

It is like the...
Annals, August 27.

COURT OF APPEALS, JUNE TERM, 1823.

The Baltimore and Havre-de-Grace Turnpike Company vs. Hiler Barnes.
Appeal from Hartford County Court.

[Argued by *Winder* for the appellants, and *Moggrader and Johnson* for the appellee.]

The opinion of the Court was delivered by *MARTIN, J.* This was an action brought to recover the price of four shares in the Baltimore and Havre-de-Grace Turnpike Company, amounting to \$100; this sum was to be paid in five instalments of \$20 each—four of those instalments were due before the 1st of January 1816, the last on the 10th of March in the same year. The defendant relied on the statute of limitations, and the court instructed the jury, that from the evidence, the plaintiffs had a right to demand from the defendant the amount of each instalment when it became due, and limitation attached at that time. They were then barred by the plea of the defendant, as to the four first instalments, because more than three years had elapsed from the time they were demandable to the institution of the suit. The last instalment of \$20 became due on the 10th of March 1816, and the suit was commenced on the 25th of January 1819, this being within three years before the suit, limitation did not bar it. Had the plaintiffs then a legal right of action to maintain this suit for the sum of \$20? If they had a right of action, they were entitled to the judgment of the court, and to the fruits of that judgment.

By the act of 1809, ch. 74, it is declared, that in all cases where the real debt or damages shall not exceed the sum of \$50, it shall and may be lawful for one justice of the peace to try, hear, and determine, the matter in controversy between the parties; and by the 13th section of the same law, that the judgment of the justice of the peace in such cases, shall not hold plea in the said courts of any debt or damage in cases where the jurisdiction given to justices of the peace by this act, which shall not exceed \$50. The court then having no jurisdiction, unless the sum recovered amounted to \$50, a judgment could not have been rendered on a verdict for \$20, and the plaintiffs would have been non-suited.

It was contended, that although a judgment could not have been rendered on a verdict for \$20, the court was wrong in directing the jury to find for the defendant, and for this error the judgment ought to be reversed, and the case sent back for a second trial.

By the act of 1790, ch. 42, the court are directed, where the judgment in a bill of exceptions, taken by the plaintiff, is reversed, to send the case back with a proceudo—this is evidently intended for the benefit of the plaintiff. But why reverse a judgment, and direct a proceudo in a case, where the plaintiffs, by their own showing, never can obtain the judgment of the court, but must suffer a non-suit? Such a course of proceeding would be idle and nugatory, and cannot be sanctioned by this court.

JUDGMENT AFFIRMED.

Dorsey vs. Smithson.
[Argued by *Johnson* for the appellant, and *Johnson* for the appellee.]

Appeal from Hartford County Court.

The opinion of the Court was delivered by *EARLE, J.* The bill of sale which gave rise to the dispute between the parties in this case, was executed and acknowledged before a justice of the peace, but was not recorded as the acts of assembly direct.

It is void as to creditors, it made to their injury, but it is binding on the donor, her executors, administrators and assigns, and all claiming under her or them, both as common law, and under the act of assembly of 1723, ch. 5, s. 6. Being an obligatory instrument on the donor, and those claiming under her, the appellant, as her executor, has no right to the goods and chattels mentioned therein, nor is there any legal excuse for his possessing himself of them even for a time. He is estopped to allege that the deed is in fraud of creditors; and there being no other ground on which he can contend for the property with the donee, *William Smithson*, the same is not assets in his hands, and he as executor is not accountable for it. The responsibility of an executor must depend on the means the law places in his power, to possess himself of the property he is to hold in *auter droit*, and where he is not armed with authority to take possession of any specified chattel, he is not answerable for it. The goods and chattels in dispute not being assets belonging to the personal estate of *Eleanor Smithson*, as her executor is without a legal excuse for attempting to possess himself of them, even for a limited time. He could only do so, for the purpose of administration, and they were clearly not objects to be administered over by him. If the bill of sale under consideration is fraudulent to creditors, *William Smithson* the appellee is chargeable to them, to the full extent of the articles transferred, as executor *de son tort*, of *Eleanor Smithson*; any or all of her creditors may sue him, as executor in his own wrong, and secure their debts by executions on this property, and no reason appears to this court, why the appellant himself, if he is a creditor, should not sue on his debtor's property, and recover his debt of *Smithson* the appellee. His being the rightful executor will not obstruct his action, for there are many instances, and if fraud exists in this, it is one of them, where there may be a rightful executor, and an executor *de son tort*, of the same person, at the same time. See 3 *Bac. Ab.* 23. The appellant also claims the right to possess himself of the property mentioned in the bill of sale, because he is a creditor of his testator, and the deceased *Smithson*. This is a frivolous claim, it is not for a creditor to sue for himself and seize on his debtor's property, wherever it is to be found, but he must resort for redress, where his right is withheld from him, to his action at law.

