

MARYLAND GAZETTE.

T H U R S D A Y, A P R I L 5, 1804.

B O M B A Y, October 19.

THE late glorious victory obtained by the honourable major-general Wellesley with his small brave army, over the united hosts of Dowlut Scindia and the Berar Rajah, displays in an eminent degree the superiority of courage and discipline, over numbers, however unequal.—In the present instance the disparity was almost beyond examination, and few victories in the annals of history can be in competition with it. Independent of the solid advantages it has procured, in almost annihilating the enemy's force, by the total loss of their artillery, it must impress upon the minds of the natives a conviction of the superiority of British discipline and courage, which cannot fail to operate in preventing future disturbance or hostility, and while humanity must deplore the losses we have sustained in brave and gallant countrymen, it is some consolation to reflect that while their death has been glorified, their memory will be embalmed by the heart-felt sense of national gratitude.

M A D R A S, October 22.

The whole of the French prisoners, which lately landed at Pondicherry, were embarked on Thursday on board the Matilda, for the purpose of being sent to Europe.

L E X I N G T O N, (Ken.) March 6.

A few weeks since, a party of Indians, belonging to the Shawanese tribe, came to this place, for the purpose of placing several of their children to school. There is no circumstance, perhaps, which so much favours the disposition of these savages to cultivate a friendly and peaceable correspondence with the whites, as to preserve that harmony with which a few years since was difficult to inspire them. Notwithstanding the exertions of the various missionaries who had resided among the north western tribes, and the example which had been set them by the frontier inhabitants, as to the superior advantages of civilized life, these Indians were always discovered to be averse to all friendly communications, until the arrival of Greenville. It is certainly the duty of the Federal government to encourage any disposition they may discover to embrace our social habits and manners; and of every individual in our country to do those savages in such a manner, as to convince them of the advantages they will reap from the progress of life which they appear willing to adopt.

P H I L A D E L P H I A, March 28.

Letters and papers to the 9th inst. from N. Providence, are received at N. York.—They state, that a threatened attack on Nassau, by the French troops collected in Cuba, had not been put in execution.—The inhabitants were prepared to a man, and ready to receive them, should they be so desperate as to make the attempt. The accounts farther state, that a small squadron of the French from St. Jago-de-Cuba, on their way to Providence, were met by the Hazard privateer of the United States of America, for want of provisions of returning: Decrees, that there shall be allowed to the captains of American vessels, the sum of forty dollars for each individual who may restore to this country. In order, that this decree shall be printed, published, and posted up; and that a copy thereof be immediately forwarded to the congress of the United States.

[TRANSLATION.]

ARTY, OR DEATH.

ARRETTE.

quarters, Port-au-Prince, January 14, 1st year of the Independence of Hayti. The governor-general, considering that a great number of native blacks and men of colour are suffering in the United States of America, for want of means of returning: Decrees, that there shall be allowed to the captains of American vessels, the sum of forty dollars for each individual who may restore to this country. In order, that this decree shall be printed, published, and posted up; and that a copy thereof be immediately forwarded to the congress of the United States.

By order of the governor-general.

(Signed)

DESSALINES.

Letter from Mr. Cathcart, American consul at Leghorn, to capt. Orne, who arrived at Salem last week, dated

"Leghorn, Dec. 16, 1803.

SIR,

The enclosed packet contains copies of letters from the consular office, informing us of the loss of the United States schooner, the Philadelphia. She ran on a bank abreast of the harbour at 11 A. M. on the 31st of October and was a brisk cannonade with the gun boats of that city until 4 1/2 P. M. when failing in their efforts to force her off they surrendered to superior force. The crew and crew are in captivity; but the former are

permitted to remain in the American consular house, in consequence of my having paid the rent in anticipation for four years before I left that place.

"The officers and crew have been plundered of every thing, and are consequently in want of every necessary of life. I have forwarded a credit for their present maintenance until provision is made for them by government—and shall procure a change of cloaths for each with all possible expedition.

"As it is of great importance that intelligence of this deplorable event should reach the seat of government with all possible expedition, I request you to forward the enclosed by the first vessel from Barcelona, and if none should be ready to sail immediately for the U. States, to immediately enclose it to Mr. Kirkpatrick, our consul at Malaga, requesting him to forward it from his place by the most direct conveyance.

"On your arrival in America, it would be of use to publish an extract from this letter, in order that the relations of the unfortunate sufferers may be informed of their real situation, and at the same time to offer to those who are in circumstances to make remittances to their friends, my service gratis, as thereby they will save commission and other charges generally made on such occasions. Wishing you a pleasant passage, I am, Sir, your most obedient servant."

March 30.

This morning we experienced one of the severest hurricanes known in this city for many years. The wind was strong at N. E. and blew a tremendous gale. The surf in the Delaware ran high, and the spray broke over the wharves ten or fifteen feet. Considerable apprehensions were entertained of the shipping getting injured. The sloop Mary of this port, parted from her moorings near Chestnut-street wharf, a perfect wreck, her rigging being torn to pieces, and drifted down to Spruce-street wharf, where she ran foul of the stern of a large ship, and was made fast. During the night, there was severe thundering and lightning. The gale subsided about half past nine this morning. We fear that the vessels on the coast must suffer considerably.

LANCASTER, 24th March, 1804.

