

Extract of a letter from an officer on board one of our frigates, dated the 30th ult. off Ushant.

"I dare say the papers have by this time given an account of the Brest fleet attempting to come out; the manner I will tell you. On Sunday morning last, a convoy, was observed under the land, apparently bound to Brest, which, after being attacked by two of our brigs, took shelter under the battery of St. Matthew. Tuesday, at day break, three sail were seen coming out of the harbour, as if to protect them in, when we immediately chased, and with our small squadron, viz. three frigates and two brigs, made them all take shelter under the batteries, of which we informed the admiral by a cutter, who sent us two line of battle ships, the Colossus and Bellerophon, when we all got under weigh, and stood right in, with intent to cut them out, when the whole Brest fleet, viz. twenty-one sail of the line, six frigates, and a brig, immediately got under weigh, and stood out. A grander sight you can scarcely imagine. The cutter was again dispatched to our fleet, and at half past four eighteen sail joined us, and every one expected, and indeed longed to begin, when the admiral made a signal to haul off. The enemy were at anchor nearly within gun-shot of us. They have all returned into port."

PLYMOUTH, April 3.

"This day letters have been received from the Channel fleet, cruising off Brest, by which it appears, that on Saturday last, the French fleet, consisting of 21 sail of the line, five of which were three deckers, besides several very heavy frigates, were lying at anchor in Bertheaume Road, near Brest, and that great hopes were entertained that an action would be bro't on between the two fleets, as the British were at that time very near them; and when the account came away, the Windsor Castle, of 98 guns, capt. Gould, which was the van ship of the fleet, was firing at the French ships from both sides. The wind was at that time strong westerly, so that if the French were, as usual, disposed to be very shy, they would endeavour to skulk again into Brest, as the wind favoured such a purpose. We are hourly looking out for further accounts from them. The Hibernia, of 120 guns, and the Ajax, of 80 guns, sailed from hence on Monday last, and, no doubt, have reinforced the British ere this."

NASSAU, (N. P.) April 23.

We are enabled to state, from very good authority, that communications have been made from the French admiral commanding the Squadron on the windward islands, to the general of marines at Havanna, apprising him that in all probability he may very soon visit that port with his Squadron.

A report was also current in the Havanna and generally credited, that an American had fallen in with a French Squadron, consisting of seven sail of the line, some frigates and transports, having on board a number of soldiers, and said to be bound, in the first place, against the island of Trinidad.

CHARLESTON, May 6.

The last accounts received at St. Pierre's of the Rochefort Squadron, were that they had gone into one of the Brigand ports, on the south side of St. Domingo, destroyed a number of American and other neutral vessels, and hung their crews. A particular instance was stated of an armed ship belonging to Salem; the whole crew of which, with the exception of the cabin boy, whom they considered innocent, were put to death.

It was supposed that the fleet, after leaving St. Domingo would proceed for Havanna.

BALTIMORE, May 17.

By captain Lewis, arrived at New-York on Tuesday last, from Lisbon, in 44 days, we learn that capt. Sterett, who with his surviving crew, had been taken off the Canton, had been landed at Lisbon. It is probable that his fellow-sufferers had also been landed with him, though of this we are not informed. A brig from Baltimore sailed in company with captain Lewis, and may have on board those sons of misfortune, and in a few days restore them to the eager embraces of their families and friends.

Since writing the above, we learn that the ship Huron has arrived in the bay, from Lisbon, with a number of the Canton's men, and that captain Sterett has just come up in a boat, having left the ship below.

May 20.

The ship Two Friends left Belfast on the 13th of April.—Our files of papers by her extend only to the 4th of that month, and we do not learn that she has brought any later.—The captain informs us that the Brest fleet of 25 sail were out, and that they were in pursuit of the British Channel fleet, which consisted of only 19. [Mer. Adv.]

[That the French fleet are out of Brest, as mentioned in our paper a few days ago, received by a dispatch vessel at Martinico, seems to be confirmed by the above, as also the extract of a letter from which the British admiral ordered his advance ships "to haul off" from the French fleet.—From all the accounts, there appears little doubt, but we may hourly look for some interesting intelligence.]

[True American.]

May 22.

