

MARYLAND GAZETTE.

THURSDAY, SEPTEMBER 15, 1808.

LATE Foreign Intelligence.

BY THE ARCTURUS, ARRIVED AT BOSTON.

BOSTON, September 5.

LATEST FROM SPAIN.

ON Saturday arrived the fast sailing ship Arcturus, capt. Main, in 48 days from St. Sebastians. Among the passengers in this ship, came P. R. Livingston, Esq; who is the bearer of several sets of dispatches from the French government to our own. Mr. Livingston reports, that a few days before he sailed, he was at Bayonne, where a private interview took place between the French emperor and himself: that on taking leave he was intrusted by the emperor, with a verbal message to the president of the U. States; but which he was not now at liberty to communicate. It is understood, however, that the French decrees, against neutral commerce, were not to be relaxed at present; of this we have ample evidence in the subjoined list of condemnations. No American vessels had been released under Murat's decree.

The general complexion of affairs in Spain, is said, by several of the passengers, to be highly flattering; that no doubts were entertained of the final success of the Spanish patriots; that the armies were filling up with volunteers; that arms and ammunition were continually arriving, and the collected force, when arranged and supplied with military stores, would far exceed any force or body of men, Buonaparte could bring against them; that at present the steps of the Spaniards were precautionary, although in every instance, where they have been brought into action, they have succeeded in repelling or destroying their enemies. The following summary, presents a number of instances of this valour and intrepidity. It was furnished by one of the passengers in the Arcturus, and may be relied on as containing facts:

All the provinces of Spain are in a state of revolution, and have actually declared war against France, except Guipuscoa, Biscay, Alava, and Navara—these being so near and immediately under the power of France, have not as yet taken up arms; but only out for a favourable moment to join the common cause—having the same sentiments as the other provinces respecting France.—However, many of the inhabitants have gone to Saragosa, and all the soldiers of two regiments, which garrisoned that town, with some of their officers, have also deserted.—This desertion was winked at by the Spanish commander. The French troops, under gen. Lefebvre, who made repeated attacks during 30 days on Saragosa, were always repulsed with great loss. The Spaniards fought on several occasions with unheard of bravery; and feel confident of success in their just cause. The annexed list of gen. Palafox, will shew the spirit which actuates the patriots of that brave people.

There is but little doubt that gen. Dupont, with about 17,000 men, who passed the mountain of Sierra Nevada, towards Seville and Cadiz, has been entirely defeated at Cordova and Andujar. General Mouton, who went against Valencia, has also been defeated.

In consequence of the disasters of the French, a detachment of 17,000 men had been ordered at Burgos, and 3 or 4000 men (French) had abandoned Santander, after being in possession of the town for several weeks. The French continued in possession of Madrid, when the Arcturus sailed, as well as of Valladolid, Burgos, Victoria, Pampalona, and St. Sebastians; but a considerable army from Galicia and Malaga, was said to be marching towards Madrid. The lieutenant king, prince Murat, had returned to Bayonne, and had left, gen. Savary in his stead. The emperor created king, Joseph Buonaparte, with most of the Spanish grandees and the delegates with the new constitution, a copy of which has been received by the Arcturus, had set out for Madrid; were at St. Sebastians on the 9th July, where their reception was as cool as it possibly could be. Not a shout or cry in favour of the new king. Nothing was done but what the authorities were obliged to do. It was doubtful whether they would reach Madrid under such unfavourable circumstances. Most of the Spanish grandees did not hesitate to declare to their friends, that what they had done was forced on them; that they should on the first opportunity, join the patriots with their persons and property.

Palafox, the commander of the Spanish troops which took up arms against the French—is unmarried, about 32 years of age; youngest of three sons of a Marquis of that name, a family distinguished in the annals of Spain; he was a brigadier in the king's guard, and went with the young king Ferdinand 7th to Bayonne, where foreseeing what was to befall, he escaped to Saragosa, in Arragon, his native town, and put himself at their head.

Although the citadel of Barcelona is in possession of the French, the province of Catalonia is most-energetic, and have had several successful skirmishes.