The following is a copy of judge Brackenridge's letter, read in the house of representatives yesterday, and which no doubt will much excite the public attention:

"Philadelphia, March 22d, 1804.

"To the honourable the Speaker of the House of Representatives of Pennsylvania.

SIR,

"I have seen a report of the honourable the house of representatives, on the complaint of Thomas Paffmore against all the judges of the supreme court of this state, myself excepted, for a judgment on an attachment against the said Paffmore on an alleged contempt of the administration of justice, and which report your honourable house has adopted, and proceeded to act upon it. I was not upon the bench when the motion was made for a rule to shew cause in this case, why an attachment should not issue, the motion having been made on the last day of September term, 1802, when I had left the city on account of the yellow fever which had begun to prevail, and the motion having been heard before the judges residing in the city or near it, and who met on that day for the purpose of hearing motions only, nor was I on the bench when the arguments on the facts of the case and the law, took place, and the rule for the attachment was made absolute, having returned from a special court at the county of Northumberland by the way of Carlisle, the place of my residence, and but a few days intervening, so that I did not take my place on the bench until some days after the beginning of the term; but I was present on the third and last hearing of the case, when some additional evidence was given and observations made; the presumption may have been that I did not take a part, and doubtless I might reasonably have excused myself; but I cannot say that I did not take a part, I gave the cause all the consideration I could at the time, and three fourths of the court who had heard all, declaring themselves fully satisfied, I saw no reason to warrant a dissent, but concurred: I cannot therefore distinguish my case in law from that of the other judges, and in honour I would not; I am far from avoiding or courting a prosecution, but am unwilling to incur the imputation of screening myself when in strictness equally liable, but I think it absolutely necessary for the credit of the republican administration that I should not be distinguished; as there can be no stronger evidence than a man's own acknowledgement,—the house will find no difficulty in a resolution to add my name to the list of impeached officers.

"With the highest respect for the honourable house and you their speaker,

"I am, Sir,
Your most obedient,
Humble servant,

(Signed)
"H. H. BRACKENRIDGE."

The committee to whom was referred the letter signed H. H. Brackenridge, addressed to the hon. Simon Snyder, speaker of the house of Representatives,

REPORT,

That they have had the letter referred to them under consideration, and it appears, from the deposition of Collinson-Read, Esq; that it is from Hugh Henry Brackenridge, Esq; one of the judges of the supreme court of this commonwealth,—a copy of which deposition is herewith annexed.

The committee, after mature deliberation, are of opinion, that the name of Mr. Brackenridge cannot with propriety, be added to the list of impeached officers, inasmuch as his acknowledgment, of concurring in the judgment pronounced against Thomas Paffmore, is too equivocal and ambiguous upon which to predicate an accusation of a high misdemeanor in office; and moreover, it does not appear, from the testimony of any of the witnesses examined in the case of Paffmore against the other judges of the supreme court, that judge Brackenridge was on the bench at the time the sentence was pronounced. The letter, however, evinces a neglect of his duty, by frequently deserting his seat on the bench, which ought not to pass unnoticed by the legislature. But what is more extraordinary, (and the committee feel indignant at the idea) it contains evidence of a premeditated insult to the house, by insinuating, in a manner neither to be mistaken or palliated, that the house was actuated, in their proceedings against the other judges, by party motives: such unfounded and unwarrantable insinuations (and more especially by a citizen to whom a trust of administering the law is confided) must naturally tend to generate suspicion amongst our constituents that the laws are the offspring of corruption or caprice, and not framed by the independent and unbiassed will of their representatives; whereby the confidence of the people in their government might be impaired, and the peace and harmony of the citizens destroyed.

Though the committee are of the opinion, that there is not sufficient evidence to support an impeachment against him, they believe nevertheless, that he is not a proper person to discharge the important functions of a judge, and that a reasonable cause exists for the constitutional interposition of this house for his removal from office: they, therefore, submit the following resolution—

Resolved, That a committee be appointed to draft an address to the governor to remove Hugh Henry Brackenridge, one of the judges of the supreme court of this commonwealth, from office.

The foregoing resolution was agreed to by the house of representatives—yeas 54—nays 24.

WASHINGTON, March 29.

Mr. Randolph, from the committee appointed for that purpose, made on Monday the following report, which was ordered to lie on the table.

Report of the committee appointed to prepare articles of impeachment against SAMUEL CHASE, one of the associate justices of the supreme court of the United States.

Articles of impeachment.

Articles exhibited by the house of representatives of the United States, in the name of themselves and of all the people of the United States, against Samuel Chase, one of the associate justices of the supreme court of the United States, in maintenance and support of their impeachment against him, for high crimes and misdemeanors.

ARTICLE I.

That, unmindful of the solemn duties of his office, and contrary to the sacred obligation by which he stood bound to discharge them "faithfully and impartially, and without respect to persons," the said Samuel Chase, on the trial of John Fries, charged with treason, before the circuit court of the United States, held, for the district of Pennsylvania, in the city of Philadelphia, during the months of April and May, one thousand eight hundred, whereat the said Samuel Chase presided, did, in his judicial capacity, conduct himself in a manner highly arbitrary, oppressive, and unjust; viz:—

1. In delivering an opinion in writing, on the question of law, on the construction of which the defence of the accused materially depended, tending to prejudice the minds of the jury against the case of the said John Fries, the prisoner, before council had been heard in his defence.