Neither can the appellant defend the possession of the disputed property as a creditor against the creditors, on the score of fraud in the donor. But if it were conceded to him by a legal defence, yet it would not avail in this case. For it is distinctly admitted, in the case stated, that the donor executed the bill of sale upon a lawful consideration, and without any intention to defraud her creditors, and that her death, the left estate sufficient to pay all her debts, exclusive of the property transferred by that instrument.

JUDGMENT AFFIRMED.

SHORT'S CASE.
Chief Justice Tilghman, on Thursday morning delivered an opinion in the case of *Edward Short*, alias *McGirr*, who was arrested in this city a few days since, on a charge of murder alleged to have been committed in Ireland upwards of two years ago. The chief justice ordered him to be discharged on the following grounds—

1. That the evidence was insufficient to warrant his detention, had the alleged crime been committed in this country.
2. That supposing the crime to have been sufficient, his arrest was illegal, and he could not lawfully be detained in prison for subsequent delivery to the British Government.
Philadelphia Register.

THE COMMISSIONERS

Of Pennsylvania for improving the bed of the river Susquehanna, in behalf of themselves and the Maryland commissioners, have recently disposed of contracts for removing rocks in the high water channel of the river, to the amount of nearly \$10,000. The contracts for the work are on the different sections of the river between Columbia and tide water, and have been effected on the most advantageous terms. Several of the contractors have already commenced their labours, and the whole is to be completed by the middle of November, unless prevented by a rise of water. This expenditure, we understand, will clear the high water course of all its obstructions, and at the same time to the descending trade of the river, a safe and expeditious channel.—*Phil. Am.*

FIRE AT BATAVIA.

A Batavia paper of April 31st, received at Boston, states that a great fire broke out in the bazaar, (or market) on the 28th of March at 7 in the evening, and continued burning until the 30th. About forty stone houses, 140 bamboo houses, and 70 smaller buildings were either burnt or pulled down. The amount of property destroyed had not been ascertained, but the loss was supposed to be very considerable. Much property had been saved by the river promenade. Great apprehensions were entertained at one time that the fire would extend to the more populous and commercial part of Batavia, but fortunately the wind changed.

SKETCH OF AN ARRACONEZE GUERRILLA

He was wounded in the leg, and of course for a time incapable of service. The circumstances of his situation, the loss of his family, and his language, will explain the nature both of the formation and the progress of many of the Guerrilla corps, but perhaps that a far longer and more detailed account of them. I asked him where he lived, and under whom he served. "Senior," said he, "I have no home, no relations, nothing save my country and sword. My father was led out, and put in the market place of my native village, our cottage was burned; my mother died of grief; and my wife, who had been violated by the Palafox, and died in my arms, in an hospital in Saragossa. I serve under no particular Chief. I am too miserable: I feel too revenged to support the restraint of discipline and the delay of manoeuvre. I go on any enterprise near of, I am poor, on foot, I chance or plunder has made me rich, on horseback; I follow the boldest leader; but I have sworn never to dress a vine or plough a field, till the eagle is driven out of Spain." Such was the speech of the undying hatred to the French which many of these Guerrillas cherished—a hatred which often had its source in wrongs and losses like those I have related.
(Recollections of the Peninsula.)

MINA IN FRANCE.