There appears great mortality at Madrid among the French soldiers, as well as desertion to the Spanish side. The French officers have on various occasions expressed their dislike and regret to march against the Spaniards, in so unjust a cause. Almost all the French troops now in Spain and Portugal, supposed about 120,000, are young and of the last conscription, and let the issue be what it may, many cannot in all calculation return, or escape from slaughter. All the French at Oporto have, with the general, who is in the castle at Ferrol, surrendered to the Portuguese; but gen. Junot was at Lisbon at the last dates. All the proclamations of the provinces are warm and spirited, declaring that Spaniards war not against the French people, but against the Tyrant and Usurper.

Some days out from St. Sebastians, passed a convoy of 75 sail from Cork, with 10,000 troops on board, under gen. Wellesley; was boarded and informed they were bound to join the Spaniards and Portuguese against gen. Junot.

It appears from the latest accounts, that the Spanish war is exceedingly unpopular in France; that the Spanish royal family had been sent into the interior of France; that the troops lately sent into Spain by Buonaparte's orders were principally new and beardless conscripts; that Murat was still at Bayonne, and much indisposed; that the direct road from Bayonne to Madrid was in possession of the French, but was the only communication they had between the two countries.

Milan decree enforced.

We have received by the Arcturus three of the first condemnations by the council of prizes at Paris, of American vessels and cargoes, taken under the Milan decree of the 17th December. The first, on the 8th June (the first sitting) is the brig George, of Newburyport, capt. Bray, (late capt. Hale,) from Labrador to Bilbao, with fish and some oil, papers endorsed by the British, and being far north and in want of provisions and water, put into Falmouth for a supply, where the British government seeing the unjustness of the endorsement, granted a pass for the original destination and from further detention by British ships. No duties were required or paid at Falmouth. A few miles from the entrance of Bilbao harbour, was taken by a French armed boat of Bayonne, and sent into St. Sebastians, in Spain.

The second is the brig Vengeance, of Salem, capt. Ward Chipman, owned by Wm. Gray, Esq. condemned on the 15th June (the second sitting) bound with tobacco from Norfolk (from whence she sailed on the 4th December) for Bilbao, was endorsed on the 30th same month by the Iris frigate, capt. Tower. On the same night escaped and bore away for Bilbao. On the 6th January came to anchor at San Antonio; lost an anchor and run for Bilbao, and was taken by the same boat off said port of Bilbao, on the 7th, and sent into Passage, in Spain. The cargo was worth 180,000 dollars at the time of condemnation. Her cargo, consisting of about 180 hhd. of tobacco, would have brought 1 dollar per pound.

[An official copy of the above condemnation has been received at this office, a translation of which will be given in our next.]

The third is the ship Mars, of New-York, Charles Henry, master, condemned on the 15th June, bound from Savannah (whence she sailed the 4th January) for London, laden with rice and cotton. On the 4th Feb. in about lat. 49, 18, N. long. 11, W. was captured by a French privateer off Rochelle, and sent to Passage, in Spain. Capt. H. had not his papers endorsed, nor did he see or speak with any English or other vessel.

Captains Henry and Chipman, are passengers in the Arcturus.

All the foregoing are facts, and may be relied on.

It appears that after the date of the Milan decree, and perhaps at the time of Mr. Champagny's letter to Mr. Armstrong, an order was given to the council of prizes not to proceed on American cases; but soon after the arrival of the Oflag a counter order was given; and the three cited vessels were condemned, with many others, at the first and second sittings, being every Thursday, weekly. Most of the valuable vessels and cargoes were condemned on those days.

It was rumoured that a suspension took place in the council of prizes; but two gentlemen passengers per the Arcturus, saw a letter from Paris the day before their sailing, to a French gentleman at St. Sebastians, saying, that although it was supposed the council would not condemn any more, yet since the 15th of June, six more American vessels and cargoes had been condemned.

