

MARYLAND GAZETTE.

ANNAPOLIS, WEDNESDAY, MARCH 6.

Married, at Philadelphia, on the 23d inst. by the Right Rev. Bishop White, Virgil Maxcy, Esq. of the city of Baltimore, to Miss Mary Galloway, of West-river, Anne-Arundel county.

The Senate have unanimously concurred in the appointment of John Quincy Adams, a Judge of the Supreme Court of the United States, vice Judge Cushing, deceased: i. e. the Senate did not divide.

Joel Barlow, Esq. has been appointed by the president of the U. S. by and with the advice and consent of the senate, minister plenipotentiary and envoy extraordinary to France, vice general Armstrong, resigned.

The following are the reasons assigned by the vice-president of the U. States for his calling vote on the question of striking out the first section of the bill for renewing the charter of the bank of the U. States: [Nat. Intel.]

GENTLEMEN,

As the subject, on which I am called upon to decide, has excited great sensibility, I must solicit the indulgence of the senate, whilst I briefly state the reasons which influence my judgment.

Permit me to observe, that the question to be decided, does not depend simply upon the right of congress to establish under any modification a bank, but upon their power to establish a national bank, as contemplated by this bill. In other words, can they create a body politic and corporate, not constituting a part of the government; nor otherwise responsible to it but by forfeiture of charter, & bestow on its members privileges, immunities and exemptions not enjoyed by the laws of the states nor enjoyed by the citizens generally? It cannot be doubted but that congress may pass all necessary and proper laws for carrying into execution the powers specifically granted to the government, or to any department or office thereof; but in doing so, the means must be suited and subordinate to the end. The power to create corporations is not expressly granted; it is a high attribute of sovereignty, & in its nature not accessory or derivative by implication, but primary and independent.

I cannot believe that this interpretation of the constitution, will in any degree, defeat the purposes for which it was formed; on the contrary, it does appear to me that the opposite exposition has an inevitable tendency to consolidation, and affords just and serious cause of alarm.

In the course of a long life, I have found that government is not to be strengthened by an assumption of doubtful powers, but by a wise and energetic execution of those which are incontestable; the former never fails to produce suspicion and distrust, whilst the latter inspires respect and confidence.

If, however, after a fair experiment, the powers vested in the government, shall be found incompetent to the attainment of the objects for which it was instituted, the constitution happily furnishes the means for remedying the evil by amendment, and I have no doubt that in such event, on an appeal to the patriotism and good sense of the community, it will be wisely applied.

I will not trespass upon the patience of the senate any longer than to say from the best examination I have been able to give the subject, I am constrained by a sense of duty to decide in the affirmative—that is, that the first section of the bill be stricken out.

LAW OF THE U. STATES.

An act to enable the people of the Territory of Orleans to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states; and for other purposes.

BE it enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the inhabitants of all that part of the territory of country ceded under the name of Louisiana by the treaty made at Paris on the 30th day of April, one thousand eight hundred and three between the U. States & France, contained within the following limits, that is to say, beginning at the mouth of the River Sabine, thence by a line to be drawn along the middle of the said river, including all islands to the 32d degree of latitude; thence due north to the northernmost part of the 33d degree of north latitude; thence along the said parallel of latitude to the river Mississippi; thence down the said river to the river Iberville; and from thence along the middle of the said river and lakes Maurepas to Ponchartrain, to the Gulf of Mexico; thence bounded by the said gulph to the place of beginning; including all islands within 3 leagues of the coast, be and they are hereby authorized to form for themselves a constitution & state government, and to assume such name as they may deem proper, under the provi-

ons and upon the conditions hereinafter mentioned.

Sec. 2. And be it further enacted, That all free white male citizens of the U. States, who shall have arrived at the age of 21 years, and resided within the said territory, at least one year previous to the day of election, and shall have paid a territorial, county, district or parish tax; and all persons having in other respects the legal qualifications to vote for representatives in the general assembly of the said territory, be and they are hereby authorized to choose representatives to form a convention, who shall be apportioned amongst the several counties, districts and parishes, within the said territory of Orleans, in such manner as the legislature of the said territory shall by law direct. The number of representatives shall not exceed 60; and the elections for the representatives aforesaid shall take place on the third Monday in Sept. next, and shall be conducted in the same manner as is now provided by the laws of the said territory, for electing members for the house of representatives.

