

[Four Dollars Per Annum—paid in Advance.]

FRIDAY, APRIL 10, 1867.

[12 1-2 Cents Single.]

VIRGINIA:

At a Superior Court of Chancery, holden at the City of Richmond, on the 11th day of March, 1867. William Duffield and Lucy his wife, John M. Walker, administrator, with the will annexed of John Christy, deceased, and Isaac Christian widow of the said John Christy, in 1 Jane Patterson, plaintiffs against Elizabeth Patterson, executrix, and Maria C. Patterson, Elizabeth McReynolds, Charles Patterson, Peggy Patterson, Polly Patterson, Peter Patterson, Jenny Patterson, Henry Patterson, Lanny Patterson and Elizabeth Patterson, co-defendants and heirs at law of Charles Patterson, deceased, John Patterson and Peter Patterson, defendants.

The said Elizabeth Patterson, executrix, and Maria C. Patterson, Elizabeth McReynolds, Charles Patterson, Peggy Patterson, Polly Patterson, Peter Patterson, Jenny Patterson, Henry Patterson, Lanny Patterson and Elizabeth Patterson, co-defendants and heirs at law of Charles Patterson, deceased, John Patterson and Peter Patterson, defendants, do hereby certify that they have entered their appearance and given security according to the act of assembly on the relief of executors, and appearing at the satisfaction of the court that he is not an inhabitant of this country: On the motion of the plaintiffs by their counsel, it is ordered, that the said defendants do appear here on the first day of the next term and answer the bill of the plaintiffs, and that a copy of this order be forthwith inserted in some newspaper of the city of Richmond for two months successively, and posted at the front door of the former capitol in this city.

VIRGINIA: TO WIT:

At a Chancery District Court, held at the former Capitol, in the city of Williamsburg, on the 25th day of October, 1866. Robert Clark Jacob, William Hattaway and Molly his wife, late the widow of Robert Correll, deceased, and Elizabeth Correll, daughter of the said Robert Correll, deceased, plaintiffs against Elisha Hall, Richard Hall, and Mary his wife, Elizabeth Hall, only child of the said Richard Hall, and Mary Correy, co-defendants.

The defendant Peter Conway, not having entered his appearance and given security according to the act of assembly on the relief of executors, and appearing at the satisfaction of the court that he is not an inhabitant of this country: On the motion of the plaintiffs by their counsel, it is ordered, that the said defendant do appear here on the first day of the next term and answer the bill of the plaintiffs, and that a copy of this order be forthwith inserted in some newspaper of the city of Richmond for two months successively, and posted at the front door of the former capitol in this city.

BUCKINGHAM COUNTY, FEBRUARY COURT, 1867.

John Westley Green, Elizabeth Green, and Henry Green, plaintiffs against Westley Green his next friend, children and legal representatives of Greenberry Green, deceased, against Carolanapp Chandler, widow and relict of Isaac Chaudler, dec'd. Agnes Chandler, Susan Chandler, Isaac Chandler, Thomas Chandler, Nancy Chandler, Carowappapp Chaudler, children and legal representatives of Isaac Chandler, deceased, defendants.

On the motion of the plaintiffs by their counsel, it is ordered, that the said defendant do appear here on the first day of the next term and answer the bill of the plaintiffs, and that a copy of this order be forthwith inserted in some newspaper of the city of Richmond for two months successively, and posted at the front door of the courthouse of this county.

THE CELEBRATED HORSE, Archduke.

WILL stand the ensuing season at my house, in Chenoweth, six miles from Godole's and Beverly bridges, and 25 miles from Richmond and Petersburg, on the following terms, viz:—seven guineas (by note) to accompany each mare, dischargeable within the season by the payment of Twenty dollars—Groom's fee included. ARCHDUKE was sired by Peter Treble, the late famous mare Horana, (sister to Aclies) by Elphing, dam, Countess; by Hawk, the dam of Delphin, Cobden, Verjuze &c &c—Archduke, from his highly improved blood, and the promising appearance of his stock, he is equal, what will appear from letters from the subscribers, from Mr. Leads and Stamford, own brothers of Archduke, stand high in the estimation of sportsmen on the British Continent, in verification of which a section of the general press of the leading journals, and a letter now in my possession. The colt of Mr. Treble and Stamford, performed well last year, and was the high option entered of them, on examination it will be found that they have many large engagements and are named in the most important and considerable of the continent. Mr. Leads and Stamford will commence the first of March, and end the last of July. Gentlemen wishing to have their mares bred, must send money for the purchase of the privilege at 25 dollars, and be ready to be bound for 60 per week. No responsibility for accidents. Archduke is a fine brown, fully 16 hands high, with great bone and muscular parts. He is bred by the Duke of Devonshire, and is owned by Mr. Treble and Stamford, in 1/2, won the Derby (the most important that are run for in England) in 1865, and covered 25 mares, and sired 100 guineas each, six subscribers after which he fell lame in training and was fitted. Archduke was afterwards engaged in two races against the best training and came in well.