Among other remarkable cases, one is worthy to be noticed. A Salem brig, the Hipsy and Jane, was endorsed off the Cordovan on the 3d December, escaped the vigilance of the English and ran into Bayonne on the 6th; unloaded, and the captain went to Bourdeaux to consult and sell his cargo. On the 25th of the same month the government seized the

vessel and cargo, under the Milan decree of the 17th December, twelve days after the arrival of the vessel in port, and will no doubt condemn her—valued at 60,000 dollars.

Paris, June 20, 1808.

CAPTAINS BRAY AND CHIPMAN,

Gentlemen,

It gives me much pain to inform you, in answer to your letters of the 6th inst, that on recurring to the proceedings of the council of prizes, I find your vessels and cargoes have both been condemned. The one on the 8th and the other on the 15th inst. The reasons assigned for condemning the George, are, "because having been stopped by a British cruiser, she was carried into Falmouth, from which place she sailed with a king's licence." For condemning the Vengeance, "because she has been visited by British cruisers."

It is the duty of the agent of prize causes to give you all necessary information on this subject. Permit me therefore to refer you to him. I am, gentlemen, your obedient humble servant,

(Signed) JOHN ARMSTRONG.

From the Boston Chronicle.

By the Arcturus, capt. Main, arrived here on Saturday, in 48 days from St. Sebastians, we were favoured with a Bayonne paper of July 11.

It appears that his majesty Joseph I. left Bayonne on the 9th July for his capital; that the emperor his brother had accompanied him as far as Bildarte with a most brilliant guard, in which town the two monarchs embraced and took leave of each other with the greatest tenderness; that H. C. M. slept that night at St. Sebastians, where he was received with the greatest demonstrations of joy and respect.

The new constitution, a copy of which we understand is received by this vessel, was definitively accepted on the 30th of June, and sworn to by H. C. M. and the deputies, the king having previously to his oath addressed the assembly, to which they returned a loyal answer. The documents we are in hopes of having translated for our next Chronicle.

The oath was administered by the archduke of Burgos, dressed in his pontifical robes, attended by other dignitaries of the clergy. The king having placed his hand upon the holy evangelists, pronounced the form of oath that follows: "I swear upon the holy evangelists to respect and cause to be respected our religion, to observe and cause to be observed the constitution, to preserve the integrity and independence of Spain and her possessions, to respect and cause to be respected personal liberty and property, and to govern only with a view to the interest, felicity and glory of the Spanish nation."

The oath taken by the archbishop and dignitaries of the church, his attendants, presidents, secretaries, officers of the palace, deputies, &c. &c. was as follows: "I swear fidelity to the king, to the constitution and laws."

The assembly of deputies have ordered that several kinds of medals should be struck off to commemorate this event.

We understand further by the passengers, that the king had safely arrived in Madrid; that 70,000 more French troops had entered Spain to subdue the Southern provinces; that dispatches have been brought from our charge d'affaires at Madrid, for our government. We have been particular in inquiring about any movements among the powers of the north or south of Europe, but could not learn of any thing material.

The opinion of an intelligent passenger is that the malcontents in Spain will not be long able to withstand the powers and excellence of the new constitution, accompanied with the affable and energetic character of the new monarch.

The following is the Speech that H. C. M. JOSEPH III. pronounced, on submitting the constitution of Spain, which was UNANIMOUSLY adopted by the SPANISH NATIONAL ASSEMBLY.

Gentlemen Deputies,

I have wished to come in the midst of you before you separate. Brought together by the series of extraordinary events to which all nations have been subjected at more or less distant periods, and by the dispositions of my august brother the emperor Napoleon, you have displayed sentiments which are those of the age. You will find the result of them stamped in the constitutional act, which will be read to you.

With it will cease the long disasters of Spain: disasters which the secret uneasiness that has for a long time agitated this nation, gave but too much cause to apprehend. The effervescence which yet prevails in some provinces, will cease when the people shall know that their religion, their independence, and the integrity of their country are guaranteed: that their most precious rights are acknowledged, and when they shall see in these new institutions, the germ of the prosperity of their country; blessings which the