The following anecdote of *Mina* is communicated by a gentleman lately arrived from the front, and who vouches for its truth: When a general entered France a few days ago, at one time in a small country house he took his soup. Three Frenchmen, who had been made prisoners by some of his soldiers, were there present to him. "I see, gentlemen," said *Mina*, "by your uniform, that you belong to the police, and without doubt you came to inquire after me; make your report—say that on such a day and at such an hour I was upon the French territory eating my soup; three prisoners more or less are of little consequence to me—you are at liberty."
Eng. pap.

ECLIPSE PIGS.

A farmer in Austria, (not the place where Napoleon beat the confederate kings but Austria, N. Y.) having raised from one sow five pigs which weighed at the age of 66 days, an average of 99 lbs each, killed them in the warmth of his state patriotism. He sold the pigs, and of course challenged *Virginia* to beat them. We suspect that the good folks of New York, who respect to excel in every thing useful, will hardly venture on so happy an attack as a competition with their Southern brethren in the valuable article of bacon.—*Virginia News* of 14th Decr.—*Ch. Gaz.*

INDIAN HOSTILITIES.

St. Louis, Aug. 2.
A succession of calamities involving the lives and property of the Indian traders, follow each other in quick succession. Scarcely had we penned an account of the disaster brought by the late spring, before we were called upon to record fresh instances of savage barbarity, committed in another quarter, upon our enterprising citizens.—*Mr. John McKnight*, an old and respectable citizen of St. Louis, trading on one of the upper sources of the Arkansas, has been murdered by the Indians, and robbed of nearly all his merchandise. He had fixed himself near the Spanish boundary, where he erected a fort, protected by a few men, with the intention of making an establishment in that quarter, and opening trade with the Indians. But, in consequence of the unfortunate fate of *Mr. McKnight*, the post has been abandoned, and the party has returned to the settlements. The Indians, by whom this atrocity was committed, were called the *Camanches*, a numerous and warlike nation, bordering on the heads of the Arkansas, and spreading through a great portion of Texas. It is supposed they could bring into the field at least 15,000 warriors. The Spaniards have never been able to do any thing with them, and have almost relinquished the country under the direction of the celebrated *Caldillo* Chief, the same it was mentioned a short time since, that the purpose of forming an alliance with the Indians for the purpose of getting his *Camanches* into the imperial service, in return for which, the *Caldillo* was to have had an empire on his own footing.—*Eng.*

FROM MATANZAS

Captain Pearson, of the schooner *Dolphin*, arrived at Charleston, from Matanzas, on the 14th inst. states that the United States schooner *Grampus*, Lieut. Com. *Gregory*, was at anchor abreast of the Fort, and examined all vessels and boats, whether going in or coming out. She has three launches among the Keys, and off Point De Sève, and one between the Keys, which form the barrier to the harbor. The schooner *Grampus* is kept down for the present. On the 9th inst. the Governor sent his boat on board the *Grampus*, to demand of Captain *Gregory* his motive for living so long in port—that if he wanted provisions or water, he had better there long enough; that the government did not allow their own vessels of war to remain at anchor longer than 48 hours at one time, &c.—Captain *Gregory*'s reply was, that he came there for the protection of American commerce, and that of Spain if necessary, and that he would remain there as long as might be required for these objects, or until compelled by force to retire.

Captain Pearson also states, that the inhabitants of Matanzas, were much dissatisfied with the length of Captain *Gregory*'s visit; whose exertions for the suppression of Piracy, were very great.

LEGHORN HATS.

The common red top grass that grows in our meadows, is superior in durability and colour to the Leghorn straw. This is about the time to gather it. It may be selected by handfulls by following after the mowers before the grass is shaken out. To bleach it requires a very simple process.—Scald and dry the grass two or three times, which takes out the green colour—then when it still further, if you please, by packing it in a tub or barrel, in such a manner as to expose it to the fumes of brimstone. More than a million of dollars have been paid for Leghorn bonnets, within the last year.
[Ver. Gaz.]

BOW-STREET, LONDON.

