo*, and each party shall have a right to a trial by jury, and it shall be the duty of the district justices in all cases of appeal as aforesaid, to transmit all the papers and proceedings relative to the case to the clerk of the county court on or before the first day of said county court next eusuing, under a penalty of twenty dollars for every neglect or refusal so to do, which sum shall be collected in the same manner as fines and forfeitures are now collected and paid over to the appellant.

SEC. 4. *And be it enacted*, That the judges of the several county courts within this State, shall not hold plea in the said courts, of any case within the jurisdiction given to the said district courts by this act, and if any plaintiff brings such action in the county court, and the verdict of the jury is for a sum not exceeding the sum herein before limited and prescribed for the extent of the jurisdiction of the said district court in the several actions herein respectively specified, judgment shall in such case be given for the defendant with costs—and if any person sue another before a district court out of the election district wherein such defendant resides, provided he resides in the state of Maryland, the person so sued may plead his non-residence in the district wherein he is so sued, in a summary way, before the said district court where he is sued, and such court on proof of the plea, shall give judgment for such defendant, with costs—Provided, nevertheless, that such defendant shall in case of a verdict in the county court, deduct the amount of his costs, if his costs exceed the amount of the verdict, and the balance only shall be paid by the plaintiff to him but if the amount of the verdict exceeds the amount of the defendants costs, the plaintiff shall deduct such defendant's costs therefrom and the balance only shall be the sum due from the defendant to the plaintiff, and such plaintiff may afterwards warrant or sue such defendant, according to the amount so remaining due, as for any other debt or damages, before a single justice of the peace or the district court, as the case may be; and a short copy of such verdict, together with a bill of costs, as taxed by the clerk of the county court, shall be sufficient evidence of such balance due.

Sec. 5. *And be it enacted*, That no plaintiff bringing an action in the county court shall be non-suited or have judgment against him or pay the costs, although the debt or sum of money recovered doth not exceed one hundred dollars current money, where such debt or sum of money recovered has been reduced below the jurisdiction of the said county court by reason of an account in bar or set off of a debt or damages due from the plaintiff to the defendant and not by payments.

Sec. 6. *And be it enacted*, That the district justices first named in the commission for each election district court, shall be chief justice of the district court in and for his respective district; and the others in gradation according to the priority of the nomination; and that any two of the said justices in the absence of the other, shall be capable of holding a court and exercising all the power and jurisdiction thereof, in as full and ample a manner as if all three were present; and any one of the said justices upon application made to him out of court, shall have power and authority to issue process by capias ad respondendum, summons or attachment for compelling the appearance and attendance of parties or witnesses respectively in the said district court to answer any suit or to testify, which shall be made returnable before the said district court at such days and times as the nature of the case and the ends of justice shall require, in the same manner and form as now legally used and practiced by a single justice of the peace, in cases of which such single justice of the peace, hath cognizance, or varied in such other manner and form as may substantially suit the action, plea, or purpose and so as to bring all cases herein declared to be within the jurisdiction of the said district court, to trial and judgment—and if during any actual sitting of the said district court it shall become necessary, or be required by either party to summons any witness in a case then pending and on trial before the said district court, it shall be the duty of the chief justice, or in his absence the presiding justice, forthwith to issue a summons for such witness, and if on the return of any summons for a witness to appear and testify before the said court, it appear that such witness hath been duly summoned and doth not appear, it shall be lawful for the said chief justice or presiding justice, unless good and sufficient cause be shown to to the contrary, to issue an attachment against such witness, to compel his or her attendance.

SEC. 7. *And be it enacted*, That it shall be the duty of the chief justice of the said district court, or in his absence, of the next named justice of the said court, sitting, to make regular and fair entries or minutes, in a docket to be kept for that purpose, of all cases, suits, actions, or complaints, brought before the said court upon process previously issued by any one of the said justices as aforesaid, or otherwise, and it shall be the duty of each of the said district justices, to make and keep a docket of fair and accurate entries or minutes of all and every original process, writ, or summons, issued by him as aforesaid, for compelling the appearance of parties or witnesses before the said court, particularly specifying the days and times of issuing the same, and the precise names of the parties or witnesses named therein, and the days when returnable, and to what constable directed, which said docket and entries or minutes, shall be regularly produced by the said justice before the said district court, at its sittings, and so much thereof as may be necessary shall be transferred to the docket of the said district court by the chief justice, or in his absence, by the next named presiding justice, so that a full docket may be made, in the manner herein before directed, of all cases, suits, actions, complaints, pleas and subpœnas and attachments intended to be brought or returned before the said district court, and upon the final decision of any such case, an entry shall be made in the said docket by the chief justice, or in case of his absence, by the presiding justice, of the final judgment of the court, which shall specify and declare the true parties to the case, the date of the judgment, the principal debt or damage, the time from which interest is awarded, and the cost taxed and adjudged—and it shall be the duty of every such chief justice safely to keep and preserve the said docket of the judgments rendered by the said district court, and transmit the same to his successor in office—but in case the said chief justice shall at any time be unable to attend the sitting of the said district court, he shall cause the said docket of judgments to be delivered for the time being into the possession of the next named in the commission, whose duty it shall be to keep and preserve the same, and after the sitting of the said court shall have been ended carefully return the same to the said chief justice for safe keeping, and if any person shall wilfully alter any part of the entries or judgments contained in the said docket, he shall be deemed guilty of forgery, and upon prosecution and conviction thereof, in the county court, he shall suffer the punishment prescribed by law for the offence of forgery.

Sec. 8 *And be it enacted*, That the said district court shall have criminal jurisdiction in all cases of assault and battery committed within the district thereof, unless it shall appear to the said district court, upon a hearing of the case, that the said assault and battery was committed with an intent to kill; and it shall be lawful for the said court, when informed by complaint made upon oath before them, or of their own knowledge, of the commission of any such offence within the said district, to issue a capias in the name of the State against the person accused, directed to some constable of the district, to compel his or her appearance before the said court, to answer the charge; and when the party shall appear before the said court, he or she shall have the option either to submit the case to the hearing and judgment of the said court, and to traverse the same, before the said court, as such like cases may be now traversed before the county court, or may in his or her election, enter into a recognizance before the said district court, or any one of the justices thereof, for his or her appearance at the next county court of the same county, to answer the charge; but if the party so charged, shall select to submit his or her case to the hearing and judgment of the said district court, or to traverse the charge before the same court, then the said district court shall havve power and jurisdiction to hear and determine the same, and give judgment according to the law of the land and the truth of the matter; and in case of conviction, the said district court shall and may inflict punishment by fine and imprisonment; and in all such cases the party accused, as well as the State, shall have the benefit of such witnesses as either of them may require to be summoned to the said court, to testify in their behalf, and the privilege of appearing and prosecuting or defending the charge by attorney, and the party accused shall have a reasonable time to prepare for his defence, and shall be entitled also to be discharged from actual custody upon giving reasonable bail for his appearance in the said district court, from time to time as the court shall direct and require, till he be finally discharged. And any one of the said district justices

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