Sec. 3. And be it further enacted, That the members of the convention, when duly elected, be and they are hereby authorized to meet at the city of New-Orleans, on the first Monday of November next, which convention, when met, shall first determine, by a majority of the whole number elected, whether it be expedient or not, at that time, to form a constitution and state government, for the people within the said territory, and if it be determined to be expedient, then a convention shall in like manner declare, in behalf of the people of the said territory, that it adopts the constitution of the United States, whereupon the said convention shall be, and hereby is authorized to form a constitution and state government, for the people of the said territory: Provided, The constitution to be formed, in virtue of the authority herein given, shall be republican, and consistent with the constitution of the United States; that it shall contain the fundamental principles of civil and religious liberty; that it shall secure to the citizens the trial by jury in all criminal cases, and the privilege of the writ of habeas corpus, conformably to the provisions of the constitution of the U. States; and that after the admission of the said territory of Orleans as a state into the Union, the laws which such state may pass shall be promulgated, and its records of every description shall be preserved, and its judicial and legislative written proceedings conducted, in the language in which the laws and the judicial and legislative written proceedings of the United States are now published and conducted: And provided also, That the said convention shall provide by an ordinance, irrevocable without the consent of the U. States, that the people inhabiting the said territory do agree and declare, that they forever disclaim all right or title to the whole or any part of the lands, lying within the said territory; and that the same shall be and remain at the sole and entire disposition of the United States; and, moreover, that each and every tract of land, sold by Congress, shall be & remain exempt from any tax, laid by the order or under the authority of the state, whether for state, county, township, parish, or any other purpose whatever, for the term of five years from and after the respective days of the sales thereof, and that the lands, belonging to citizens of the United States, residing without the said state, shall never be taxed higher than the lands belonging to persons residing therein; and that no taxes shall be imposed on lands, the property of the United States.

Sec. 4. And be it further enacted, That in case the convention shall declare its assent, in behalf of the people of the said territory, to the adoption of the constitution of the U. States, and shall form a constitution and state government for the people of said territory of Orleans, the said convention, as soon thereafter as may be, is hereby required to cause to be transmitted to Congress the instrument, by which its assent to the constitution of the United States is thus given and declared, and also a true and attested copy of such constitution or frame of state government, as shall be formed and provided by said convention, and if the same shall not be disapproved by Congress, at their next session, after the receipt thereof, the same shall be admitted into the Union, upon the same footing with the original states.

Sec. 5. And be it further enacted, That five per centum of the net proceeds of the sales of the lands of the U. S. after the first day of January, shall be applied in laying out and constructing public roads and levees in the said state, as the legislature thereof may direct.

Posts and Rails.

THE subscriber wants to purchase 100 good Locust Posts, 7 1/2 feet long, to square 5 inches; likewise 350 sawed chestnut rails, 4 1/2 inches by 2 1/2, 300 of them to be 8 1/2 feet long, and 50 of them 17 feet. A liberal price will be given for those of a good quality delivered at the wharf.

SHAW.

NEW-ORLEANS, JAN. 24.

PICTURE OF MOBILITY.

From a gentleman who left Mobile on Tuesday the 15th inst. we have received the following information:

Col. Cushing, obtained liberty from the Spanish Commandant, to bring his family ashore from the gun-boats that lie at anchor some distance from the fort, and has taken a house in the village. Capt. Ganes, with his company, lies encamped close by the village—the Spanish patrols pass round his camp and through the adjacent country. The militia from Washington county, ordered down by Lieut. Col. Sparks, were discharged and sent home by Col. Cushing.—The Spaniards will not give up the fort.—Col Cushing has no orders to take it. Spanish Law governs.—Reciprocity and an interchange of friendly acts are daily experienced between the Spanish and American officers. These are the beautiful effects of national Philosophy.

[Louisiana Gazette.]

An accurate enumeration was taken on Thursday last, of the negroes killed and missing, from Mr. Fortier's to Mr. Andry's and is as follows, viz.

Table with 2 columns: Description and Count. Killed and executed, 66; Missing, 17; Sent to New-Orleans for trial, 16.

From this statement the loss is not so great as we first calculated it to be.—Those reported missing are supposed generally to be dead in the woods as many bodies have been seen by the patrols.

We are sorry to learn that a ferocious sanguinary disposition marked the character of some of the inhabitants. Civilized man ought to remember well his standing, & never let himself sink down to the level of a savage; our laws are summary enough, and let them govern.

NATCHES, JAN. 28.

By a gentleman of the first respectability just arrived from N. Orleans, we learn, that the disturbances among the negroes were completely dissipated, and that every thing was tranquil.—Cotton was dull at sixteen and a half dollars per hundred weight; and the market very low in general for all sorts of up country produce.

BOSTON, FEB. 21.

FURTHER PARTICULARS.

From a file of French papers, (received by the Osmin, from Rochelle) last date, Jan. 19.

The French papers are much occupied with the debates and proceedings in the British Parliament on the subject of the Regency, which question appears to have of no considerable interest in France.

There are many extracts in the French papers from the American prints; more especially those which make personal attacks on the French Emperor; and those which defend any measures of G. Britain.

