then truly did be feel what a heaven it was to see! And as he took her to his heart, he gently bent back ber head, that he might devour with his eyes that benign beauty, which had for so many years smiled upon him, unbeheld, and which now that he had seen once more, he felt that he could even at that very moment die in peace.

In came with soft steps, one after another, his five loving children, that for the first time they might be seen by their father. The girls advanced timidly, with blushing cheeks and bright shining hair, while the boys went boldly up to his side, and the eldest, looking in his face, exclaimed with a shout of joy, Our Father sees! - Our Father sees! -and then checking his rapture, burst into tears. Many a vision had Allan Bruce framed to himself of the face and figure of one and all his children. One, he had been told was like himself-another the image of its mother-and Lucy, he understood, was a blendid likeness of them both. But now he looked upon them with the confused and bewildered joy of parental love, seeking to know and distinguish in the light the separate objects towards whom it yearned; and not till they spoke did he know their Christian names. But soon, soon, did the sweet faces of all his children seem, to his eyes, to answer well, each its different loveliness, to the expression of the voices, so long familiar

FOREIGN.

From London and Liverpool papers to the 11th July, received at Bes-

HOUSE OF COMMONS-July 7. Maratime pretenzions of Russia.

Sir James Macintosh wished to ask the Noble Marquis opposite, these questions: 1st. Had his Majesty's government any received authentic copy of the Ukase issued by the Emperor of Russia, in which he claimed to himself dominion over the north-west coast of America, and the north-east coast of Asia? And secondly, if they had, whether they had taken any measure to protect British navigation from such extravagant and preposterous pre-

The Marquis of Londonderry replied to the questions, but in a very low tone of voice. We understand him to say, that be had received a copy of the Ukase soon after it was issued. As soon as his Majesty's government had received it, they lost no time before they sent a note to the Russian Ambassador in this country, declaring that they could not accede either to the claim of So vereignty or the principle of maritime law laid down in it. (Hear, hear.) At the same time they offered to enter into an amicable negociation on the subject, to prevent any misunderstanding arising between the subjects of the two pow-

> London, July 4. We have received by express the

Paris papers of Saturday. A letter from Perpignan of the 28th of June states that the report of the capture of the forts of Urgel by the anticonstitutionalists, is unfounded .-The first line of the French cordon sanitaire, on the Pyrenees, is said to be composed of 35,000 men, and the second of 25,000. Two frigates are stated to have sailed from Toulon to cruise along the Spanish Mediterranean coast. The public prosecutor has appealed against the verdict of acquittal pronounced by the Court of Correctional Police, on the young men who were alleged to be engaged in what is called the conspiracy at Nantz; and the military officers who were acquitted by a jury at the Court of Assize for the same affair, have been dismissed the service.

The sufferings of our afflicted fellow creatures in Ircland are piercing and appalling, as when we last besought the continued benificence of our readers in their behalf. The contributions are exhausted! And what remains? A mass of wretchedness undiminished; or if the cry be more feeble, and the number of the victims be in aught reduced, it is not-with anguish we say so-it is not that the relief afforded to them has yet raised any above the recurrence of want, but that famine and pestilence have swept away thousands beyond the reach of sym-

pathy. Nuremberg, June 26. According to letters from Brody of the 18th of June, nothing up to the second, it is incumbent on the stone, in the hor that period announced the approach- government to attain its object and cealed treasure.

two Principalities: It, is, on the contrary, certain that the Ottoman troops have been reinforced. Is that agreeable to Russia? If so, the triumph of the Ports will be complete.

Augsburg, June 29. Within the last week, we have had several private account of great successes gained by the Greeks in Thessaly. The most recent advices, which we received yesterday, not only confirm these accounts, but furnish a number of details, the result of which is. that the Turkish Corps d'Armee have been successfully defeated; namely, Chourschid Pacha at Kartditza, near Trikala, by Diamantia; the Pacha of Salonica at Cara Veira, and the Turkish Corps de'Armee, which was entrenched in the environs of Larissa, and which had joined a detached corps of Salonica. This last victory was gained the 4th of June, in the environs of Zeitouni, by three Greek corps united, under the orders of Ypsilanti, Diamanti, and Odysseus. By this last victory. the plan of operations formed at Constantinople to effect the subjection of the Morea has entirely failed. The Greeks are again masters of Thessaly, with the exception of some forts and the town of Larissa. We expect shortly the official bulletin, which will doubtless be published by the provisional Greek Government at Corinth.

