

Term 1823 to testify in the State against a certain Elizabeth Maddox which said recognizance
has been forfeited. The Petitioner states that the said Elizabeth Maddox did make this application
at said Court to testify against the said Elizabeth Maddox but that owing to his ignorance of
the nature of such proceedings the recognizance of said was forfeited in consequence of his not
answering to his name when called. That no presentment was made against the said
Eliza Maddox nor any wrong to the State resulted from his not answering, that he remained
at the Court during its sittings and was ready to give any testimony he was possessed of. In
consideration whereof they pray that the said forfeiture be remitted. And the Court
having recommended the remission. The Board do hereby remit the same.

(Signed)

John Chew

John Gabby

John Anderson

By the Petition of Francis Maddox, accompanied by a transcript from
the Record of Allegany County Court, it appears that the said Maddox was fined
by the said Court at April Term 1825 forty dollars for obstructing the
Navigation of the River Potomac. Of which said fine, the informer being entitled
to one half released his part. The Petitioner states that the obstruction for which
he was presented and fined, was a Fish Dam erected by himself and others, in
the month of October last; that he assisted in the erection of it at the instance of
others, who repeatedly assured him that the supposed erection was not calculated to injure
but rather to improve the Navigation of the Potomac, and that as such it was harmless.
That his own experience as a Boatman and Steersman for many years convinced
him that it was calculated to be beneficial rather than prejudicial to the
Navigation. That it was not a Dam thrown entirely across the bed of the River
but only from one of the parallel walls of the artificial Channel created by the
Potomac Company. That it did not lie in the track of boat-Navigation, and if
an obstruction it was one in all respects alike those created by the transverse
walls erected by the Potomac Company and answered the purpose of one of those
walls, by throwing the water into the artificial channel. That the person
at whose instance he assisted in erecting the said Dam transports annually
along the River Potomac a large amount of property, and that therefore he had
some reason to rely upon his assurances. That the said Dam erected in the
month of October was removed within three or four days after its erection, by
those who had erected it, upon the discovery of its illegality. That the River
was not navigable at any moment whilst the obstruction remained, and that if it
had been, it is a matter of notoriety that the Navigation instead of being obstructed
would have been improved by it. That the fine being certain and fixed, the
Court had no power to consider mitigating circumstances, but were bound to
impose it. He states that the situation of himself and family is such as to
render it probable that the consequence of execution of the fine would be a tedious
imprisonment, from the want of ability to pay it. That although he was a
mere agent acting under assurance of safety from those for whom he acted,
the whole burden has fallen upon him, no other person who assisted in erecting
said Dam having been punished. He therefore prays the mercy of the Executive
and sundry respectable Gentlemen having confirmed the statements of the
Petitioner, and represented him as a useful and industrious citizen, who subsists
by daily labour a large family, and having also together with the said Court
recommended a remission of the said fine. The Board do hereby remit the same.