

THE MARYLAND GAZETTE,

Containing the freshest Advices foreign and domestic.

THURSDAY, May 17, 1753.

The Duke of Newcastle's Letter, by his Majesty's Order, to Monsieur Michell, the King of Prussia's Secretary of the Embassy, in Answer to the Memorial, and other Papers, deliver'd by Monsieur Michell, to the Duke of Newcastle, on the 23d of November, and 13th of December last.

Whitehall, Feb. 8, 1753.

S I R,

I LOST no Time in laying before the King, the Memorial which you delivered to me on the 23d of November last, with the Papers that accompanied it.

His Majesty found the Contents of it so extraordinary, that he would not return an Answer to it, or take any Resolution upon it, 'til he had caused both the Memorial, and the Exposition des Motifs, &c. which you put into my Hands soon after, by Way of Justification of what had passed at Berlin, to be maturely considered; and 'til his Majesty should thereby be enabled to set the Proceedings of the Courts of Admiralty here, in their true Light; to the End that his Prussian Majesty, and the whole World, might be rightly informed of the Regularity of their Conduct; in which they appear, to have followed the only Method, which has ever been practis'd by Nations, where Disputes of this Nature could happen; and strictly to have conform'd themselves to the Law of Nations, universally allowed to be the only Rule, in such Cases, when there is nothing stipulated to the contrary, by particular Treaties between the Parties concern'd.

The Examination, and the full Knowledge of the Facts resulting from it, will shew, so clearly, the Irregularity of the Proceedings of those Persons, to whom this Affair was refer'd at Berlin; that it is not doubt'd, from his Prussian Majesty's Justice and Discernment, but that he will be convinc'd thereof, and will revoke the Detention of the Sums assign'd upon Silesia; the Payment of which, his Prussian Majesty engag'd to the Empress Queen to take upon himself, and of which the Reimbursement was an express Article in the Treaties, by which the Cession of that Duchy was made.

I, therefore, have the King's Orders to send you the Report, made to his Majesty, upon the Papers abovemention'd, by Sir George Lee, Judge of the Prerogative Court; Doctor Paul, his Majesty's Advocate General in the Courts of Civil Law; Sir Dudley Ryder, and Mr. Murray, his Majesty's Attorney and Solicitor General. This Report is founded on the Principles of the Law of Nations, received and acknowledg'd by Authorities of the greatest Weight, in all Countries; so that his Majesty does not doubt, but that it will have the Effect desired.

The Points upon which this whole Affair turns, and which are decisive, are,

First, That Affairs of this Kind are, and can be, cognizable, only in the Courts belonging to that Power, where the Seizure is made; and, consequently, that the erecting foreign Courts, or Jurisdictions, elsewhere, to take Cognizance thereof, is contrary to the known Practice of all Nations, in the like Cases; and, therefore, a Proceeding which none can admit.

Secondly, That those Courts, which are generally filed Courts of Admiralty, and which include both the inferior Courts, and the Courts of Appeal, always decide according to the universal Law of Nations only; except in those Cases, where there are particular Treaties between the Powers concern'd, which have alter'd the Dispositions of the Law of Nations, or deviate from them.

Thirdly, That the Decisions, in the Cases complain'd of, appear, by the inclos'd Report, to have been made singly, upon the Rule prescrib'd by the Law of Nations; which Rule is clearly established, by the constant Practice of other Nations, and by the Authority of the greatest Men.

Fourthly, That, in the Case in Question, there

cannot even be pretended to be any Treaty, that has alter'd this Rule, or by Virtue of which, the Parties could claim any Privileges, which the Law of Nations does not allow them.

Fifthly, That as, in the present Case, no just Grievance can be alleg'd, nor the least Reason given, for saying, That Justice has been denied, when regularly demand'd; and as, in most of the Cases complain'd of, it was the Complainants themselves, who neglect'd the only proper Means of procuring it; there cannot, consequently, be any just Cause, or Foundation, for Reprizals.

Sixthly, That, even though Reprizals might be justify'd by the known and general Rules of the Law of Nations; it appears, by the Report, and indeed from Considerations, which must occur to every Body, that Sums, due to the King's Subjects by the Empress Queen, and assign'd by her upon Silesia; of which Sums his Prussian Majesty took upon himself the Payment, both by the Treaty of Breslau, and by that of Dresden, in Consideration of the Cession of that Country, and which, by Virtue of that very Cession, ought to have been fully, and absolutely discharged, in the Year 1745, that is to say, one Year before any of the Facts complain'd of did happen; could not, either in Justice or Reason, or according to what is the constant Practice between all the most respectable Powers, be seized, or stop'd, by Way of Reprizals.

The several Facts, which are particularly mention'd above, are so clearly stated, and prov'd, in the inclos'd Report, that I shall not repeat the particular Reasons and Authorities alleg'd in Support of them, and in Justification of the Conduct and Proceedings in Question. The King is perswaded that these Reasons will be sufficient also to determine the Judgment of all impartial People, in the present Case.

It is material to observe, upon this Subject, that this Debt on Silesia, was contract'd by the late Emperor Charles the Sixth; who engag'd not only to fulfil the Conditions express'd in the Contract, but even to give the Creditors such further Security, as they might afterwards reasonably ask. This Condition had been very ill performed by a Transfer of the Debt, which had put it in the Power of a third Person to seize, and confiscate it.

You will not be surpris'd, Sir, that, in an Affair, which has so greatly alarm'd the whole Nation, who are intitled to that Protection, which his Majesty cannot dispense with himself from granting; the King has taken Time, to have Things examin'd to the Bottom; and that his Majesty finds himself oblig'd, by the Facts, to adhere to the Justice and Legality, of what has been done in his Courts, and not to admit the irregular Proceedings, which have been carried on elsewhere.

