HALIFAX, JUNE 2.

Extract of a letter from Quebec, dated 6th May.

"The Woolwich, 44, armed *enflute*, arrived here yesterday morning, with Com. Sir James L. Yeo, and about 40 captains, lieutenants and midshipmen, and 450 picked seamen for the Lakes; all of whom sailed again in schrs. for Montreal, before the evening. Sir G. Prevost went off with his suite in the steamboat the evening before, in consequence of the disagreeable intelligence just received, that the American flotilla had attacked and taken York (the seat of government in Upper Canada) and that General Sheaffe was retreating on Kingston."

P. S. Since writing the above the Post is in, but no further particulars, excepting that the attack on York was made in 16 vessels, and the loss of the men on both sides very great: Capt. M'Neil, of the 8th reg. killed; also 40 of his company and 30 wounded.

ADMIRALTY OFFICE, LONDON, APRIL 20.

Letters of which the following are copies and extracts have been transmitted to this office by lieutenant Chads, late first lieutenant of his majesty's ship Java.

United States Frigate Constitution, off St Salvador, Dec. 31, 1812.

SIR,

It is with deep regret that I write you that his majesty's ship Java is no more, after sustaining an action on the 29th inst. for several hours, with the American frigate Constitution, which resulted in the capture and ultimate destruction of his majesty's ship. Capt. Lambert being dangerously wounded in the height of the action, the melancholy task of writing the detail devolves on me.

On the 29th inst. at eight A. M. off St. Salvador (coast of Brazil) the wind at N. E. we perceived a strange sail; made all sail in chase, and soon made her out to be a large frigate; at noon prepared for action, the chase not answering our private signals and tacking towards us under easy sail; when about four miles distant she made a signal, & immediately tacked and made all sail away upon the wind. We soon found we had the advantage of her in sailing; and came up with her fast, when she hoisted American colours; she then bore about three points on our lee bow. At fifty minutes past one P. M. the enemy shortened sail, upon which we bore down upon her; at ten minutes past two, when about half a mile distant, she opened her fire by giving us her larboard broadside, which was not returned till we were close on her weather bow. Both ships now manœuvred to obtain advantageous positions, our opponent evidently avoiding close action, and firing high to disable our masts, in which she succeeded too well, having shot away the head of our bow sprit with the jib-boom, and our running rigging so much cut as to prevent our preserving the weather guage.

At five minutes past three, finding the enemy's raking fire extremely heavy, capt. Lambert ordered the ship to be laid on board, in which we should have succeeded, had not our foremast been shot away at this moment, the remains of our bowsprit passing over his taffrail; shortly after this the maintopmast went, leaving the ship totally unmanageable, with most of our starboard guns rendered useless from the wreck lying over them.

At half past three our gallant captain received a dangerous wound in the breast, and was carried below; from this time we could not fire more than two or three guns until a quarter past four, when our mizen mast was shot away; then fell off a little and brought many of our starboard guns to bear; the enemy's rigging was so much cut that he could not avoid shooting ahead, which brought us fairly broadside and broadside.—Our main yard now went in the slings; both ships continued engaged in this manner till thirty-five minutes past four, we frequently on fire in consequence of the wreck lying on the side engaged. Our opponent now made sail ahead out of gunshot where he remained an hour repairing his damages, leaving us an unmanageable wreck, with only the mainmast left, and that tottering. Every exertion was made by us during this interval to place the ship in a state to renew the action. We succeeded in clearing the wreck of our masts from our guns, a sail was set on the stumps of the foremast and bowsprit; the weather half of the main yard remaining aloft, the main tack was got forward in the hope of getting the ship before the wind, our helm being still perfect, the effort unfortunately proved ineffectual from the mainmast falling o'er the side from the heavy rolling of the ship, which nearly covered the whole of our starboard guns. We still waited the attack of the enemy, he now standing towards us for that purpose; in his coming nearly within hail of us and from his manœuvre perceiving he intended a position ahead, where he could rake us without a possibility of our returning a shot; I then consulted the officers, who agreed with myself that our having a great part of our crew killed and wounded, our bowsprit and three masts gone, several guns useless, we should not be justified in wasting the lives of more of those remaining, who I hope their lordships and the country will think have bravely defended his majesty's ship; under these circumstances however reluctantly, at fifty minutes past five our colors were lowered from the stump of the mizen mast, and we were taken possession of a little after six, by the American frigate Constitution, commanded by commodore Bainbridge, who immediately after ascertaining the state of the ship, resolved on burning her, which we had the satisfaction of seeing done as soon as the wounded men were removed. Annexed I send you a return of the killed & wounded, and it is with pain I perceive it so numerous; also a statement of the comparative force of the two ships, when I hope their lordships will not think the British flag tarnished, although success has not attended us. It would be presumptuous in me to speak of capt. Lambert's merits, who though still in danger from his wound we still entertain the greatest hopes of his being restored to the service and his country.

