

could not be foreseen by the convention, who had authorized the governor to transact all executive business, where the concurrence of council was not required by law; and that even with all these duties, and almost the whole of the powers of the governor which they have assumed, the council find themselves at leisure two thirds of the year; and when the constitution is executed and this clause is settled the governor may also learn, if he does not yet know it, that if he should go home with the council for a great part of the year, it will be better for himself and not worse for the public. We see governors of other states, with greater powers than the constitution ever contemplated to vest in a governor of Maryland, and where there is no council at all, live generally at home, and sometimes leave the state; we see the president of the United States absent from the seat of government half the year, and the sun still rises and sets as usual, without a council to regulate its course. All this may teach a governor and council of Maryland, that their absence is not likely to cause any great political change—that it never was committed but to one ATLAS to sustain the world on his shoulders, and that the great art of governing well, is not to govern too much.

On the authority of the governor of Maryland to preside in council before the revolution, we shall speak fully in our next, and we shall close for the present with due notice of one of the most extraordinary passages of this address of the Friend to Candour; but for that personal respect which we wish to preserve, we should observe that it would defy the powers of chemical analysis to ascertain whether this is an extract from lead or brass, or from a compound of both, amalgamated in the same crucible, or whether it is only an harmless joke intended as a *jeu d'esprit*; if the latter, it is certainly as awkward as a *jeu d'esprit* of an old-fielder just escaped from the ideo of March. The passage is this—"If the council should advise that he, (the governor,) should act the hero, (a term by no means ridiculous among military men,) this advice would operate as an order; and if after a particular period they should advise him to relinquish that command, it would be equally imperative." So if they should advise him to act the hero, he must do so, whether he is an hero or not: This is imperative with a witness—this is commanding nature as well as the governor. This hint seems evidently taken from the governor of Barataria, the only governor of history, or romance from whence the Friend to Candour could have derived his ideas of government—the passage to which it is supposed he alludes is not quite accurately quoted: it is from lib. 4, cap. 1, (Smollet's translation of Don Quixotte,) it stands thus—"Arm my lord, the enemy approaches—advise one counsellor. For what should I arm, replies the governor, I neither know the use of arms, nor can give you protection: How, my lord governor, cries another counsellor, what despondence is this—Come forth! and be our guide and our general, seeing of right that place belongs to you as being our governor."

A governor may be very infirm and despicable with the gout, as one governor of Maryland has been; he may be totally unacquainted with military affairs, as several have been, and in the present state of the military science this knowledge is not to be gained by intuition; and will not be ridiculed by military men, or any wise men; in fact a governor may know no more of an order of battle, than the Friend to Candour knows of the constitution of Maryland; and above all a privy counsellor within may whisper and advise, Mr. Governor do not go! you will certainly run away the first shot that's fired! And yet under all these impressions, if the council advise it, he must play the hero whether he will or not! if so they should be better counsellors than the Friend to Candour—they should be men who would not insult the public with such a rhapsody of nonsense. What is the language of the constitution? sec. 33, "The governor, when embodied, i. e. militia, shall alone have the direction thereof, and shall also have the direction of all the regular land and sea forces, &c. he shall not command in person, unless advised thereto by council, and then only so long as they shall approve thereof." In what part of this clause did the Friend to Candour find that he shall command in person, if the council advise it?—The power conferred on the governor here is precisely, (by the language,) the same as the other powers he is to exercise by the advice and consent of council; the phraseology only is necessarily altered, as it stands as an exception to the general power, conferred on the governor alone immediately before, of directing solely the military force; an exception founded on obvious and sound reasons; a governor may desire to command in person; he may believe himself qualified; he may think military knowledge ridiculous, and may imagine himself an hero as many men have done till they were tried; and he may feel it a point of honour to render his personal services: The convention therefore to avoid the misfortune of an inexperienced and unqualified man at the head of the army, has qualified that general direction which it vested in the governor over military affairs, by compelling him to obtain the advice and consent of council to his command in person; and as the council can advise him to command indefinitely, they may also limit the term to which that advice shall extend; this perhaps would have been the case without express provision, for *omne majus continet in se minus*—and the power of advising for an indefinite term, naturally includes a power to advise for a less or limited term:—Where then is this extraordinary power to be found by which the council could, order an infirm gouty old man, an inexperienced lawyer, or a feithless coward, (no personal allusion is here intended,) to command in person, whether he will or not?—only in the distempered imagination of the Friend to Candour.

A CIVIL OFFICER OF MARYLAND.  
(To be continued.)

PHILADELPHIA, May 12.

Yesterday arrived from quarantine, the ship *Caroline*, capt. Motley, from Cork; by whom we have papers to the 1st of April, which furnishes us with the following

LATE ADVICES.