Nothing is given in the French papers respecting the affairs of Spain; some extracts from the English papers are given accompanied by notes of the French publisher.

The papers contain a Danish decree, dated at Copenhagen, 29th Dec. 1810, containing additional prohibition respecting English merchandise, originally from English manufactories, and every parcel of English merchandise are forbidden to be sold at any of the fairs, under penalty of confiscation, and the sellers and purchasers to be fined, besides paying double the amount of the confiscated goods.

On the 29th Dec. Buonaparte issued, from the Palace of the Thuilleries a decree relative to the cultivation of tobacco within his dominions.

The repudiated Empress Josephine, lived at her chateau, in the vicinity of Paris. Fouché having been suspected of giving information to Lucien Buonaparte of the intentions of his brother Napoleon, had suddenly disappeared.

Talleyrand was at Paris, though not in a very public situation; but the Emperor was so far reconciled to him, as to see, and it was believed, to consult him.

It was believed that 500,000 men had been marched into Spain since the commencement of the war.

By a decree of the Emperor of the 14th Jan. the mint established at Utrecht was to be continued for the coinage of French money.

The new ship Eagle, of Philadelphia was up to sail from Bayonne between the 20th & 25th Jan. in ballast, with passengers, (Seamen). The American cartel, Catharine Ray in ballast, up to sail from L'Orient for the U. States, 15th Feb. with passengers. Sch. Lydia Kellam, from Boston, with pot-ash, cotton, fish-oil, cod-fish, &c.; and sch. Liberty, from Philadelphia, with 128 bales cotton, arrived at Bourdeaux, January 10.

On the 20th Dec. the Emperor issued a decree for adding 25 Senators (from the new departments beyond the Aldes, and those beyond the Efcant) for the Conservative Senate, so that the whole number of Senators may consist of 150.

THE JEWS.

The Journal of the Empire, contains the following article:

Cassel Dec. 20, 1810.—The Jews in this kingdom enjoy at present, all the rights which the liberality of the Emperor Napoleon has bestowed upon them. They form a part of the National Guard, established here, and in the King's Guard are several officers of that denomination. A vast number of Jews have been sent to the army, who have been promoted, in reward for their services. Their agriculture is taken by the Merchants of this country and the Jewish Merchants are now permitted to buy and possess property, whether country or town. Within the kingdom of Westphalia, including the country of Hanover, the number of Jews amount to 18,000. They have established at their own expense a Consistory; and their school is very numerous, and a kind of a seminary for poor children drawn out by lot, who are to be taught different professions. On every Sabbath, Jacobson, President of the Consistory, or another member, delivers a speech on public duties and order.

PARIS, DEC. 21.

We have news from the Isle of France, Oct. 10. The English had lost five frigates in that sea, viz: the Iphigenia 36, Neptune 36, Africaine 38, Ceylon 38, Simons and Magicienne 36.—the two last were burnt after getting aground. The crews of the vessels which had landed & fortified the rock in the bay had surrendered. The Wyndham and the Indiamen were also taken, with 1,200 troops, ammunition and money. Amongst the officers taken were Gen. Weatherall, Abercrombie. There were 2300 Rh. soldiers at the Isle of France; which was supplied, and had more than 8000 armed defenders.—The French frigates Alfre, Minerva, Bellone, Iphigenie and Neptune, were on a cruise.—The last Malteseurs contained later accounts than the above. One which was a long letter from the admiral, giving the detail of the recapture, by the English, of the Africaine of 38, Cayenne 38 guns, and capture of the Venus F. frigate of 44, by the Boudiere, Com. Rowley, of board of which were Gen. Abercrombie and many of the above prisoners. The Maltese Indiamen all escaped. It will be recollected, that we had accounts of the loss of one of the above frigates, several weeks before from the Cape of Good Hope. The Indiamen captured, were supposed to be stragglers of the expedition against the Isle of France, which sailed from India; and were to rendezvous at the Island of Bourbon. At the last dates that Island remained in the hands of the English.

FEBRUARY 23.

We have received a long communication from our intelligent correspondent in Cadix on the general state of the affairs of the peninsula, and a particular description of the proceedings of the Cortes (congress) in that city. We have not room for it entire this day.

The prospects of the Patriot cause were far from being gloomy. The Cortes possessed great self-confidence and they appeared to unite all hearts. Their proceedings were founded on constitutional principles which have been recognized in Spain from time immemorial. They have elected Ferdinand 7th as their king; but have refrained him from marrying without the consent of the nation in Cortes. Bigotry and superstition are rapidly disappearing; the clergy are daily becoming laymen; and many of those remaining, are among the first to inculcate that freedom, piety and morality are convertible. The freedom of the press as it regards political topics, is firmly established. It has not yet been deemed expedient to extend freedom to religious subjects; but the friends of freedom ought to feel grateful for the measure as far as it goes. Political liberty is the sure foundation of religious toleration; and the speculations, and the generous emotions, which a free press in behalf of public freedom will necessarily call into action, will eventually lead to the dissemination of religious light, and the consolidation of the rights of mankind.