Edward Walsh alias *Tipperary Teddy*, was brought before *G. R. Minshull*, Esq. on Wednesday night, charged with having violently assaulted *Peter Agar*, one of the beadies of St. Martins parish. It appeared by the evidence of the beadie and others, that two Irishmen were indulging their natural propensities, by knocking each other about, in Old Round court, on Saturday night last, to the very great annoyance even of the necessary neighbours, who had resorted to quell the disturbance, and with some difficulty prevailed upon the combatants to desist; when *Tipperary Teddy* was so exasperated at the sport being spoiled, that he knocked the beadie down, by a tremendous blow in the mouth. This blow was the signal for a general row; for the poor beadie was no sooner on the ground, than a dozen other Irishmen fell upon him, kicking and beating him most unmercifully; and had not a powerful body of English bystanders intervened, he would hardly have escaped with his life. As it was, he came away with a fray with his countenance so disfigured, that scarcely a feature was discernible, his hand totally disabled by their trampling upon it, and his whole body literally covered with bruises.

Tipperary Teddy, in his defence, pleaded an alibi, and called the Landlord of a neighbouring public house to prove, that he was "busy a drinking" in his tap-room the whole of that evening. The Landlord failed to prove this; all he could say was, that he saw *Tipperary Teddy* in his house repeatedly on that evening; and that *Tipperary Teddy* was so much given to talking, that he had been absent only for a minute, he must have missed him in the falling off of the noise. *Tipperary Teddy* now looked at the Magistrate as though he thought he had given a complete answer to the charge; but his Worship observed, that the Landlord's statement proved nothing. "Bad luck to him! your Worship!" said *Tipperary Teddy*—"had luck to him; for he told me this morning—'Teddy,' says he, 'never mind it, Teddy,' says he—'for myself shall pull ye clean out of it!'"

He was ordered to give twenty-four hours' notice of bail.

A letter from Alabama of the 29th July, says, "The growing crop now wears a most luxuriant appearance, & promises largely."

GREENS.

The late address from Greece, as a most interesting and amusing character. The government is consolidated, and the British troops have been withdrawn from the Turkey. A powerful fleet, under the command of Admiral *Alcock*, is without the island of Greece, and without money, a handful of men, agreed to raise the standard of independence against a powerful tyrant, and have succeeded.

Greece owes nothing to the Christian powers or the allied sovereigns; unmoved they saw the Greek massacre prisoners, women and children, and yet alone, the Greeks have emancipated the whole of Greece. They will be a powerful check upon the Multinational, and the freedom of Greece will be the cause of extraordinary revolutions in the Turkish empire. It is not quite certain that Russia will not squish her designs upon the Ottomans.—*Nat. Adv.*

INTERESTING FROM SPAIN.

New York, August 21.
The schooner *New Priscilla*, arrived at this port late on Wednesday night from Gibraltar, whence she sailed on the evening of the 4th ult. The editors of the *Gazette* have been favoured by an intelligent passenger with the following interesting communication on the subject of the situation of affairs in that unhappy country, and is well acquainted with the Spanish character. His view of the ultimate termination of the infamous proceedings against the Spaniards are such as every American should desire to see accomplished, and if his judgment be not warped by his wishes, we have no doubt, from his representations, that the Constitutional cause in Spain will triumph.

The *New Priscilla* left Gibraltar on the evening of the 4th of July, up to which period no important event had occurred in Spain, by which a decided and correct opinion could be formed as to the final result of the present contest there. The King and Cortes were at Cadiz, which city was invested by the French both by sea and land; not so effectually, however, as to prevent supplies of provisions and bread stuffs going forward from Gibraltar by the way of the river *Santa Peter*. The whole French force in Andalusia is said not to exceed 15,000 men; much less than that number were at Cadiz. The extraordinary march of this body of men, from Madrid, by the pass of *De Penapetrous*, through Seville, towards Cadiz, without meeting the slightest opposition, although it was confidently believed twice the number were provided to oppose them, excited in the minds of all who were not in the habit of a decided distrust towards the present leaders, and almost extinguished the remaining hope of eventually sustaining the constitutional system. The successful march of the enemy was soon, however, attributed to its cause, the inferior disposition of *General Villa Campa*, who was charged with the defence of the pass of *De Penapetrous*, and who shortly after declared for the Royalists.

