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TUESDAY, APRIL 1, 1806.

NEW-YORK, March 29.

Francisco Son, the Portuguese, was executed yesterday, between 12 and 1 o'clock, pursuant to his sentence, for the murder of Archibald Graham. The spectators were in immense number, owing probably to the novelty of such a spectacle; no person having been capitally punished in this city during the last nine years.

The British sloop of war Driver, from Bermuda, anchored last evening within the Hook.

Admiral Duckworth, with the vessels captured in the engagement off Saint Domingo, has arrived at Kingston, Jamaica.

The United States armed brig Franklin, with troops for New Orleans, arrived at that port on the 5th of February.

The Vice-President of the United States arrived in this city yesterday afternoon from Washington.

Capture of the Cape of Good Hope.

By the ship *Aeolus*, captain Mather, arrived yesterday from Canton and Saint Helena, we have received the particulars of the capture of the Cape of Good Hope, by a British force under the command of Sir Home Popham and Sir David Baird.

On the 23d of January, the English brig *L'Espoir*, arrived at St. Helena from the Cape of Good Hope, and brought intelligence of the surrender of that place to the English on the 10th of January. The English troops were landed about the 5th of January, on the Hottentot shore.

They were much annoyed in landing, by the Dutch light troops, and so on attacked by the whole Dutch force under the command of Gen. Yansen. A sharp engagement took place. Various were the reports at St. Helena respecting the number killed and wounded; but it was generally supposed that 1000 Dutch, and from 600 to 800 of the English were killed and wounded. The Dutch troops were finally defeated, and Gov. Yansen, with about 3000 troops, retreated to the country, and the place capitulated.

The force sent against the Cape consisted of 7,300 troops, under the command of Gen. Sir David Baird; and the following ships of war under the command of Sir Home Popham, viz. *Diadem*, 64 guns; *Raisable*, 64; *Belleisle*, 64; *Diomed*, 50; *Narcissus*, 38; *Leda*, 38; another 38 gun frigate; *L'Espoir* brig, 18, and another brig of 18 guns; 3 Indiamen and 38 transports.

The *Britannia*, a fine ship belonging to the company, having, as report says 300,000l. sterling in specie on board, and a transport, were totally lost off St. Roque—two lives only were lost, one of which was Colonel Yorke, of the Royal Artillery.

Saturday, 10th January, 1806.

Articles of Capitulation proposed by the Lieutenant-Colonel Hieronimus Castreus von Prophalow, Commandant of the Town, Castle, &c. circumjacent fortifications of the Cape of Good Hope. To the Major-General, in the service of his Britannic Majesty, Sir David Baird, K. B. and Commander in Chief of his Majesty's forces, and Commodore Sir Home Popham, K. M. Commander in Chief of his Britannic Majesty's Naval forces in Table Bay.

ART. I.—The capitulation being signed the Cape Town, Castle, and circumjacent fortifications shall be immediately surrendered to the troops of his Britannic Majesty. The fortifications of the King's Blockhouse, Craig's Tower, and all the Batteries within that circuit, on the other side of Camp's Bay.

ART. II.—The garrison shall, at the surrender, march out with all the honors of war—and shall then lay down their arms and become prisoners of war; but such officers as are natives of the colony, or married with natives, or in possession of sufficient landed property, become regularly, and bona fide domiciliated, shall be at liberty to continue here so long as they behave themselves as becoming good subjects and citizens; or proceed to Great Britain with regular passports, having previously passed their paroles not to serve until regularly exchanged.

ART. III.—All officers, who, according to the previous article must go to Europe, shall be provided with passages at the expense of his Britannic Majesty, and shall have leave to realize their property, previous to their departure, and receive the same pay as they did in their own service, till the day of their embarkation.

ART. IV.—The French subjects, who, belonging to the stranded privateer *Le Atalante*, and the stranded privateer *Le Napoleon*, were casually here; and comprehended in the capitulation, shall be treated on the same footing as the garrison; but they must all be embarked for

Europe, as well as every other French subject in the colony.