The late War furnish'd many Instances, which ought to have convinc'd all Europe, how scrupulously the Courts here do Justice, upon such Occasions. They did not even avail themselves of an open War, to seize, or detain, the Effects of the Enemy, when it appear'd that those Effects were taken wrongfully before the War. This Circumstance must do Honour to their Proceedings; and will at the same Time, shew, that it was as little necessary as proper, to have Recourse elsewhere to Proceedings, entirely new, and unusual.

The King is fully perswaded, that what has pass'd at Berlin, has been occasion'd, singly, by the ill grounded Informations, which his Prussian Majesty has receiv'd of these Affairs: And does not at all doubt, but that, when his Prussian Majesty shall see them in their true Light, his natural Disposition to Justice and Equity will induce him, immediately to redress the Steps, which have been occasion'd by those Informations; and to complete the Payment of the Debt charg'd on the Duchy of Silesia, according to his Engagements for that Purpose. I am, with much Consideration,

Sir, your most obedient humble Servant, HOLLES NEWCASTLE.

CADIZ, January 8.

THE Chamber of Commerce has received Advice, that the three Register Ships, the Brilliant, the Notre Dame du Rosaire, and the Triumphant, left the Havannah the 28th of October last to return to Europe; but in passing the Bahama Channel, the Triumphant had the Misfortune to strike against a Rock, but being near the Coast, the Crew got ashore, and saved the Money, and most of the valuable Effects that were on board. The Arrival of the other two is impatiently expected, the Cargoes being valued at 4,000,000 of Piastras.

LONDON.

Extra of a Letter from Amsterdam, dated Jan. 2.

The Empress of Russia is very warmly solicited by the King of Sweden to consent to a Negotiation being set on Foot for restoring a perfect Harmony and Friendship between the Courts of Petersburg and Berlin; but her Imperial Majesty discovers a remarkable Coldness in this Affair. That Princess is so sensibly piqued against the King of Prussia, that his Swedish Majesty will find it a Matter of much Difficulty to restore a good Understanding between the two Crowns. Her Imperial Majesty is, on the other Hand, very solicitous to obtain the King of Poland's Accession to the Alliance of the North, in order to consolidate the Measures concern'd between the Courts of Vienna, Petersburg, and Hanover.

The Negotiations of the Magistrates of Dantzick at Hanover for a Loan of 500,000 Florins is drawn greatly into Length, on account of some Differences in settling the Rate of Interest. The Regents of Hanover will not advance the Money under Five per Cent, and the Dantzickers will give but Four. They say they can have at Berlin, as much Money as they want, at somewhat less than Three and a half. But the People of Hanover know well, that if they could have a Million in that City at two per Cent, the Magistrates at Dantzick will never chuse to have for their Creditor a Prince whose Neighbourhood often gives them very uneasy Apprehensions.

Jan. 16. They write from Lewis in Suffex, that they have an Account of nine or ten Vessels, being ashore near Beachy, and Shoreham.

By a Letter from Dartmouth, dated the 12th Instant, we learn, that they had very stormy Weather on that Coast, and that three Vessels were wrecked between that Port and Plymouth; one a Schooner for London, for Fyall, laden with Fruit, which beat to Pieces at the Start Point, and the Mate only saved; one beat to Pieces at the Proul, and all the Crew perished; some Pipes of Wine drove ashore from her: The other was lost in Brighury Bay, a Galliot Hoy, from Cherante for Hamburg, with Wine and Brandy, but the People are all saved, and Part of the Cargo. The Ship bulged.

The Union, Jones, from Limerick, for London, is lost off Beachy, the Master and two Men missing.

The Johanna Theresa, Strobin, from Hamburg for Cadiz, is lost off Portland, the Master and five of the Crew drown'd.

We hear that the Samuel, Killekelly, from St. Kitts for London, is ashore near Hurst Castle, near the Isle of Wight, and like to be lost.

The King of Prussia, Capt. Long, for Hamburg, from Bourdeaux, laden with Wine, &c. is ashore off Kimridge, near Pool; Part of the Cargo will be saved. A Sloop is lost near the same Place, with Brandy, and three of her People drown'd.

They write from Pool, the 13th, that the Argyle, Capt. Cole, lately ran ashore, is since beat to Pieces, and the Chief of her Cargo destroy'd.

A Brigantine and Sloop are lost in Dunstone Bay, and the People drown'd. Part of the Cargo drove ashore from the Wreck, being chiefly Grocery.

Jan. 18. On Wednesday Night the ———; William

any Claims... they shall be paid: indebted to the said... Payment: bington, Ex-ecutor.

March 13, 1753. Time limit-... of Tobacco, without it should be... and as that is... Notice to... indebted to me, in... That they do... by the first Day... and if any Per-... Payments by the... I shall put such... to myself and Fa-... Snowden.

WALLAGE, ER, near the Church in... formerly kept... of STAYS, and as cheap as can... several good... in London, and large... of Silk, and every... the Business, pur-... certainly be more... to have their Stays... to send for them, ... may be sooner sup-... better fitted, by... want, ... Wallage.

March 1, 1753. having erected... and sells RUM... Continent, at Two... gallon, by the Hog-... stoles weighing four... 75. Mill'd Dollars... Money equal... for wanting Copper... or Copper Worms, ... shillings and Six Pence... cock Bigger.

likely Negro... Years of Age, who... ll, and do House... ere is a Va-... Queen Anne's County... himself a Member... capable of teachi... arithmetic, and good... tors of said School, ... gement as the Law... port them in.

right, Reg. D, and eighty-se-... led Pool's Delight, ... ar the main Road, ... Town, whereon is ... her small Improve-... id will make choice... springs, and is well... Stock. For Terms apply... Middleton.

Charles-street; a moderate... after for Con-