It is most gratifying to my feelings to notice the gallantry of every officer, seaman and marine on board; in justice to the officers, I beg leave to mention them individually. I can never speak too highly of the able exertions of Lts. Harvingham and Buchanan, and also Mr. Robinson, Master, who was severely wounded, and Lts. Mercer and Davis, of the Royal Marines, the latter of whom also was severely wounded. To Capt. John Marshall, R. N. who was a passenger, I am particularly obliged for his exertions and advice throughout the action. To Lt. Alpin, who was on the main-deck and Lt. Saunders who commanded on the fore-castle, I also return my thanks. I cannot but notice the good conduct of the mates and midshipmen, many of whom are killed, and the greater part wounded. To Mr. T. C. Jones, Surgeon, and his assistants, every praise is due for their unwearied assiduity in the care of the wounded. Lt. Gen. Hislop, Maj. Walker and Capt. Wood, of his staff, the latter of whom was wounded, were solicitous to assist and remain on the quarter-deck.

I cannot conclude this letter without expressing my grateful acknowledgments, thus publicly, for the generous treatment Capt. Lambert and his officers have experienced from our gallant enemy, Com. Bainbridge and his officers. I have the honour to be, &c.

HY. D. CHADS.

P. S. The Constitution has also suffered severely both in her rigging and men, having her fore and mizen masts, main-top-mast, both maintopsail yards, spanker-boom, gaff and try-sail-mast badly shot, and the greater part of the standing rigging very much damaged, with ten men killed, the commander, fifth Lieutenant and 46 men wounded, 4 of whom are since dead.

Force of the two Ships.

JAVA.—28 long 18 pounders—16 carronades, 32 pounders—2 long 9 pounders.—46 guns.—Weight of metal, 1034lb—Ship's company and supernumeraries, 377.

CONSTITUTION.—32 long 24 pounders; 22 carronades, 32 pounders—1 carronade, 18 pounder—55—Weight of metal, 1490lb.—Crew 480.

[Here follows the lists of the killed and wounded—22 killed, 102 wounded.]

EXTRACT.

St. Salvadore, Brazil, Jan. 3, 1813.

I am sorry to find the Americans did not behave with the same liberality towards the crew that the officers experienced; on the contrary they were pillaged of almost every thing and kept in irons.

NOTICE.

A meeting of the citizens of the first Election District, will take place on Saturday the 26th inst. at a spring near Mr. Joseph Watkins's Black-smith shop, within a short distance of South River church. The attendance of as many of the gentlemen of the other districts, as can possibly make it convenient to attend, is also requested.

June 17. X

NOTICE.

The Chancery Office is again opened, and business will be transacted without delay. All persons who may have papers belonging to said office will please return them as soon as possible. The subscriber is under the necessity of informing the Gentlemen of the Bar, that papers must not be taken from the office without an order from the Chancellor.

3X JAS. P. HEATH, Reg. Cur. Can.

N. B. The Editors of the Federal Gazette, American, Frederick-Town Herald, and Hager's-Town Gazette, will give the above three insertions and forward their accounts to Mr. Heath.

B. CURRAN,

CORN-HILL-STREET, HAS FOR SALE,

A variety of Blue Cloths,
Blue and other Cassimeres,
Superfine Black Cloth,
Blue and Yellow Nankeens,
White and Corded Marseilles,
Cambrick Muslin and Shirting Cambricks,
Irish Linens and Long Lawn,
Buckskin and Beaver Gloves,
Silk and Cotton Stockings,
Bandana Handkerchiefs,
Linen Cambrick, & Hankerchiefs.