Brussels, July 1. It was well known that the object of Lucien Buonaparte, Prince of Canino, to Brussels, was the marriage of his eldest son with the eldest daughter of the Count de Sarvilliers (Joseph Buonaparte.) This marriage was celebrated the day before yesterday at the town Hall and the Church, with the usual ceremonies.

London, July 6.

From St. Petersburg the letters are dated on the 14th June. Trade continued much depressed, and in home produce there was not the least variation in the value. The exchange was rather higher, being noted at 9 31 32. From Odessa the letters are dated on the 7th of June. At that time the Turks had not cvacuated either Wallachia or Moldavia, nor was there the slightest hope that they had any intention of doing so. No part of the Russian army had retired from the Pruth; and notwithstanding the supposed arrangement of all differences betwixt the legitimate Government of Turkey and Russia, the same hatred and distrust continued. It is totally impossible, that in their present spirit and feelings, these two empires can remain long without coming to hostilities, and the sooner an effort is made to expel the Anti-Christians from Europe, the better will it be for the civilized part of the world. Letters from Holland report, that

advices had been received from Constantinople, dated so late as the 8th of June, by which the information had been made known that the Asiatic troops which had arrived there from the Provinces, had been ordered again to occupy Wallachia and Moldavia. Should this prove correct, it may be considered that the sword and not the pen, is the necessary instrument for a negociation with the Sublime Porte.

It is now understood that the Christian Governments have been grossly (though no doubt unintentionally) deceived by their Ministers at Constantinople, on the subject of the negociations. These Ministers have, it is said, been misled by the Christian Dragomans, who are all Catholics, hate the Greeks, and lose no opportunity of injuring them, having an old grudge against them too, on account of their having formerly filled the place of Turkish Dragomans, and in that capacity frequently counteracted them in their views. Experience proves, too, that the Dragomans of Foreign Ministers are always more in the interest of the Turks than of that of those by whom they are employed. This is all natural enough, considering the state of dependence they are in with respect to the Turks.

Provisional Government of Greece. The Greek nation has taken arms, and combats against Tyranny. The rights of the people are incontestible. The unheard of sacrifices made by that people, have for their object independence, and as it is acquainted with its rights, it knows also its duty. In declaring its independence, it established a central government to defend the former, and to fulfil

tears of an unsupportable happiness, ing retreat of the Turks from the to render the sacred cause of the proplo triumphant, to deprive the enemies of Greece of all their means | taining our mothers, our sisters, and of oppression; in consequence, the pur daughters, reduced to the most Provisional Government of Greece, dreadful slavery. There the mon-in virtue of the law of nations of sters profane every thing to gratify in virtue of the law of nations of sters profane every thing to grattly all the states of Europe, declares their rage and their passions; and now in a state of blockade all the coast occupied by the enemy, both in Epirus, the Peloponesus, Eubea. Negropont, and Thessaly from Epidaurus to Salonica, including that place declares also in a state of blockade all the isles and ports occupied by the enemy in the Egean Sea, the Sporadian Isles and the isle of Crete.

All vessels under whatever flag they sail, which after obtaining a knowledge of the decree by the commanders of the Greek squadron or by separate vessels shall attempt to enter these ports, shall be seized and treated according to the laws and usages established in such cases--The commanders of Greek vessels shall continue to cause to be published this resolution, till the government have acquired the certainty that it has reached wherever it is necessary .- The present declaration shall be besides communicated to all the consuls of the friendly powers in the different states of

The president of the Executive pow-

A. MAURO CORDATO. The Minister of Foreign Affairs, TH. NEGRI. Corinth, March 13, 1822.

Smyrna, May 15. Extract of a private letter from a young Greek.

"My dear brother - Prepare your self on reading this letter to summon to your aid the strength of your character; the blow which has struck us is so terrible that all my reason is required not to succumb under it -This opening alarms you-estimate at once the extent of our misfortunes—we have to weep for our country, the beautiful Scio in the power of our barbarous enemieswe have to deplore the loss of our

numerous family. "Of all our relations my youngest sister alone escaped; by a miracle, owing to the protection of a generous Frenchman, she has been restored to my embraces. How can I speak to you of our father? Alas! this venerable old man now implores the Supreme being for his country, and for the unfortunate children who have survived him. The following are the details of his dreadful assassination. You know that he and our two brothers, Theodore and Constantine, and your fatherin-law, were amongst the hostages shut up in the castle on the 8th inst. they went out with the archbishop. and it appears that notwithstanding the promises of the barbarians, they had been all the time confined in dungeons-they were placed in two lines, and were either hung or put to death with prolonged torments.