About 1500 of his men at first only accompanied him for a few days, and then abandoned him; and it is a remarkable circumstance that neither this general nor the *Conde de Abisbal* were able in their disaffection to convey to the French army a single Spanish soldier. Cadiz remained firm, and there was no prospect of its surrendering to the French, so long as there was the least hope of some advantage being obtained over the enemy by *Ballasteros*, *Mina*, *Tragas*, or some of the other chiefs, and which from the state of feeling known to exist in Spain, was confidently believed would be followed by an immediate and total destruction of the French now in the country.

The towns in Spain through which the march of the French troops is directed, exhibit scenes of infinite distress and misery, the French being generally preceded by a horde of the most abandoned Spaniards, termed "Fracciosos." A town for some time previous to the arrival of the former, becomes the object of most wanton and disastrous abuses. But in no instance has this table been successful, when opposed by the national militia, unless they have had the French, their "Holy Allies," to aid them. The French entered *Valencia* on the 10th of June, under Count *Molitor*—they intended to direct a retrograde march towards *Barcelona*, which places in a dangerous state of defence. *Gen. Mina*, whose army is not sufficiently numerous to risk a general action, or to oppose the march of the French, hangs on their rear and flanks, keeping up his familiar guerrilla warfare.—*Barcelona* continued ineffectually blockaded by sea.

The whole country being under martial law, the general mails were constantly interrupted, and even private communications to and from *Gen. Alcock* were difficult to be effected. The late accession from *General Ballasteros*, (who now seems Commander in Chief in Andalusia) were that he was directing his march from the Kingdom of *Valencia* generally, the pass of *De Penapetrous*, and after being in a state of defence, to prevent the passage of more French troops into Andalusia, from the other side of the *Sierra de Almorax*, intended to proceed towards *Cadiz* to raise the siege of that city. On his march his army was last increasing its numbers, and he was concentrating the best blood and talents of the country. Among others who were passing from *Cadiz* to join him, and who visited Gibraltar in their route, were *Gen. Zayas* and *Lallemand*.

The former is a brave and intelligent soldier, who distinguished himself at *Madrid* after the description of *Abisbal*—the latter is well known in America to need any description here. The received opinion in regard to the affairs of Spain is that even should the French succeed in restoring the King to his absolute power and dispersing the Cortes—his people nor tranquility will be secured in the country whilst a French soldier remains on this side of the *Pirenees*.

Guerrilla parties already fill the mountains, consisting of those who are so far implicated, that their capture, by an absolute monarch, would be followed by an ignominious death. A powerful army in the field, which, to say the least, has manifested a firm attachment to a constitutional government, if dispersed, can alone secure their safety by seeking the same refuge. The numbers who have become possessors of national and church domains, holding their tenure from the Cortes or Constitutional Government, all which must naturally revert to the absolute government, and in the peculiar hatred that exists in the breasts of a Spaniard against foreign control, will be anxious to furnish this natural conclusion.

A PRESENT TO THE SPANISH CONSTITUTIONALISTS.

From a *Vigo* (Spain) paper of June 16. Our agent in London, *Don Juan Jabal*, writes to our political chief, in the following terms: "By the steam ship, *Real Jorge*, (Royal George) 2500 muskets have been sent to *Cadiz*, to be disposed of by *Gen. Wilson* in the following manner—120 for the company of grenadiers under the command of this general, and 400 to be placed at the disposal of the provincial deputations. These arms have been sent to you by the society of voluntary subscriptions, which has been formed in this place to assist the patriotic cause of Spain. They also send 540 cartridge boxes to the provincial deputations, and on another occasion, they will forward to you 500 steel helmets and 500 knapsacks for the soldiers.

The public must receive this information with satisfaction, and the most incredulous must now be convinced that our hopes were not unfounded when we expected the People of England would take an active part in support of the just cause which we defend. We announce at the same time that the steam vessel has arrived at *Corunna*.

General Wilson has sent letters of considerable importance to England by his aid *Capt. Leake* who embarked yesterday for the English packet. This generous man reports that he is in his endeavours to procure assistance to the Spaniards; and by this means strengthens the evidence that we are really worthy of being free.

THE FIXED

And circulating capital of Great Britain and Ireland are together equal to two million five hundred thousand pounds.—(*Dr. Colquhoun* estimates them at 2,547,000.)

FROM HAVANA.