7 And a good assortment of Union Factory spun Cotton for Weaving, and twisted cotton for knitting and netting.

Annapolis, May 13, 1813. tf.

Public Sale.

By virtue of an order from the court of Calvert county, the undersigned commissioners offer for Sale, on the premises, at public auction, *on Monday the 9th of August next*, a Valuable Tract of Land, lying near All-Saint's Parish Church, in said county, late the property of Richard Bond, containing about eight hundred acres. Terms of sale, the purchaser or purchasers to give bonds, payable to the heirs, according to their respective proportions, on one, two, and three years credit, bearing interest from the day of sale.

5 *William Holland,*
Richard Grnhame,
Daniel Kent,
James Wilson,
John H. Chew.

May 20th, 1813. 8w.

A Teacher Wanted.

Upper-Marlbro' May 20, 1813,

Any Gentleman disposed to take charge of a School in this place, who is well qualified to teach the Latin Classicks, Reading, Writing, Arithmetic, and the English Grammar, will meet with encouragement on immediate application to the subscribers, provided he can produce satisfactory testimonials of his qualifications.

5X *Trueman Tyler,*
John Read Magruder,
John Hodges, of Thos.
Benjamin Hodges, of Thos.
John S. Brookes,
William B. Beanes.

Anne-Arundel County, sc.

ON application to me, the subscriber, in the recess of Anne-Arundel county court, as an associate judge for the third judicial district of Maryland, by petition, in writing, of WILLIAM WHETCROFT, of said county, praying for the benefit of the act for the relief of sundry insolvent debtors, and the several supplements thereto, on the terms mentioned in said acts, a schedule of his property, and a list of his creditors, on oath, being annexed to his petition, and having satisfied me that he has resided in the state of Maryland two years immediately preceding the time of his application, having also stated in his petition that he is in confinement for debt, and having prayed to be discharged; I do hereby order and adjudge, that the person of the said William Whetcroft be discharged from imprisonment, and by causing a copy of this order to be inserted in the Maryland Gazette for three months successively, before the third Monday in September next, give notice to his creditors, to appear before the county court of said county, on the said third Monday of September, for the purpose of recommending a trustee for their benefit, and to shew cause, if any they have, why the said William Whetcroft should not have the benefit of the acts as prayed for. Given under my hand this 22d day of April, 1813.

9 *Richard H. Harwood.*

Anne-Arundel County, sc.

On application to me the subscriber in the recess of Anne-Arundel county court, as an associate judge for the third judicial district of Maryland, by petition in writing of GEORGE POOLE, of said county, praying for the benefit of the act for the relief of sundry insolvent debtors, and the several supplements thereto, on the terms mentioned in said acts, a schedule of his property, and a list of his creditors, on oath, being annexed to his petition; and having satisfied me that he has resided in the state of Maryland two years immediately preceding the time of his application; having also stated in his petition that he is in confinement for debt, and having prayed to be discharged therefrom—I do hereby order and adjudge, that the person of George Pool be discharged from imprisonment, and by causing a copy of this order to be published in the Maryland Gazette for three months successively before the third Monday of September next, give notice to his creditors to appear before the county court of said county on the said third Monday of September, for the purpose of recommending a trustee for their benefit, and to shew cause, if any they have, why the said George Poole should not have the benefit of the acts as prayed for. Given under my hand this twenty-third day of April, eighteen hundred and thirteen.

April 29. 9 *Richard H. Harwood.* 3m

In Council,

May 31, 1813.

Ordered, That the further supplement to the act, entitled, An act for regulating the mode of staying executions, and repealing the acts of assembly therein mentioned, and for other purposes, be published once a week for three weeks in the Maryland Gazette, Annapolis; People's Monitor, Easton; German paper at Frederick-town; Hagar's-town Gazette, Hagar's-town; Federal Republican, George-town; Federal Gazette, and Baltimore Patriot, Baltimore.

By order,
NINIAN PINKNEY, Clk.

A further supplement to the act, entitled, An act for regulating the mode of staying executions, and repealing the acts of Assembly therein mentioned, and for other purposes.