THOMAS BRANCH.

February 20 1867.

By the Governor of the Commonwealth of Virginia.

A PROCLAMATION.

WHEREAS it appears to the executive, that Jacob West, late of the county of Montgomery, stands charged on indictment with and taken before James Mason, Esq., District Attorney, for the murder of John George late of the county of Botetourt; and that the said Jacob West had fled from justice: I have therefore by and with the advice and consent of the council of state, issued this proclamation, hereby offering a reward of two hundred dollars to any person or persons who shall apprehend the said Jacob West, and convey him to the District Attorney of the said county of Botetourt to be dealt with as the law directs. And I do hereby inform all officers civil and military, and all persons having jurisdiction of the commonwealth to use their endeavors to apprehend the said Jacob West and convey him before some magistrate for the county of Botetourt, aforesaid to be dealt with according to the law.

Given under my hand with the seal of the commonwealth annexed at Richmond, this second day of April, A. D. 1867, in the presence of our Lord and Councilors, the Judges of the Supreme Court, and of the commonwealth the thirty-first.

(Signed) WM. H. CABELL.

Smith's Patent Bakery.

SOUTH EAST SIDE OF THE BASIN OF THE CANAL, RICHMOND. GEORGE M. SMITH, Proprietor, has removed to the new premises, and is now open for business. All orders for bread, cakes, and other bakery goods, will be promptly attended to. The quality of the bread is guaranteed to be of the highest order. The prices are as low as the market will permit. The bakery is situated in a convenient location, and is well adapted for the business. The proprietor is a native of the State, and has been engaged in the bakery business for many years. He has acquired a great deal of experience, and is well qualified to manage the business. The bakery is open from 6 o'clock in the morning until 10 o'clock at night. The proprietor is a native of the State, and has been engaged in the bakery business for many years. He has acquired a great deal of experience, and is well qualified to manage the business. The bakery is open from 6 o'clock in the morning until 10 o'clock at night.

JAMES LYNCH, BLACK SMITH AND FARRIER.

RESPECTFULLY informs his friends and the public, that he has just removed to the first lot on the east side of the basin, where he carries on the business as usual. Those that wish to favor him with their work, should be strictly attended to. Richmond, April 6, 1867.

HOUSE OF REPRESENTATIVES.

Debate on Mr. Broom's resolution for the better protection of the writ of habeas corpus.

(Continued.)

Mr. BROOM, according to the suggestion of Mr. Randolph, varied the motion, and proposed to refer the resolution to a select committee.

(The speaker then principally indebted to the report of the debate given in the Gazette of the United States, having been engaged in the Supreme Court.)

Mr. GEORGE W. A. CAMPBELL, in reply to the speaker, said that he naturally presents himself, on discussing this subject, as he has occasioned the measure to be brought before the House at this time. The answer of the speaker to the resolution of Mr. Lincoln, in addressing Bolman and others at New Orleans, and transporting them to this place for trial, under military orders, in violation of the constitution, and the Bill on (as ordered) at the market place, which

MECKLENBURG COUNTY, JANUARY COURT 1867.

Richard Russell, executor of Henry Wall and Alice his wife of John Dupree and Simanah's wife, of John Dupree and Nancy his wife, of John Dupree and of Mercketh House and Polly his wife, co-defendants against Charles Short, dec'd., Nancy Sally and Polly are daughters of Jacob Short, dec'd.; also by Lucy Coleman Smith an infant under the age of twenty-one years who sues under the name of her guardian and a child Lucy Coleman Smith is another daughter of said Jacob Short, deceased, petitioners.

On the motion of the plaintiffs by their counsel, it is ordered, that the said defendant do appear here on the first day of the next term and answer the bill of the plaintiffs, and that a copy of this order be forthwith inserted in some newspaper of the city of Richmond for two months successively, and posted at the front door of the former capitol in this city.

VIRGINIA: TO WIT:

At a Chancery District Court, held at the former Capitol, in the city of Williamsburg, on the 25th day of October, 1866. Robert Clark Jacob, and Timothy McNameis, plaintiffs against Elisha Hall, Richard Hall and Mary his wife, Elizabeth Hall, only child of the said Richard Hall, and Mary Correy, co-defendants.