ART. V.—The inhabitants of the town, who have borne arms, to be considered as belonging to the town, and may immediately return to their former occupations. But the distinction between the Burghers and other inhabitants is to remain the same, and subject to the same restrictions as under the Dutch laws.

ART. VI.—All bona fide private property, whether belonging to the civil or military servants of the government, to the Burghers & inhabitants, to churches, orphans, and other public institutions of that kind, shall remain free and untouched.

ART. VII.—Public property of every description, whether consisting of treasure, or naval, or military stores, buildings, estates or merchandizes belonging to the Batavian Republic or the Government of France, shall be delivered up, and proper inventories given of them as soon as possible.

ART. VIII.—The Burghers and inhabitants shall preserve all their rights and privileges which they have enjoyed hitherto, public worship as at present in use, shall also be maintained without alteration.

ART. IX.—The paper money actually in circulation shall continue current as heretofore, until the pleasure of his Britannic Majesty is known.

ART. X.—The lands and houses, the property of the Batavian Republic, which must be delivered in consequence of the present capitulation, shall remain as security for that part of the paper money which is not already secured by mortgages upon the estates of individuals, by its having been put to them. This is however to be without prejudice to the free use to be made of the said lands and houses for public purposes.

ART. XI.—Prisoners of war, comprehended in the present Capitulation, shall not be pressed into His Britannic Majesty's service, or engaged against their own free will and consent. With respect to other persons, they are provided for in Article V. of this Capitulation.

ART. XII.—The inhabitants of Cape Town shall be exempted from having troops quartered on them.

ART. XIII.—Two ships having been sunk in Table Bay, to the great detriment of the Roadstead—either after the Batavian Republic had sent out a Flag of Truce, or whilst it was in contemplation to do so, they are to be raised again and delivered over in an entire state of repair: this having been done without the sanction of the commandant, the raising of the said ships, shall be incumbent on those who sunk them.

ART. XIV.—The Capitulation shall be signed at Fom-Otto this afternoon, when the Castle of the Cape Town, and all the adjacent Forts, previously mentioned, shall be surrendered to His Britannic Majesty's Troops.

Given under our Hands and Seals, this thirtieth day of January, in the year of our Lord 1806, at Papendorp, near Fort Knoeke.

(Signed) H. C. Baron Von Prophalow.  
D. Baird, Major-General.  
Home Popham.

NORFOLK, March 24.

By the ship *Sheffield*, captain Carpenter, in 38 days from Bordeaux, and the ship *Susan* and *Sarah*, captain Marner, in 28 days from the same port, we have received our regular file of the *Moniteur* to the 13th of last month, with other Paris papers: and captain Marner has politely favored us with Paris papers to the 14th and Bordeaux papers to the 17th of February. This last arrival brings us London advices, via Paris, to the 6th of Feb. 13 days later than the intelligence received at Charleston.

VIENNA, January 16,

The emperor arrived here this morning at 11 o'clock; he first repaired to the Cathedral, where a *Te Deum* was sung, and afterwards proceeded through the different streets to his palace; he was only attended by the citizen guard on horse back; the citizens on foot under arms formed a line: no regular troops appeared. The cavalcade consisted of eight carriages, in the last of which were the emperor and empress. Great emotion was visible on the countenances of their majesties. The order which prevailed, the crowds of inhabitants in the streets, the loyal sentiments which were generally manifested, furnished a new proof of the virtues of the inhabitants of Vienna & of their attachment to their sovereign. Before the arrival of the emperor, the following proclamation had been stuck up:—

"Francis II, by the grace of God, elect of the Romans, always august, hereditary emperor of Austria, king of Germany, Hungary, Bohemia, &c.

"When I was at a distance from you I had good grounds to believe that our separation would be of short duration, for I had taken the resolution to return to Vienna immediately after the sittings of the Hungarian Diet had broken up; my intention was to remain with you as long as my presence in the capital could agree with my obligation to watch over the interests of my whole empire. The force of circumstances alone prevented my executing this resolution. I conceive it was my duty towards you, as towards the generality of my faithful subjects, to remain in the neighborhood of the combined army. I made choice of a representative who possessed your confidence, and who in every respect, deserved it. I have had

my thoughts taken up with you, and I have watched over your interests as much as unfortunate circumstances have permitted.