Be it enacted by the General Assembly of Maryland, That from and after the passage of this act, and until the end of the session of the next General Assembly of Maryland, no execution against the body, goods or chattels, lands or tenements, of any person or persons within this state, shall issue upon any judgement or decree already obtained, or hereafter to be obtained, in any court of law or equity within this state, or before any justice of the peace of this state, provided the person or persons against whom any judgment or decree is or may be obtained shall come before any one of the judges of the judicial districts within which such person or persons respectively reside, or before any two of the justices of the peace of the county, or before one justice of the peace, on a judgment rendered by a justice of the peace, in which such person or persons shall respectively reside, and together with not less than two other persons, such as the said judge or justices shall approve of, confess judgment for the debt or damages, and costs of suit, adjudged or decreed, which confession shall be in manner and form following: "You A. B C. D and E. F. do jointly and severally confess judgment to G H. for the sum of —— and costs, which were recovered by the said G. H. against the said A. B. on the —— day of —— in the year of our Lord one thousand —— in the —— court, or (as the case may be) before —— Esquire, one of the justices of the peace in and for —— county, the said sum of money and costs, to be levied of your bodies, goods or chattels, lands or tenements, for the use of the said G. H. in case the said A. B. shall not pay and satisfy to the said G. H. the said sum of money, and costs, so as aforesaid recovered, with the additional costs thereon;" which confession shall be signed by the judge or justices before whom the same shall be made, and he or they (as the case may be) shall immediately, on taking the same, grant a certificate thereof, under his or their hands and seals, to the party confessing the judgment; and such certificate shall be sufficient authority to the sheriff, coroner or constable, as the case may be, to forbear serving the execution on the body, goods, or chattels, lands or tenements, of the person so obtaining such certificate; and that if any person now in execution, or who hereafter shall be taken in execution, or whose goods or chattels, lands or tenements, are now or hereafter shall be taken in execution, before the end of the next session of the general assembly, shall obtain a certificate in manner aforesaid, such certificate, so obtained and delivered to the sheriff, coroner or constable, (as the case may be) shall be a sufficient authority to the sheriff, coroner or constable, (as the case may be) to release such person or persons from confinement upon that execution, or restore and deliver the goods or chattels, lands or tenements, so taken in execution, to the person or persons against whom such execution may have issued, such person or persons giving to the sheriff, coroner or constable, (as the case may be) sufficient security for the poundage or other fees due upon any such execution, and provided the goods or chattels, lands or tenements, so taken in execution, were not sold before the said certificate was delivered to the sheriff, coroner or constable, (as the case may be;) and the judge or justices before whom the judgment shal be confessed as aforesaid, shall within thirty days thereafter, under the penalty of ten dollars for every neglect, and a further sum of three dollars for every day that he shall continue such neglect, after the expiration of the said thirty days, return the same to the clerk or register (as the case may be) of the respective courts where the said judgment or decree was obtained, there to be recorded, for which recording, such clerk or register shall receive as a fee eight cents; and in case the said confession was on the judgment of a justice of the peace, then such confession of judgment shall be returned to the clerk of the county where the said justice may reside, to be by him recorded, and for the recording of which he shall be entitled to receive eight cents; which said penalty may be recovered by any person who shall sue for the same, by action of debt, or bill of indictment, in the county court of the county where the judge or justices shall reside.

2 *And be it enacted*, That from and after the end of the next session of the general assembly, and at any time within one year thereafter, it shall and may be lawful for the plaintiff or plaintiffs to sue out execution on judgments so as aforesaid confessed, or judgments so as aforesaid superceded, without suing out a *scire facias*, or being subject to further delay against the principal, his securities, or either of them, any law to the contrary notwithstanding.

3 *And be it enacted*, That in any case in which a decree for foreclosure and sale of mortgaged property, has been or shall be obtained in any court of equity or courts of law exercising equitable jurisdiction within this state, no sale shall take place before the end of the next session of the general assembly of this state; provided that the mortgagor or mortgagors, or those claiming under him, her or them, if of full age, or such of them as are of full age, shall annually, if required, pay or give bond to the mortgagee or morgagees, his, her, or their executors, administrators and assigns, with a security or securities, to be approved of by the chancellor, one of the judges of the judicial district, or two justices of the peace of the county wherein the mortgaged premises may be, for one year's interest on the amount of the claim secured by such mortgage, which said interest shall nevertheless continue a lien upon said mortgaged property; and in case the said mortgaged property shall consist of personal goods and chattels, that a bond shall likewise be given, with security to be approved of as aforesaid, in the penal sum of twice the amount of the mortgaged debt, conditioned that such property shall not be wasted or concealed, but that the same shall be forthcoming upon any further order of said court.