"Our father and his companions witnessed with tranquility the preparations for their execution, and these martyrs to their fidelity did not lose their presence of mind for a single instant. Our sister Henrietta is a slave, and I have not yet succeeded in discovering to what country of Asia the infamous ravishers have carried her. Nor have I yet been able to obtain the least information respecting the fate of our dear moth er and 3 other sisters: the desting of your wife and her family has al so escaped my search. In short, our misfortunes are so great that can scarcely credit them.

"On the 11th inst. I quitted Scio -saved by a miracle from the dangers of the most sanguinary catastrophe, of which any one can form an idea. But I do not feel that joy which one might experience on being delivered from the dreadful perils to which I have been exposed. Hatred an indignation against our executioners are the only sentiments which can henceforth dwell in my heart. Thanks to the European costume, which I have adopted, the captain of an English vessel agreed to take me on board; but my dreadful situation interested neither Turks nor Englishmen. The captain of the vessel would not allow me to embark till I had reckoned out to him 300 piastres, and it was not till after he had examined them one by one, that I received from him permission to set my foot on board the vessel, whatever was my danger in remaining longer on board the chaloupe. I have left the island in ashes. The Turks, after pillaging all the houses, set them on fire, and joining sword to fire to demolish them more readily, they demolished them to the last stone, in the hope of finding con-

"Throughout the opulent Scio on ly fifteen houses are standing, conoften the virgins, whom they have sullied by their embraces, receive from themselves the death which they wish for. All the chateaus which rendered our island the most agreeable in the Mediterranean, our academy, the library, the superb edifices of Saint Anaigiroso, Saint Victor, the Apostles, 86 Churches, and npwards of 40 villages, have been consumed by the flames.

"The ferocious incendiaries then scoured the mountains and the forests, and they are now at the 24th village of Mastic. These tigers, a thousand times more cruel than those of the forest, have vented that hatred upon the dead, which they bear to the living. They opened the tombs, and threw into the street the bones of our fathers, and the corpses of their own victims were dragged by the feet thro' the brooks.

"Every day women of the first families in the Island are exposed to sale in the public markets; articles of great waine, such as the sacred vases of the Greek and Catholic churches, and the habiliments of the Priests, are by these wretches sold at a vile price. Through the intervention of the Charge d'Affairs of the French Consulate, I have succeeded in purchasing thirty five women, whose names I send you, and who are now in sufety at the Consulate.

"Since my arrival here, the same scenes have been renewed every day; there are sales of diamonds, rich pelisses, jewelry, chalices, fine stuffs in short, all kinds of valuable articles, which are in the streets, and are given away for nothing. How should it be otherwise, when all the inhabitants of Asia, from children of 15 to old men of 80, embark every day for Scio, from whence they return laden with our spoils? We can only return our thanks to the Europeans who reside at Smyrna; they have done all they could to purchase our women; to purchase all, the treasures which the country of Homer possessed before its disasters, would scarcely suffice. Amongst the ravishers of them, there are some with souls so atrocious that they will not listen to any species of arrangement.

One of these monsters refused 10,000 piastres for the ransom of the wife of Gaba, and replied that he would not restore her for 200,000. I have contributed to the ransom of Theordora Halle, purchased for 5000 piastres. M. Petrochochico, on learning the death of his brother, precipitated himself from a window; his sister Julia threw herself into a ditch; the other, made a slave, was brought here, where she was immediately purchased. Our good friend, Jeaned' Andre, was killed in his house in the presence of his wife, whilst hastening to save of their father, also, in the presence of their mother; the latter has been conveyed in slavery to Algiers.

My hand refuses to trace a greater length the atrocious scenes which I have witnessed, and others a thousand fimes more dreadful might be added to these Thave cited. In one word, the sanguinary catastrophe of Scio has produced the death or misery of 40,000 individuals, for to that amount may be estimated the number of our fellow-countrymen and women put to death or reduced to slavery. Just God, when will the day of vengeance come, and what vengeance can ever inflict upon our odious assassins all the chastisement which they deserve?"

London July 9.