Arrived—Brig Comet, Tombs, Charleston, 6 days. On Friday last, spoke brig Sea Nymph, 9 days from the Havanna, who informed captain Tombs, that an American vessel had arrived there, which passed off Cape Nicholas Mole, a French fleet of 19 sail of the line, and a number of frigates, destination unknown.

## In Council.

ANNAPOLIS, MAY 16, 1805.

ORDERED, That the act to provide, for the trial of facts in the several counties of this state, and to alter, change and abolish, all such parts of the constitution and form of government as relate to the general court and court of appeals, be published twice in each week, for the space of three months, in the Maryland Gazette, at Annapolis; the American, Telegrapher, and the Federal Gazette, at Baltimore; the National Intelligencer; the Republican Advocate and Bartgis's paper, at Frederick-town; Grieves's paper, at Hagar's-town; and in Smith's and Cowan's papers, at Ealton.

By order,

NINIAN PINKNEY, Clerk.

An ACT to provide for the trial of facts in the several counties of this state, and to alter, change and abolish, all such parts of the constitution and form of government as relate to the general court and court of appeals.

BE it enacted, by the General Assembly of Maryland, That this state shall be divided into six judicial districts, in manner and form following, to wit: Saint-Mary's, Charles and Prince-George's counties, shall be the first district; Cecil, Kent, Queen-Anne's and Talbot counties, shall be the second district; Calvert, Anne-Arundel and Montgomery counties, shall be the third district; Caroline, Dorchester, Somerset and Worcester counties, shall be the fourth district; Frederick, Washington and Allegany counties, shall be the fifth district; Baltimore and Harford counties, shall be the sixth district; and there shall be appointed, for each of the said judicial districts, three persons of integrity and sound legal knowledge, residents of the state of Maryland, who shall, previous to and during their acting as judges, reside in the district for which they shall respectively be appointed, one of whom shall be styled in the commission Chief Judge, and the other two Associate Judges, of the district for which they shall be appointed; and the chief judge, together with the two associate judges, shall compose the county courts in each respective district; and each judge shall hold his commission during good behaviour, removable for misbehaviour on conviction in a court of law, or shall be removed by the governor, upon the address of the general assembly, provided that two thirds of all the members of each house concur in such address; and the county courts, so as aforesaid established, shall have, hold and exercise, in the several counties of this state, all and every the powers, authorities and jurisdictions, which the county courts of this state now have, use and exercise, and which shall be hereafter prescribed by law; and the said county courts established by this act shall respectively hold their sessions in the several counties at such times and places as the legislature shall direct and appoint, and the salaries of the said judges shall not be diminished during the period of their continuance in office.

II. And be it enacted, That in any suit or action at law hereafter to be commenced or instituted in any county court of this state, the judges thereof, upon suggestion, in writing, by either of the parties thereto, supported by affidavit, or other proper evidence, that a fair and impartial trial cannot be had in the county court of the county where such suit or action is depending, shall and may order and direct the record of their proceedings in such suit or action to be transmitted to the judges of any county court within the district for trial, and the judges of such county court, to whom the said record shall be transmitted, shall hear and determine the same in like manner as if such suit or action had been originally instituted therein; provided nevertheless, that such suggestion shall be made as aforesaid before or during the term in which the issue or issues may be joined in said suit or action; and provided also, that such further remedy may be provided by law in the premises as the legislature shall from time to time direct and enact.

III. And be it enacted, That if any party presented or indicted in any of the county courts of this state, shall suggest, in writing, to the court in which such prosecution is depending, that a fair and impartial trial cannot be had in such court, it shall and may be lawful for the said court to order and direct the record of their proceedings in the said prosecution to be transmitted to the judges of any adjoining county court for trial, and the judges of such adjoining county court shall hear and determine the same in the same manner as if such prosecution had been originally instituted therein; provided, that such further and other remedy may be provided by law in the premises as the legislature may direct and enact.

IV. And be it enacted, That if the attorney-general, or the prosecutor for the state, shall suggest, in writing, to any county court before whom an indictment is or may be depending, that the state cannot have a fair and impartial trial in such court, it shall and may be lawful for the said court, in their discretion, to order and direct the record of their proceedings in the said prosecution to be transmitted to the judges of any adjoining county court for trial, and the judges of such county court shall hear and determine the same as if such prosecution had been originally instituted therein.