4 *And be it enacted*, That as often as any creditor, or the executors or administrators of any such creditor, shall conceive him, her or themselves, in danger of suffering from the insufficiency of any security so as aforesaid to be taken by virtue of and under this act, he, she, or they may apply to the judge or justices before whom the said confession was made, or in case of the death, removal, resignation, or disqualification of such judge or justices, or either of the said justices, then to any other judge of the judicial district, or justices as aforesaid; and if it shall appear to the said judge or justices that the said application is well founded, he or they shall issue a summons, directed to the sheriff or constable of the county where the person or persons having confessed such judgment may reside, requiring him, her or them, within a fixed reasonable time to be mentioned in such summon, to enter into another confession of the same judgment, with other securities, to be approved of by said judge or justices, and upon the failure or neglect of such person or persons to comply with the requisition in such summon contained, the said judge or justices, upon proof of the serving of such summon, or of its being left at the last place of abode of the person or persons on whom it should have been served, are hereby directed to deliver, upon the same being applied for, a statement under his or their hands and seals of the issuing of such summon, and the failure of compliance therewith; upon the delivery whereof to the clerk or register of the court where such confession of judgment was returned, the plaintiff or plaintiffs in the original judgment may have and use the same proceedings thereon which might or could have been had if this act had never passed, provided always, that if after the expiration of the time mentioned in the said summons, a confession of judgment as therein required shall be entered into, and a certificate thereof obtained, such certificate shall have the same force and operation, as it would have had under this act, if no antecedent confession of judgment had ever been made, and the said confession of judgment shall be returned and recorded in the same manner, and under the same penalties, as are herein before prescribed.

5. *And be it enacted*, That in all and every case where the person or persons, against whom any judgment or decree hath heretofore been obtained, have superceded the same in the manner prescribed by the original act to which this is a further supplement, it shall and may be lawful for such person or persons to supersede the original judgment or decree, in the manner pointed out by this act, and such confession shall operate as a stay of execution as well upon the said original judgment as upon the said former confession.

6. *And be it enacted*, That if any judgment or decree as aforesaid, for a sum certain, which doth not purport to carry interest on the money or tobacco for which the same was obtained, shall be stayed by reason of any confession as aforesaid, such sum shall bear interest from the date of such confession, and it shall and may be lawful for the party who may hereafter sue out execution on said confession of judgment, or the original judgment on which such confession was made, to compel payment of interest on the said sum of money, or tobacco, from the date of the said confession, by endorsing on the execution his claim of interest from the time when the said confession was entered into, and the sheriff, coroner or constable, as the case may be, shall levy such interest accordingly.

7. *And be it enacted*, That no distress for rent shall be made until the expiration of the next session of the general assembly, provided the tenant or tenants enter into bond to the landlord or landlords, his, her or their executors or administrators, with such security, and in such penalty, as two justices of the peace of the county, wherein the lands or tenements for which said rent may have accrued are situated, shall approve of, conditioned for the payment of the sum due after the expiration of the next session of the general assembly, with interest thereon from the time the said rent became due; and the said bond, so as aforesaid taken, shall be retained by the justices of the peace taking the same, to be by them delivered to the person or persons to whom the rent is or may be so as aforesaid due, and in case any distress for rent shall be made before the end of the next session of the general assembly of Maryland, if the persons so as aforesaid distressed shall enter into bond in manner aforesaid, the justices so as aforesaid taking the said bond shall grant a certificate thereof to the person or persons so as aforesaid distressed, and the said certificate being delivered to the officer making the distress on his being paid, or security being given for the fees incurred, by the said distress, the officer making the said distress, shall, and he is hereby authorised and directed, to return and deliver the goods and chattels to the person or persons so distressed.