The Arab and Eliza convict ships, now in the river, have received on board 150 convicts from the hulk at Woolwich, for the purpose of being transported to New South Wales. The transports will also take out convicts from Sheerness and Portsmouth. It is now understood that the future transportation of felons to New South Wales will be discontinued. A new arrangement is about to be made by Government. This new arrangement has in view the accomplishment of two objects—first, the diminution of the expense; and secondly, the excitement of more terror than is at present caused to the unfortunate culprits who have hitherto been sentenced to be transported to New South Wales. The place of destination will be nearer home, and the punishment will be repulered more appalling, by thre convicts being employed on works, before the public's eyes.

MARYLAND GAZETTE

Annapolis, Thursday, Aug. 20

THE SPRINGS.

It is stated in a New York page, this of Monday the 12th inst. there were 1500 persons at Saratoge and Bellston aprings.

NON-INTERCOURSE The Philadelphia Board of Health, him adopted a resolution prohibiting all intecourse with New York, in consequence of the prevalence of a malignant fever in the

COURT OF APPEALS June Term, 1822 George Dashiell, & others,

The Attorney General, at the relation of the Trustees Bahim of Hillsborough School in Caroline County, and of The Vestry of St. Peter's Church, & others.

BUCHANAN, J. delivered the opinion the Court. This case has been ably and elaborately discussed, and on an attentive examination

of the numerous authorities referred to and relied upon in argument by the coun sel on either side, we have come tothe conclusion; That the peculiar law of the rities originated in the statute 43 Elizaleti, for regulating charitable uses, and that in dependent of that statute, a court of char dependent of that access, a control can cery cannot, in the exercise of its ordinary jurisdiction, sustain and enforce a beques to charitable uses which, if not a charity, this we are supported by the decision of the Supreme Court of the United States, in the ase of The Baptist Association against Hart's Executors, in which all the principal authorities are reviewed, and the subject rery fully investigated.

It is an admitted general principle, thata vague bequest, the object of which is indefinite, cannot be established in a court

equity. ... is this a bequest of that description? We think it clearly is. The testator, by his will, appointed the appellant George Dashell and Henry Downs, trustees of his estate, and guardians of his only child, with instructions to his executors to pay over to them, the annual income of his estate, to be by them appropriated according to the provisions of the will, which, after providing among other things, for the payment of his debts, and the support and educations his daughter, directs the residue of the in come of his estate, "to be equally divided one half to be applied towards feeding clothing and educating, the poor children belonging to the congregation of Sent Peter's Protestant Episcopal Church in the city of Baltimore, &c. with certain provision ons for the eventual increase or decrease of

Wherever the word poor, or porest, hu been used as a term of description, in a devise or bequest, it has been held to be is-sufficient for uncertainty; as a devise to twenty of the poorest of the testator's kin-dred.—Powel on Devises, 419. 3 Com. Dig. 412, with many other authorities to which it is unnecessary to refer. In the case the relations, or to his poor relationsvenerally

relations, or to his poor relations enerally, or to the poor people of a particular county. Who are "the poor children clonging to the congregation of Saint Petr's Pretestant Episcopal Church in the city is Baltimore?" no court can know, or have the means of ascertaining; and the description of the certain one trust is a vacuum, the none of the cestui que trust is so vague, the none can be found who, upon the genera principles of equity, can entitle themsers to the benefit of the trust

It seems to be supposed, that the ower of ascertaining and designating othipoor children belonging to the congregate of Saint Peter's Church," is given by their to the trustees, and that the beneficiality rest of the cestui que trust may be susted by reason of the intervention of trues capable of taking the legal estate, one principle that id certum est quod certum !

the will in the trustees to ascertain and signate who are the poor children belding to the congregation of Saint Peth Church, it cannot, abstracted from the ing to the congregation of Saint Peth Church, it cannot, abstracted from the a Church, it cannot, abstracted from the attite, assist the case of the defendants, it being a personal trust, without the said the statute, the cestus que trust can only it brought into being by the ascertainment and designation of the trustees; and the being no such ascertainment and designation on, though certain selections have been made, no persons exist having in the selves a vested equitable interest which the are capable of asserting in a court of equity. The bequest therefore is too vague in indefinite to be carried into execution of the mother circumstance of asserting in a court of equity. The bequest therefore is too vague is indefinite to be carried into execution of the mother of them to be in force as and by experience in the subject of the mother of them to be in force as and by experience in the subject of the su