"Providence not having been pleased to permit us to lay the foundation of a lasting security by means of military success, I have redoubled my efforts to restore repose and tranquility to my conquered states by negotiations for peace. The success of my efforts has appeared tardy to my breast; but an affair which embraced the present and the future, and the decision of which required a mutual consent, could not be brought to a speedier termination.

"This unfortunate time is now past. I return in the midst of you with those feelings which your constancy, your unshaken attachment, your vigilance in preserving order and repose, your eagerness in short to temper by beneficence the misfortunes of humanity, have inspired me with. There is no duty but what you have fulfilled, no virtue but what you have practised. You have acquired the esteem of your fellow countrymen, and that of foreigners: you have in short the just claim to my gratitude. When still distant from you and bearing the most painful proof, I found motives for tranquility in this consolatory sentiment.

"But if I abandon myself justly to that joy which my return in the midst of the good inhabitants of Vienna causes in my breast, if you come gladly to meet your sovereign, and forget in seeing in him once more the calamities which have overwhelmed you, do not imagine on this account that your present situation is unknown to me, and that I have not attentively considered it.

"Yes, generous people! you have experienced misfortunes which have shaken to their very foundations, the prosperity which your efforts and activity had acquired you. I do not conceal from myself this state of things; I have even sought to become thoroughly acquainted with it, because this knowledge is indispensably necessary in order to establish the relation which must exist between the resources and wants. Every thing has already been done which it was possible to do under these unfortunate circumstances to prevent the extraordinary consumptions which took place from producing either famine or an insupportable dearth. In order to attain this end I shall for the future employ every means which Providence has placed in my hands.

"Be always as faithful to your Prince as you have been in the most critical times; contribute by your loyalty to the general good, to which all my efforts are directed; redouble your industry; conduct yourselves always with the same nobleness, shut your ears to unjust censures; rely upon the Almighty, and join your prayers to mine. Our wounds, however deep, will shortly be closed."

FRANCIS.

FELLSBERG, Jan. 15, 1806.

12 HHDS.

3d. proof Antigua RUM,

WILL be landed this morning and for sale by JOHN BUFFUM, No. 84, Bowly's wharf.

March 31

HENRY TRAPNALL begs leave to inform his friends, and the voters of the city and county of Baltimore, generally, that he still continues to offer himself a candidate for the office of Sheriff; and he again respectfully solicits their friendship—and suffrage at the ensuing election.

February 12.

CAUTION.

NOTICE is hereby given, that my wife HANNAH, has run me in debt at several places; as she has done it without my knowledge or consent, for that and other reasons, I am determined not to pay any debts of her contracting after this date.

March 31

STEPHEN BALL.

Just Received and for Sale, 109 boxes first quality WHITE HAVANA SUGARS, entitled to drawback, which will be sold on accommodating terms—undoubted bills on London would be taken in part. Apply to ANDREW DEWEES & Co. Lower end of Dugan's wharf.

March 31

Just Received and for sale, 700 bushels Northern Potatoes, of the early kind 20 barrels Rusciten Apples 20 boxes Mould Candles 40 do. Nova Scotia Smoked Herrings 4000 wt. Goshen Cheese, in casks 2000 feet Oars. Apply to CHARLES COFFIN, No. 13, Bowly's wharf.

March 31

PROPOSAL,

By Warner & Hanna, Samuel Butler, Mathew Carey, M. & J. Conrad, Geo. Hill, Anderson & Jeffries, and Dobbin & Murphy.

FOR PUBLISHING BY SUBSCRIPTION, IN one volume, of about 400 pages octavo, price 2 dollars bound, 1 dollar 75 cents in boards, to be paid for on delivery, the history of

NAPOLÉON BONAPARTE, Emperor of the French, and King of Italy. Embellished with an engraving of the GRAND BATTLE OF AUSTERLITZ, with an appendix, containing a comprehensive view of the FRENCH REVOLUTION, UP TO THE PRESENT PERIOD.