Extract of a letter, dated Havana, August 6, 1823.

The Sloops of war *Hornet* and *Peacock* are now in port, procuring provisions and water—all well. They will sail, in a day or two, on a cruise. The Commodore, and those under his command, at *Thompson's Island*, enjoy good health.

On Friday last received information of a small Spanish schooner being in port, with upwards of 200 stand of arms, for the purpose of cutting out of the harbour of the time schooner of 10 tons, but a good look out was kept during the night, and the pirate started out at 5 o'clock in the morning of Saturday. The U. S. schooner *General Armstrong* was in port at the time, followed her, and very soon caused the whole armament to be thrown into the sea.

DYING FOR LOVE.

From a Paris paper of June 28.
An assassination and suicide were yesterday committed in a house near the *Etat Major* of the National Guard. A Spaniard, supposed to be a naval Captain, shot a young woman, whom he loved, through the head, with a pistol, and then applied another to his own head. It is said that upon searching the apartment, a paper was found, purporting that these crimes were concerted between the lovers, in order to avoid a separation, which the mother of the young girl was trying to produce.

At the annual sitting of the Academy of Sciences, on the 2d June, *Mr. Mejeandrie* produced a curious memoir, relative to the Nervous Functions, and cited the following fact: "One of his patients having experienced a violent disappointment, left all the symptoms of approaching paralysis; but the suspension of the nervous movement was so partial, that he could not take a step in advance, but had the faculty of perfect motion backward. When he wished to reach an object, he involuntarily retreated, and could not possibly counteract or counteract this disposition, which lasted four months."

A young man in the village of *Taunton*, (Mass.) a short time since, getting up in his sleep, opened a window in the third story of the house in which he lodged, from which he arose, and descended himself, holding on to the lower part of the frame with one of his hands. He awakened while in this situation, and climbed into the window without injury.
N. Y. pap.

OBITUARY.

COMMUNICATED.
"In the midst of life we are in death."

Let us not rely upon worldly blessings—they are happy who are called earliest from this transitory life. Those who are left, are here to grieve over those who sink into the grave, and to have their affections torn till nature sighs the glad release. The task devolves upon me to write a short notice of the death of one of our worthy citizens, *WALTER M. JONES*, Esquire, of *Mulberry Fields*. He died on Friday last in the 24th year of his age, leaving an amiable young widow and three children to lament his sudden death. On Tuesday week last during the sitting of our court, *Mr. Jones* offered his services to the people of St. Mary's county, as a candidate to represent them in the next legislature; and in ten days was summoned from his life to death—truly a sudden transition from life to death—truly a sudden text, "Be ye also ready." The demise of such a man is a public loss; he was a patriotic and enterprising citizen, whose ideas of friendship were not founded upon cold calculations. He was highly respected by all who were acquainted with him, and his death is generally regretted.
M. Leonard-Town, Aug. 16th, 1823.

Died, in this city on Friday night last, *Mr. TRUK TELKIN*, baker. He was a native of Germany, and came to this city from Baltimore.
On Sunday evening, *Mr. EUSTACE WILSON*, in the 34th year of his age. He was a native of Vermont, and formerly an officer in the South American service.

THE MARYLAND

Fire Engine and Hose Company, Will meet on Wednesday the third day of September, at 5 o'clock P. M. at the Engine-House August 28.

POSTSCRIPT.

A Coast of foggy haze, scattered by *Calhoun*, late commander of the U. S. ship *Enterprise*, was all blank in the face of the said brig.

It is rumored, says the *New York Statesman*, that *Mr. Wilb*, attorney general of the U. S. and *Mr. Brown*, a Senator in Congress from Louisiana, are both thought of as successors of *Mr. Calhoun* to the Court of St. Cloud.

LATEST FROM SPAIN.

By the ship *Cadiz* arrived at New York in 42 days from *Cadiz*, the Editors of the *Gazette* and *Daily Advertiser* have received files of papers to the 10th July.