The defendant Peter Conway, not having entered his appearance and given security according to the act of assembly on the relief of executors, and appearing at the satisfaction of the court that he is not an inhabitant of this country: On the motion of the plaintiffs by their counsel, it is ordered, that the said defendant do appear here on the first day of the next term and answer the bill of the plaintiffs, and that a copy of this order be forthwith inserted in some newspaper of the city of Richmond for two months successively, and posted at the front door of the former capitol in this city.

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At the sale of a tract of land of five acres and one acre, and a half acre, of which the said Jacob Short dec'd. seized simple intestate, lying and being in the county of Mecklenburg, to be sold and the money arising from the sale thereof be divided according to law.

THE defendants, Isaac Short, Thomas Short and Isaac Short son of John Short, not having entered their appearance and given security according to the act of assembly and the rules of this court, and appearing at the satisfaction of the court that they are not inhabitants of this country: On the motion of the plaintiffs by their counsel, it is ordered, that the said defendants do appear here on the first day of the next term and answer the bill of the plaintiffs, and that a copy of this order be forthwith inserted in some newspaper in Richmond or Petersburg for two months successively, and posted at the front door of the courthouse of this county.

A copy, Teste, W. BASKERVILLE, clk. ex. off.

Just Published and may be had at this Office.

Reports of Cases.

ARGUED AND DETERMINED IN THE SUPREME COURT OF APPEALS OF VIRGINIA.

WITH A FEW CASES, Relating chiefly to Points of Practice, decided by the Superior Court of Chancery for the Richmond District.

BY H. H. ALBING & W. S. MORGAN.

BUCKINGHAM COUNTY, JANUARY COURT, 1867.

James Walker, plaintiff against Thomas Conner & Thomas Wright, Jr. co-defendants.

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dy can the legislature apply? Does the civil complained of arise from the want of laws to protect the citizen, or is it a violation of those laws which violate the will of those laws not being duly obeyed? If the evil arises from a disobedience to existing laws, no act passed by this House can remedy it, unless it be a law which the execution of the laws may be stimulated to carry them into effect by this violation, and to punish the aggressors, but it is no ground upon which this House can act, and no act that we could pass, could in any degree affect the measures that have already taken place. The principal equity therefore appears to be, whether there is any law, and if the commission of such crimes as Gen. Wilkinson is charged with. There can be no doubt on this subject; there are laws in every part of the Union to punish such offenses. Those persons were sent to prison, and away without legal authority, or just cause that would excuse the act—it will be a false imprisonment, including in it an assault and battery, and a violation of the law in every part of the United States; the offender may be indicted, and on conviction fined and imprisoned according to the nature of his offense; and if he is a poor man, and partly injured, and damages recovered in proportion to the injury sustained. This is the remedy afforded by the law in such cases and it has been considered sufficient to the honor of the legislature, and the constitution has been violated, egregiously violated, by a disobedience to the writ of habeas corpus; or by depriving the party of his liberty, and sending him to prison, without the authority of a law made and promulgated the body attributes of the constitution; and he mentioned these several articles of that instrument that were violated by the act of the legislature, and the subject, Mr. Speaker, may require some examination in order to distinctly comprehend, in this public office, committed in this country, must be done in pursuance thereof, and may therefore be said to be a violation of the constitution, and a violation of the constitution is a violation of the law, and a violation of the law is the supreme law of the land. But certainly it will not be intended by any non-acquainted with the state of our laws, and that every such violation calls for a remedy, and a remedy is required, or requires a new law to be passed. If a law is violated, the aggressor is punishable under such law. If the constitution be violated, it being the supreme law, it is equally punishable accordingly in the courts of justice, who are sworn to support the constitution—such violations therefore cannot necessarily require the interposition of the legislature, and it is declared by the law on the subject. If acts are done highly injurious to society, against which there are no laws, and the legislators would, they would then enact laws punishing them, they would then enact laws to provide by law for the punishment of such offenses; but it has not been shown that such is the case. In this case, the violation of the constitution is a violation of the law, and the law is the supreme law of the land. Gen. Wilkinson, if he has acted in the unconstitutional manner stated on this bill, cannot be punished according to the nature of his offense, unless he is declared by the law to be liable, if guilty, to be punished by indictment, and to be liable to answer in damages by civil suit. With regard to the violation of the constitution, and the punishment thereof, it is declared by the law, not obeying the writ of habeas corpus issued by the Judge at Orleans, I may be permitted to observe that this part of the bill is not supported by the constitution, and it is not necessary to be examined by the legislature to provide by law for the punishment of such offenses; but it has not been shown that such is the case. In this case, the violation of the constitution is a violation of the law, and the law is the supreme law of the land. Gen. 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