Subscription papers are opened at each of the above bookstores, for the reception of such person's names as wish to be in possession of so interesting a work.

March 22

TUESDAY, APRIL 1, 1806

The Following gentlemen were yesterday elected directors of the UNION INSURANCE COMPANY:—

Samuel Sterrett,  
Robert Barry,  
Wm. Van Wyck,  
Wm. Taylor,  
Robert McCandless,  
John G. Proud,  
Hugh Neilson,  
Thorndick Chase,  
Amos A. Williams,  
Charles Ghequiere,  
Lewis Pascault,  
Jonathan Hudson,  
Lemuel Warfield.

The following remarks on the passage of the bill prohibiting the importation of certain (British) goods, wares and merchandize, would have accompanied the yeas and nays on that question, given in our last, but were omitted for want of room.

By comparing this vote with that given on the resolution, which formed the basis of the bill, it will be found that the vote of approbation has received a considerable accession of strength. This has, in some degree, arisen from several of the republican members, who were originally the friends of stronger measures, conceding their own opinions to what, on discussion, appeared to be the general sentiment, or from a change of opinion, the offspring of a more mature and dispassionate reflection.

Such is the greatness of the majority in favor of this measure, and so irresistibly does this majority prove to be contemporaneous with the voice of the American people, that we hazard very little in considering it in the light of a measure already clothed with the efficacy of a law. For, it is scarcely to be expected, that the senate, even did they entertain a different impression from the immediate representatives of the people, would oppose their will to that of the nation. This issue is the less to be expected from a body, which, from various intimations of its sentiments, appears to be animated by like feelings and views with the house of representatives.

Our congratulations on the adoption of this measure will not, from these considerations, be viewed as premature. Exercising that liberty of opinion, which is the pride of every American, and which we hope and believe will endure forever, we do not hesitate to say that our individual opinions were most friendly to the measure recommended by Mr. Gregg's resolution. Nothing, which we have heard, has induced us to abandon this conviction. Nor is it certain—we cannot say even probable—that this measure would not have received the sanction of a majority of the votes of the members of the house of representatives. Our prevailing opinion is that it would have commanded a majority.

But on this occasion, as on most, if not all of the great occasions, which have occurred since our country assumed the character of an independent nation, a spirit of harmony, accommodation and compromise, has illustrated our counsels, which will convince our enemies that they will be the dupes of a miserable delusion, if they flatter themselves with deriving any advantages from our internal divisions. It was this spirit, equally evincive of the virtue and wisdom of the American character, which made us an independent nation, and which carried us, with triumph, through the perils of a desolating war; it was this spirit, that reared the proud monument of our glory and prosperity; and it is to this same spirit that we owe the measure which is the subject of these animadversions.

When the discussion commenced, it was soon perceived that the republican members of the Eastern and Middle states were, with but few exceptions, in favor of Mr. Gregg's resolution. Such was the fact relatively to Rhode-Island, Massachusetts, Vermont, New-York, New-Jersey, and Pennsylvania; while at the same time it counted among its friends many members from the other states. These members believed that this measure would be most likely to coerce Britain into a relinquishment of her unjust conduct; they likewise believed, while it had this effect on her, that so far as it operated harshly on ourselves, it would operate equally and impartially. That this would have been the case, had it gone into operation, we have no doubt. But the representatives of the Southern and Western states thought differently. They declared that it would fall with peculiar and fatal injury on their interests—that it would be destructive to the interests of agriculture. At the same time that they avowed this conviction, they manifested no reluctance to express their indignation at the wrongs of Britain, or their readiness to avenge them. To manifest the sincerity of their professions, which was indeed indisputable, they offered to meet their political friends on lower ground, connected with a pledge that, if this should not prove efficient, they would unhesitatingly unite in the adoption of stronger measures. This address to the magnanimity of the Eastern and

Middle sections of the nation was irresistible. The offer was accepted, and with it fell all local and professional divisions. Southern, as opposed to Eastern interests, or Middle interests as opposed to both, instantly vanished, and agriculture and commerce met on that ground of common interest, on which, in truth, neither can stand without the support of the other. It will be seen by looking over the names of those who voted for the bill, that it combined in its favor a majority of the members from the states of Rhode-Island, Massachusetts, Vermont, New-Jersey, New-York, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Kentucky, Tennessee and Ohio; and that the only states, which have given a different vote, viz. New Hampshire, Connecticut, and Delaware, are represented by a majority of federal members; and such examination will further shew, that of the minority eight only are republican, the remaining twenty-four being federal members, and systematic opponents of republican measures.