8. *And be it enacted*, That if any person, or the executors or administrators of any person to whom any such bond shall be executed, shall conceive him, her or themselves, in danger of suffering from the insufficiency of security upon such bond, it shall and may be lawful for him, her or them to apply to the two justices of the peace before whom the said bond was executed, or upon the death, removal, or disqualification of the said justices, or either of them, then to any other two justices of the peace of the county aforesaid, who may, if they deem the said application well founded, cause notice, under their hands and seals, to be served upon the person or persons, their executors or administrators, by whom the said bond was given, or left at his, her or their last place of abode, requiring him, her or them within a fixed reasonable time thereafter, to enter into a new bond, with other security to be approved of by the said justices, and upon neglect or failure to comply with the said requisition, then it shall and may be lawful for the said person, or his executors or administrators, to whom the said bond was executed, to sue immediately on the said bond, and to distress for the rent for which the same was given, in the same manner as he, she or they, might or could have done before the passage of this act.

9. *And be it enacted*, That if after the end of the next session of the general assembly of Maryland, the tenant or tenants, or any person claiming by, through or under him, her or them, shall hold and occupy the lands or tenements for the rent due for the occupation whereof bond hath been given as aforesaid, that then and in that case the landlord or landlords, his, her or their executors or administrators, may proceed to distress for the same, in the manner that he, she or they might or could have done before the passage of this act.

10. *And be it enacted*, That the following fees shall be allowed to each of the said justices for services performed under this act; for taking bond, twelve and a half cents; for issuing summon, six cents; for superseding, twelve and a half cents; for every certificate, six cents.

11. *And be it enacted*, That no attorney shall be entitled to collect, by execution, any fees now due, or that may hereafter become due, during the continuance of this act, provided the same shall be superseded in the same manner that judgments and decrees are to be superseded by this act.

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VOL. LXX.

PRINTED AND PUBLISHED BY JONAS GREEN, CHURCH-STREET, ANNAPOLIS.

Price—Three Dollars per Annum.

IMPORTANT STATE PAPER.

The following report of the joint committee of the legislature of Massachusetts, has been accepted in the two branches. It embraces a constitutional principle of vital interest to the existence of the United States, and cannot be read but with the liveliest feelings of solicitude for the perpetuation of those blessings which the heroes and sages of the revolution had in view, when they formed the grand Confederation of the States.]

The committee appointed to consider, "so much of His Excellency's Speech as relates to an extension of territorial limits "and forming new States without the territorial limits of the United States,"

Respectfully Report—

That they have considered the subject committed to their investigation with the attention and solicitude, which its nature and importance demand. On the one side, they have been careful to give the full weight to all the obligations, which are due from the people of Massachusetts to the people of the United States: as resulting from the federal compact. On the other, it has been their study not to forget the duties, which a powerful and independent state owes to itself and posterity; on occasions, when great constitutional principles are deliberately violated. On occasions of this kind, in the opinion of your committee the dignity of a people is as plain, as it is imperious. The beginnings of manifest usurpations are never to be neglected; since silence on the part of the people is, always, taken as acquiescence by the advocates of usurpation. What power seizes, without right, to-day, it holds to-morrow, by precedent; and the day after, by prescription. A wise people, therefore, will always canvass every new pretension of power at the threshold; being assured that the liberties of a people have nothing to fear from vigilance, and every thing from apathy. Nor, in the opinion of your committee, will a wise people refrain from such an examination because the nature of the usurpation or the circumstances of the period, may, in the judgment of some, render farther measures untimely. Much is gained to liberty, by a distinct assertion of the constitutional principles on which it rests. And a people may lose by being ignorant of their rights, but never by understanding them.

In entering upon this investigation your committee have not omitted to consider the reasons for present acquiescence, in violations of the constitution, drawn from the particular embarrassments, resulting from the war, and the encouragements, which the enemy may receive from any evidence of discontent, at the present moment, among the states; or among the people. They have given this suggestion all the attention it appeared to merit. But their opinion, this objection has the less weight, inasmuch as the particular subject of animadversion is independent, altogether, of the principle of the war; so far as this principle is known. Besides, it would be little else than a bounty on foreign or domestic usurpations should find in it a shield, or a sanction. Your committee have given this consideration the less importance from the conviction, they entertain, that the American people may have peace, whenever the administration of the general government shall seek it, with a sincere disposition for its attainment.

As your committee have deemed it their duty not to be restrained by such temporary considerations, from deliberate and public examination of the subject submitted to their inquiry, so, also, they have not been disposed to connect the great constitutional question with the transient calamities of the day. For such it is, in their opinion very apparently, distinguished, both