GENOA, March 5.

Conscripts are daily arriving from France for completing the demi-brigades in Italy; 400 are now quartered here. The government provides for the subsistence of the troops of that nation which are in Liguria, by arrangements with contractors, but with whom this contract is only made for one year. For some days considerable bodies of French troops have been marching towards the Levant.

LE Y D'EN, March 22.

The formidable preparations making in England, appear more and more to awaken the solicitude of the French government, and dispositions are already made at all events, as if war were inevitable. It could hardly have been hoped, under the present circum-

stances, that the two belligerent powers would tolerate the neutrality of the Batavian republic; but if there were the smallest grounds for uncertainty on that head, all hopes of the kind are now totally vanished. We learn that France has demanded of the Batavian government, that the necessary preparations for the maintenance of a considerable corps of French troops shall immediately be made, which troops are said to be already on their march for our frontiers: Though this measure be only precautionary, it proves how much the French government, notwithstanding the silence observed by its journals, attaches importance to what passes in England.

It was not impossible to imagine that the first consul after the high degree of glory and power which he had acquired, would ever yield to menaces. It appears that the French army destined to cover Holland in case of invasion, and no doubt, also to take part of a general expedition against England, will be distributed in the principal towns in Holland. It is not yet known where the head quarters will be fixed: It is said that general Durde has set out for Berlin, to require of that court the most prompt measures with respect to the electorate of Hanover. Thus on every side semi-hostile preparations do not even await the declaration of war, and without the intervention of a tutelary genius, it seems that the friends of humanity will in a few days have again to lament its fate.

General Cesar Berthier, brother to the minister for war at Paris, and who had arrived in Holland in quality of chief of the staff to the expedition to Louisiana, on Wednesday quitted the Hague, on another destination. He is gone to Helvetius, to embark for Dunkirk, whence he will go to Tobago, with the character of captain-general of that island: It appears likewise, that the departure of the troops, at the head of which general Victor is to take possession of Louisiana, will be hastened.

PARIS, March 16.

Within these few days, orders have been dispatched to all our sea ports, to hasten the equipment with all possible zeal; and these orders are not alone confined to ships of the line, frigates and other vessels of war, but extend to the getting in readiness of a considerable number of gun-boats and flat bottomed boats; the latter are chiefly fitted out at Cherbourg and Bologne.—The pressing of marines and others used to the sea, will be put vigorously into effect: From the interior 50,000 men will be draughted to march to the sea coasts; and this number, added to that already there, will form an army of 120,000 men. These military operations, and other circumstances, give cause of apprehension, that the peace with England is on the point of being broken and which may turn out not a little disastrous for both nations.

The minister of the marine received intelligence on the 13th, that the English fleet in the Mediterranean has been lately reinforced by several ships from England and Gibraltar, which lately passed the Straits. This is considered as a new proof that the English do not intend to evacuate Malta.

LONDON, March 27.

A letter from Berne, addressed to an eminent commercial house in Hamburg says—"We are now virtually Frenchmen, and are perfectly sensible of the degradation of our situation—the government which has been imposed on Switzerland is offensive to the great majority of the people, and they look forward with impatience for a safe occasion to shake it off. The internal relations of France are of such a nature as must, within the period of a few years, produce great and wonderful changes."

Letters from Vienna, Trieste, &c. mention that a great number of French troops were on their march to Lower Italy. These accounts add, that they are to embark for Malta and Egypt, in the event of the English delaying to evacuate them.

On Thursday night new press-warrants, with urgent orders, were sent off in different directions; many more ships are ordered into commission; orders have been given for all the three deekers to be got ready for sea service as soon as possible, in preference to every other rate. From the outports yesterday, we learn, that at Portsmouth, orders are received to fit for a state of commissioning, without delay, ALL the line of battle ships at that port, not in need of repairs.

All the gun and flat bottomed boats, as well as small craft, there, are ordered into a state of readiness.

The stock jobbers and speculators in the funds were on Friday more industrious than usual in circulating rumors of an alarming tendency.

The ships destined to protect the entrance of the Thames are getting ready as floating batteries with all possible dispatch. They will occupy, at the North, the customary station calculated for that object.

S A L E M, May 4.

From the Cape of Good Hope.