Let it not then be said the republican members of Congress are disunited, when of one hundred and one republican votes, there are but eight dissentients. Every man, acquainted with the world, knows that to expect absolute unanimity upon any point relative to men or measures, is chimerical, where the exercise of opinion is free. Where is the religious or political denomination whose disciples agree in all things? If any surprise exist on this occasion, it ought be at the union, instead of discordance of sentiment. Let those who contest this point, adduce an instance of any political question of equal importance carried by such a vote?

Yes, fellow citizens and fellow-republicans of America, we rejoice at the adoption of this measure. It is a pledge of union among us, and, we trust, a forerunner of a good understanding with Britain. That nation is entitled to our respect, and is worthy of our esteem. We wish them well. Let them be just, & the ties that unite us need not be severed. Our prospect brightens. The affairs of that nation are transferred to men whose past lives are a pledge that they will be animated by principles of honor, of justice, and of reciprocity. Our determination to take vigorous measures, our having actually taken them, by demonstrating the sense of this nation, and proving their unabated confidence in the Executive administration of their government, whose conduct needs but examination to be approved, will, we hope, strengthen these suggestions of honorable minds, and prostrate the barriers that intervene between the friendship of the two nations. At all events, be the issue what it may, we shall have done our duty, and will feel the precious consciousness which it always inspires.

(Nat. Int.)

A member of Congress, under date of the 26th inst. from Washington, writes as follows: "It is no longer doubted that the differences between the United States and Great Britain, will be happily accommodated—especially as, previous to the death of Mr. Pitt, instructions had been issued by the British government, to ascertain the number of American captures, and to estimate the damage sustained by our merchants." [Phil. Reg.]

On the 3d inst. two ships, three brigs and one schooner were lying at anchor in the river Ohio, opposite shipping-point. Total burthen, about 1300 tons! what a spectacle to the inhabitants of a country, situated, taking the course of the rivers, for near two thousand miles from the ocean, and which, but a few years since, was one uninterrupted wilderness!

Extract of a letter from an American captain in the Mediterranean received at Boston, dated Jan. 21, 1806.

"On my passage I was boarded by five cruizers, two British, two French, and one Spaniard; from all of whom, I received the most gentlemanly and polite treatment. I was first boarded by the Unit, British frigate; not a question was asked relative to the origin of the property, but merely whether the ship and property were neutral; and the registers, bills of lading, and the invoice of the cargo were with them sufficient evidence. I concluded from this gentle treatment, they were ignorant of the late decisions of the British courts, and ascribed my easy escape to the want of knowledge.—I soon after fell in with the *Etna* bomb ketch, right out of Gibraltar. "It is now all over with me," said I, "this fellow has a lesson to be learned from a different school; he has studied too deep to let me pass without meditation: but the same questions were made, and the same treatment were shewn me by the latter as the former, and I was suffered to proceed with the least hindrance possible. The two French cruizers merely asked for the evidence of the neutrality of the ship, and the French consul's certificate; and the Spaniard, in a little dirty Felucca, to my great astonishment came on board bowing and scraping, curving his body into an obtuse angle of at least 30 degrees, and was perfectly satisfied with the examination of the passport in four languages, and declared there was no document like that; it was sufficient, he said, to convince a Turk. This same fellow, twenty years ago, when crimes were committed in the Straights with impunity, would most likely have taken a man's teeth out of his head, if he could find nothing of more value.—Since the commencement of the French Revolution, I have not witnessed so much re-