[Centinel.]

NEW-YORK, FEB. 24. FROM CADIZ.

Arrived here yesterday, the Orion, Capt. Howland, from Cadiz; which port he left the 26th of December, and brings despatches for government.

Capt. Howland informs, that the day before he sailed the English gun-boats attacked the forts opposite Cadiz, which the French returned by a heavy fire of shells, which fell into the town and amongst the shipping. A shell fell into school-room and killed the mistress of the school, and shot off both legs of one of the children. From the confusion on board the Spanish Admiral's ship it is supposed a shell had fallen on board of her. Considerable alarm prevailed among the inhabitants of Cadiz.

Public Sale.

In pursuance of an order from the honourable judges of Calvert county court, will be sold, on the premises, a tract or parcel of land late the property of John M. Dowell, deceased, containing 100 acres more or less, situate in the county aforesaid, and adjoining on the west waters of St. Leonard's creek, within half a mile of the Chesapeake Bay. The improvements are a small frame dwelling house; and some out houses adjacent there to, with a good apple orchard; the whole enclosed; abounding with chestnut and ash of superior quality. A valuable meadow may be reclaimed at a small expense. This property will be sold on Thursday the 19th May next, if fair, if not the first fair day thereafter, in lots, or in whole, as may appear most advantageous. The purchaser or purchasers giving bond, payable in three equal annual payments, with interest thereon; giving such security as may be approved of by the court.

THOMAS HELLEN, } Commis-  
JNO. G. MACKALL, } sioners.  
WM. D. TAYLOR, }  
Feb. 26; 1811.

Notice.

THE subscribers having obtained letters testamentary under the last will and testament of Milbourn Sigell, late of Anne-Arundel county, deceased, do hereby give notice to all persons who have claims against said estate to bring them in, legally authenticated, and all those indebted to said estate are requested to make immediate payment to

CHRISTOPHER JACKSON, } Ex'rs.  
AND  
WILLIAM WARFIELD, }

N. B. Those who have claims against said estate, are requested to lodge them with W. Warfield, at Mr. Joseph Evans's, and all persons having any thing belonging to the said estate are requested to return it immediately to the subscribers.

C. J.  
W. W.  
3w\*

March 1, 1811.

Thirty Dollars Reward.

RAN AWAY from the subscriber living near Pig Point, Anne-Arundel county, on the 7th of December last, a negro woman named BETTY, about twenty-five years of age, 5 feet two or 3 inches high; yellowish complexion, has full eyes, rather a dull look, and on when the abscinded, a blue stuff petticoat, and calico jacket, and took with her variety of other clothing which it is deemed unnecessary to describe. She is supposed to be in or about the neighbourhood of Annapolis, having a husband residing in that city. Whoever apprehends said woman, and delivers her to me, or secures her in the Annapolis goal, shall receive the above reward, and all reasonable expenses.

JOHN SHEPHARD.  
3w\*

March 4, 1811.

NOTICE.

THE partnership of PINKNEY & MUNROE, and H. G. Munroe, & Co. dissolved by mutual consent on the 8th ult. All persons indebted to the same, either by bond, note, or account, are requested to make payment immediately.

JONATHAN PINKNEY,  
HORATIO G. MUNROE.  
March 2, 1811.

The business will in future be conducted by H. G. Munroe, who having purchased the Stock of Goods of the late firm of H. G. Munroe, & Co. will dispose of the same at the original cost, for Cash.

A Runaway.

COMMITTED to the goal of Anne-Arundel county, as a runaway, a negro man calling himself WILL CLARK, who says he is the property of a capt. William Mackey, of Talbot county, Maryland; he appears to be about 30 years old, five feet two or three inches high; his clothing an old great coat, coarse cloth, blue cloth trowsers, check shirt, shoes and stockings, and an old hat. His owner is requested to release him, or he will be sold agreeably to law for his expenses of imprisonment, &c.

JOHN CORD, Shff.  
Annapolis, Feb. 24, 1811.

A Runaway.

COMMITTED to the goal of Anne-Arundel county, as a runaway, a negro man calling himself JACK BLACKSTON, who says he was set free by a Mr. Plunket, of the island of Cuba; he is about 40 years of age, five feet six inches high, of a pleasing countenance, and much marked with the small pox. Had on when committed, an old great coat, swaddown vest, red flannel shirt, and stockings, old wool hat, and coarse shoes & stockings. He is not released in sixty days from the date hereof, he will be sold, agreeably to law, for his prison fees, &c.

JOHN CORD, Shff.  
Feb. 26, 1811.