the property 18 the spanics of any other disposition of it by the setting of or donor and independent of the statute of Elizabeth no fourt in this state can by any mode car no court in this state can by any mode carry such a device or bequest into effect in violation of vested, individual rights. It would be to make and not expound and enforce wills; an arbitrary exertion of judicial power altogether inconsistent with any principle known to the institutions of the state. And it is believed that in England, before the statute of Ekisabeth, no charity could have been establishedon information in the name of the Attorney General, where the instrument creating it was defective, or the object of the donor's or testator's bounty was so vaguely and imperfectly described as to be incapable of taking if it was not a charity, and the thing intended to be given would vest in the heir at law or next of kin; but that whenever charities were established on such informations, they were tablished on such informations, they were such as were valid in law, and the enforcement of which did not interfere with vested private rights. It is also, in this case, a fa-tal objection to the validity of the devise, that it is not for the benefit of those poor children alone, who at the time belonged to children slow, who at the time belonged to the congregation of Saint Peter's Church, but of the poor children who should in suc-cession belong to that congregation and who not being a corporate body were inca-pable of taking in succession; a devise of bequest immediately to an object incapable of taking, or in trust for such an object. of taking, or in trust for such an object, standing on no better footing than if it were to a vague and indefinite object, and "The Trustees of Saint Peter's Church" and "The Trustees of Saint Peter's Church" and "The Trustees of Saint Peter's School," and "The Trustees of Hillsborough School in Caroline County," have clearly neither of them either a vested right in themselves; or any beneficial interest in the trust.

The next and principal question is, whether the statute 43 Elizabeth is in force in this state, which we think the statute in the status of the st

ther the statute 43 Elizabeth is in force in this state; which we think depends entirely on the construction to be given to the third section of the bill of rights, and the evidence farnished by Chancellor Kilty's Report of the British Statutes. The third section of the bill of rights sin these words: "The inhabitants of Mar and are entitled to the common law of British and the trial by jury, according to the rourse of that law, and to the benefit of sure of the Face trial by jury, according to the course of that law, and to the benefit of such of the English statutes as existed at the time of their first emigration, and which by experience and other circumstances, and of such others as have been since made in England or Great Britain, and bave been introduced,

or Great Britain, and have been introduced, used, and practised by the courts of law or requity." The provisions of this article vary according to the different subjects to which they relate.

The inhabitants of the state are declared to be entitled to the common law, without any restrictive words the used, and thus the common law is adopted in mass, so far at least as it is not inconsistent with the principles of that instrument, and the na principles of that instrument, and the na tare of our political institutions. They are declared to be entitled to the

sted at the time of their first emigration applicable to their local and other circum British statutes, made after the emigration, is had been introduced, used and practised as had been introduced, used and practised by the courts of law or equity—a distinction being made became the statutes which existed before the emigration, and those which were afterward-passed, and between both and the common law We do not think that this section of the bill of rights is to be expounded according to the rights. is to be expounded according to the rule of construction applicable to declaratory laws, construction applicable to declaratory laws, but that it must be understood as adopting the different classes of the statutes to which it relates sub modo only, and rejecting all others; and as laying down rules by which to ascertain what statutes were so adopted to atcertain what statutes were so accopted a different rule applying to each class. In relation to those which existed at the time of the smigration, their having been found by experience to be applicable to our local and other circumstances, being the rule for the government of counts of justice in deby the courts of law or equity, the rule in clation to those passed since the emigration as to the latter class, it does not seem to be deemed that none are in force but such as had, at the time of the declaration sed by the courts of law or equity; and if hat rule was intended to be restrictive, it difficult to ascribe to the convention a liferent intention in relation to the others

tlaratory provision for the purpose only removing doubts that existed at the time, if there were any statutes about the exon of which no doubts were entertain mion of which no doubts were entertainit must have been those which, by exmience, had been found applicable, and
the was no necessify for declaring the inbitants of the state to be entitled to their
nefit, unless it was the intention to probit the use of all such as had not by expelate been found applicable.

ace been found applicable.
This view of the third section of the bill This view of the third section of the bill rights raises the question, which of the interest of the first emission had by experience been found applicable. The only evidence to be found on it subject is to be furnished by Kitty's reprise of the Status. In which the forty of Elizabeth hased among those ich are said not have been found apather. That book was compiled, printiad distributed, under the superior of the tag for the use of its officers, and is a safe the in exploring an otherwise very dubi-

therefore our opinion, that the sta-444 Bisaleth, is not in lorce in this is, and that the decree ought to be rened.

Decree Revensed.

Rentucky a member of Congr

ral H