Captain Richard Gardner passenger in the *Franklin*, from the Cape, arrived here yesterday by way of the Vineyard, and favoured us with two numbers of the Cape-Town Gazette, from which we find that, agreeably to the treaty of peace, that place has been given up by the British to the Batavian republic.—The late British governor (Francis Dundas) on the 20th February, issued his proclamation, notifying that the restoration would take place the next day, and releasing the inhabitants from their oath of allegiance to his Britannic majesty.—The Batavian troops took possession of the castle on the evening of the 20th, and the next morning displayed their

colors.—At 8 o'clock the large Batavian standard was seen flying; when the Batavian man of war, the *Spion*, together with the British admiral, saluted the same, and were answered by the castle.—The same day the Batavian governor-general (Janse) gave an elegant dinner to General Dundas and other British officers assisting.—On the 25th, the commissary-general from the Batavian republic also gave a dinner, on account of the approaching departure of gen. Dundas and admiral Coëtlicq.—The toasts of his Britannic majesty's health, and of the welfare of the Batavian government, were given with a royal salute.—On the 1st of March, solemn thanksgiving was held in the churches, and afterwards the governor-general, council of police, and other officers were installed and proclaimed.—An elegant supper and ball succeeded in the evening, and many of the houses in the town were illuminated.—On the 3d of March admiral Coëtlicq took leave of the commissary-general and the governor, and on going on board his ship was saluted by the battery.

B O S T O N, May 6.  
From the Mediterranean.

Late and authentic.

In the ship *Perseverance*, which arrived yesterday from Leghorn and Gibraltar, William Eaton, Esq. our consul for the city and kingdom of Tunis, came passenger; and will immediately proceed to the seat of government: Doctor George Davis, of New York, is left charged with affairs.

"As late as the 1st of April Malta was not retaken by the English; nor any apparent movement to that effect. It was said that transports were sent to bring off the British garrison from Alexandria, but, it is thought, more probably to provision them."

"In consequence of the late mutiny at Gibraltar the duke of Kent was about to return to England and the garrison to be relieved."

"The French government has finally adjusted its misunderstanding with the regency of Algiers, by general accession to the dey's terms. Consular says, that Talleyrand has touched a *doublet* from the Jews Bocri and Buhnah; and consequently persuaded his young master into a decision on which he is long balanced between commercial policy and private ambition.—Buohzparte might, indeed, have added one more sprig to the laurels which already clouded his brow, by annexing the "potent dey" to the catalogue of his slaves, and might have done something had some for the pockets of the consuls.—But the archbishop is of opinion, that it would be killing the goose for an egg—that Algiers in activity would ultimately of more utility to the French republic and, of course, to their sovereign, than Algerian ruins—and that notwithstanding all the *sanctions* displayed on the subject, his piratical highness ought to be secure in the friendship of the first consul. Consequently that chief of brigands will have nothing the ensuing season to check his depredations on whatever tributary nation avidity shall direct his daring, whose delinquency may furnish him with a pretext."

"The dey positively refuses to receive Mr. Cathcart as consul for the United States; and as decidedly rejects cash in lieu of the naval stores, in payment of the annual tribute for the last and present year. According to the statement of Mr. O'Brien there will be an arrearage due that regency, on the 1st September next of 124,073 dollars; it being the tribute and contingencies of two years; including 20,000 dollars, estimated consular present, and 5,000 dollars, ransom of the mallee and four seamen of the brig *Franklin*, from the baltaw of Tripoli, through the intervention of Algiers."

"The bey of Tunis requires, and is refused to have, as a demonstration of the real friendship of the president of the United States, a good frigate of thirty-six guns; and sundry articles of smaller consideration, which he has signified to the governor. He asserts a right of free inter course with Tripoli, contempt of an actual blockade; and declares his determination to hold the United States amenable for all infractions of this assumed right. He has consulted Mr. Eaton, because, he says, he must have an American consul with a disposition more congenial to Barbary interests! Or, in the language of his minister, more pliable to his views. This chief is endeavouring to negotiate a peace with Portugal, with a view of giving his corsairs a greater range, by passing them into the Atlantic. It is yet uncertain which his loyal friends, the Danes, Swedes or Americans will be designated as their prey."

"The baltaw of Tripoli, now at peace with the rest of the world, treats with contempt the offers of pacification proposed to him in writing by Mr. Cathcart on the part of the United States, conformity to instructions from the department of state.—The notion of peace without paying is a selfishness in Barbary. It is impossible, however, to determine what influence the appearance of Commodore Morris will have on the resolutions of this pirate, as none of his frigates has hitherto been before Tripoli."

"Citizens of the United States! your British lords assumed a majestic tone with you; and you take an attitude with them a little more *à la mode* of yourselves, to the common course of the war, they will soon add, "By the sweat of your brow shall support your dissolution and our insolence!" It is not already the language of their behaviour?"

N E W Y O R K, May 11.

Latest from France.

Captain Godden, who arrived here yesterday from Bordeaux, lets that place on the 29th of March. He confirms the news already received, that pro-