V. And be it enacted, That there shall be a court of appeals, and the same shall be composed of the chief judges of the several judicial districts of the state, which said court of appeals shall hold, use and exercise, all and singular the powers, authorities and jurisdictions, heretofore held, used and exercised, by the court of appeals of this state, and also the appellate jurisdiction heretofore used and exercised by the general court; and the said court of appeals here-

by established shall sit on the western and eastern shores for transacting and determining the business of the respective shores, at such times and places as the future legislature of this state shall direct and appoint, and any three of the said judges of the court of appeals shall form a quorum to hear and decide in all cases pending in said court; and the judge who has given a decision in any case in the county court, shall withdraw from the bench upon the deciding of the same case before the court of appeals; and the judges of the court of appeals may appoint the clerks of said court for the western and eastern shores respectively, who shall hold their appointments during good behaviour, removable only for misbehaviour on conviction in a court of law; and in case of death, resignation, disqualification, or removal out of the state, or from their respective shores, of either of the said clerks in the vacation of the said court, the governor, with the advice of the council, may appoint and commission a fit and proper person to such vacant office, to hold the same until the next meeting of the said court; and all laws passed after this act shall take effect, shall be recorded in the office of the court of appeals of the western shore.

VI. And be it enacted, That all and every part of the constitution and form of government which relates to the court of appeals and the general court, or the judges thereof, or that is in any manner repugnant to, or inconsistent with, the provisions of this act, be and the same is hereby repealed; abrogated and annulled, upon the confirmation hereof; provided, that nothing herein contained shall be construed so as to authorise the removal of the clerks of the respective county courts, being in commission at the time of the passing of this act, in any other mode or manner than that prescribed by the constitution and form of government.

VII. And be it enacted, That if this act shall be confirmed by the general assembly, after the next election of delegates, in the first session after such new election, as the constitution and form of government directs, that in such case this act, and the alterations and amendments of the constitution and form of government therein contained, shall be taken and considered, and shall constitute and be valid, as a part of the said constitution and form of government, to all intents and purposes, any thing in the said constitution and form of government to the contrary notwithstanding.

## Farmers Bank.

NOTICE is hereby given, that BOOKS will be opened at the county town in every county in the State of Maryland, for the purpose of receiving subscriptions to the Farmers Bank of Maryland, on Tuesday, the 16th of July next, and continue open on Wednesday the 17th, agreeably to law, if the shares are not all taken on the first day. 2  
May 13, 1805.

## NOTICE.

THE partnership of GEORGE & JOHN BARBER and Co. commencing the 9th of July, 1803, dissolved this day by mutual consent; all persons indebted to said firm are requested to come forward and settle their accounts, and all persons having claims against said partnership are requested to present them for payment to the subscribers, who are authorized to settle the same.

They offer for sale their stock of goods, being a general assortment of GROCERIES, &c. The terms will be made known on application.

There are a number of articles in their possession, which came from Baltimore in the packets, (the owners of which are unknown) to wit: Four trunks, a bag of sailor's cloaths, a small bundle of cloaths, marked C R, one barrel of sugar, one barrel of porter, a bar of iron, and a small parcel of china, marked A M T. The owners of the above-mentioned articles are requested to come forward and pay the charges thereon, on or before the 4th day of July next, otherwise they will be sold for that purpose.

GEORGE and JOHN BARBER.

May 11, 1805.

## NOTICE.

THE subscriber having obtained from the orphan's court of Anne-Arundel county letters testamentary on the estate of MARGARET HALL, late of said county, deceased. All persons having claims against said estate are requested to exhibit the same, properly authenticated, and those indebted are desired to make immediate payment, to

ALLEN B. DUCKETT, Executor.

May 21, 1805.

By virtue of a writ of *venditioni exponas* to me directed out of Anne-Arundel county court, at the suit of Johonott and Small, will be EXPOSED to PUBLIC SALE, on the premises of James Goven Howard, on the 5th of June next, the following property, to wit:

ONE negro boy, horses, and household furniture. The terms will be for cash.

HENRY HOWARD, Late Sheriff.

April 20, 1805.

## TO RENT,

THE TAVERN and FERRY, at *Havre-de-Grace*, where JOHN H. BARNEY formerly lived, generally known by the name of *the Lower Ferry*. To a person who is accustomed to managing a ferry the rent will be made very low. For terms apply to the subscriber, at *Havre-de-Grace*.

WILLIAM B. STOKES.

May 9, 1805.