The reason why we have had so little intelligence from *Cadiz* is now explained in a satisfactory manner—it is forbidden to publish any thing connected with the military operations of the garrison. While the French have been garrisoning, the Spaniards have been employed in repairing their line of fortifications, and leaving their enemies to enjoy the victories they have obtained by telegraphs instead of bayonets. *Cadiz*, notwithstanding the want of the telegraphic news, was abundantly supplied with provisions. In fact, the arrival of fifty five small vessels loaded with provisions of all kinds, in two days, in defiance and contempt of the blockading squadron, furnishes us with abundant evidence, that the Spaniards are neither to be starved into an admiration of Ferdinand, nor speedily reduced to obedience by the bayonet. The Cortes are now brought to a cease of their real situation—they have granted pardon for the past, with a view to unite all hearts, truly Spanish, in one grand subject for the emancipation of Spain. The consequence of this has been, that their armies recruit with such promptitude, that two battalions of national militia have been disbanded already—the Patriotic assembly in larger bodies than the crisis calls for—more than can be maintained with out inconvenience. The Cortes have decided military law—all guilty of treason, sedition, or tumult, and all who in passing through *Cadiz* shall disturb the public tranquillity, are to be tried and punished according to the military code. As an evidence of the rising spirit of the Peninsula, the *Comandante Aragon*, has addressed a letter to the *Comandante General* *Caliz*, in which, after mentioning the oath which he has taken to support the Constitutional system, he solicits any kind of military service, but more particularly the command of a battery which during Buonaparte's invasion was confided to his charge, a battery which in that memorable campaign he had defended to the satisfaction of his superiors in command. The Cortes, meet we are assured, daily, and are busily engaged in the discussion of plans for the defence of their country. The number of the invading force is stated at seventy six thousand men; the blockading force consisted of two ships of the line, three frigates, two sloops of war, one schooner and one gun boat—*Balt. Chr.* The King of Spain had taken up his quarters with the Cortes, and was said to be very reserved.

A Grenada article of June 26, rates the disposable force of *Baillasteros* at 10 or 2000 men, exclusive of recruits and garrison troops. He has left the command of his army to *Balazat*, at *Alcoy*, *Alicante* & *Carthagena*, and is expected here to-night with 2000 horse. He has sent in many recruits to *Cadiz*, July 5. This morning a column of 2000 men started from *San Fernando* for *Chiclana*, in order to destroy some houses which might serve to shelter the works of the enemy. Our troops offered battle, which the French declined. The houses were destroyed by our pioneers, who, having obtained their object, returned tranquilly to their quarters.

July 5—An officer of the third army of operations arrived here this evening with despatches for government from *Gen. Zayas*. We cannot inform our readers of their contents, but can assure them that they are favourable—the his army rapidly increasing, and that the presence of this valiant chief, who destroyed *Bessieres* and saved *Valin*, has inspired fresh vigor in the troops, which we expect in a very short time to see crowned with new laurels.

Letters from *Malaga* of the 1st instant, state the troops of the division of *Gen. Zayas* had set out for *Grenada*.

San Fernando, July 5.—Every thing goes on with activity, the warehouses are filled with provisions, and the troops are improving themselves every spare moment.

Maryland Circulating Library,

North Charles St. corner of Charles and Conowingo Sts. Baltimore.
The proprietors of the above institution beg leave to inform the citizens of Maryland, according to their original design, they have determined to establish branches thereof throughout the state; the same to be located wherever there are frequent communications with the city of Baltimore, and a sufficient number of subscribers are obtained to defray the expenses necessarily attending the same. The proprietors having succeeded in obtaining a choice collection of books, say about 8000 volumes in the various branches of literature, they now come forward on the merits of the Institution, to solicit the aid of the citizens generally, by subscription to the same, to enable them to carry their plans of usefulness into immediate operation. They beg leave to inform the citizens of Annapolis, that they now propose to locate a branch in the city, for which purpose subscriptions are opened, and papers left at *Mr. Hughes*'s Office of the *Maryland Gazette*, and the *City Tavern*, for subscribers on the following terms, viz. Four dollars and fifty cents per year, and fifty cents for the catalogue. Books to be delivered to subscribers free of expense. A large collection of books will be deposited at all times with their agent here, and orders for any in the Catalogue punctually attended to—the number of volumes, and time to be retained, will be made accommodating. The Catalogue may be seen at *Mr. Hughes*.