American,

AND

Commercial Daily Advertiser.

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FRIDAY, SEPTEMBER 20, 1805.

BALTIMORE Price Current.

CORRECTED WEEKLY.

Quant. Vaiue. ARTICLES. Per. Prices. Articles. 13. S 3 BREAD, ship, per 100 navy, bbl. 12 50 13 BEEF, northern mess, **— 11** 50 ----, cargo, No. 1, BACON, BUTTER, for exportation,

CHEESE. American, _____. English best, CANDLES, mould, spermaceu, Fish, cod. dri, bbl. 10 salmon, herrings. morkerel, shad, 1 25

FLATSELD, routh, *FLores, superime, new, rye, old GRAIN, Indian corn. Wheat, Vira) Do. (Md.)

Barley, -8 50 9 Clover seed Oats, -Hors, Hear Land, to, Learner, (+ 1) LUMBER, 1 card, rate 100 Merchantable pine M Cie. r.leaanis Oak theber

Shagles, 18 inch M Jumpar, 32 inch -O.A. scartling 100 ft. Staves, w. o. pipe M 55 Alid, heading - 39 red oak that. hings hild. - 20 4 75 | stances below mediocrite, ruinous. MEAL, corn, kiln dried bbl.

PORK, northern mess cargo, No. 1, Baltimore (packed,)— 18 Southern, 2d. PLAISTER PARIS, French, ton.

PORTER, American, Bace, per 100 lb. Soar, American, white, do. brown, Castile. SALT PETRE, rough refined bush. SALT, St. Ubes, Lisbon, Cadiz, Liverpool, blown,

Turks Island, Isle of May none ton. 18 SASSAERAS, SHOT, of all sizes, cwt. Tobacco, Mar, land, Kitefoot, pr. 100 lb. Fine rellow sist. -

Fine coloury, 1st. -Potomak, 1st. — 4 50 5 East. Shore, 1st. -middling, Rappaliannock, -6 50 Geor ia, TALLOW, American, WAX, bees, WHISKEY, Wood, Lo wood, bay scarce

80 dox Campeachy Fustic Li numvitae -- 130 Nicara ua Brazilletto Maho any, bay Et. Domingo none Redwood, bay

*Store prices. †Sales dull. Cargo prices.

Second qualities of fine and colory are 2 dollars less, Potomak and Eastern Shore one dollar less.

Sales of Tobacco Sull.

Average price of Stock .- This Week. 105a106 8 per cents, 92a92 1-2 57a57 Navy & per cents Louisisna, do. none at market 126u127 per cent U. S. Bank Stock Maryland Bank Stock, Baltimore Bank Stock, Union Bank of Maryland, Alexandria Bank, Commbia do. Potowniac do. Baltimore Insurance shares, Maryland Maiine, Chesapeak, Union, Water Stock, Corrected by T. Barklie, Broker.

A Clerk Wanted.

YOUNG LAD, who is well acquaint-A ed with accounts, that writes a good hand, and can produce satisfactory recommendations, may hear of a situation, on application to the

N. B. If the applicant is from the country, it will be preserred.

FOR THE AMERICAN.

To the People of Maryland. Before we leave the subject of expence, incurred by reason of the present Judiciary establishment, it may be considered a fair item in the calculation, the great charge to which the parties are put, ingoing to, continuing at, and returning from Annapolis, not a cent of which is ever reimbursed; and in the general, it may within bounds, he estimated to amount to one third of the legal costs of trying the cause in the countv, particularly where the residence of the parties is in Charles, Cecil, Someror Worcester it may be estimated to amount to nearly one half of the costs of trial below. But in case the parties cannot have their cases tried the first or second term, after the regular trial court, their own personal expences, added to the legal costs of suit, and the costs for the attendance of witnesses, and fees i to counsel, make the recovery of the claim for which the suit was originally instituted, of very little consideration; to be saved from the outrageous costs which have been incurred, becomes now the primary and sole object. If in the event, the plaintiff is the successful party, (if he may be so really styled) the whole claim for which he has been contending, is absorbed in his own and a 7 25 7 50 long list of other expences, unavoidably incurred, and in extraordinary fees to counsel. If the descendant be successful, he gets relieved, to be sure, from the payment of the plaintiff's claim, but at an expence equal, and in i stances double the amount claimed by the plaintiff; and in either case, the party may emphatically be said to have gained 6 a positive loss. But if the defindant be eventually defeated, the heavy personal expences incurred by himself, the

> upon the trial of causes in the General for a subsequent paper. court, may too be considered very serious in the calculation of expence.-The general court is held, for the Eastern Shore, in the months of April and September, and for the Western Shore, in the months of May and October, it is presumed, it will be unnecessary to urge the value of the particular and personal attention of the agriculturist to his farming affairs, during these months; to him they are among the most important and valuable months in the year, and the loss he must be subjected to by means of this unavoidable and computsory absence from his agricultural concerns during these months, may be considered, and for many years past, has been complained of as grievous, and the injury thence resulting real, and of consequence sensibly affecting his interests. But all this expence of time, and injury sustained, by unavoidable attendance, as party, or compulsory attendance, as witness and juror, will cease, if the contemplated system goes into operation, for the causes will then be tried, in the language of judge Blackstone, " at every man's own door," and by a court too, as ably constructed, perhaps, as the general court is at present.

circumstances, and to a man in circum-

Whatever view is taken then of business transacted in the general court, the expence, considered in the most favorable point, is not inconsiderable. the adjustment of undisputed cases, it is, in the general, double to what the same cases cost in the courts below; in cases there tried, that is in the general court, in a great variety of instances, the expence is grievous, and in some

instances, most grievous. But it is repeatedly contended by the advocates of the general court that the trial by intelligent, impartial, unprejudiced & disinterested jurors selected from every part of the state, and before able 61 1-2 judges, and with the aid of able counsel, are considerations that outweigh every argument of expence, delay and no soites inconvenience. This to be sure is plausible, but will not weigh a feather where the expence is enormous, the delay ruinous, and the inconvenience burthensome. But is the fact so, that jurors of the above description only are summoned to the general court? Let this be examined.

> Four jurors, under the act of November session 1801, are to be summoned to the general court of each shore respectively, from each respective county. It was no doubt intended, that these jurors should be selected from a observed, which protects the innocent mongst the most solid, sensible, expe rienced and intelligent of the citizens o-

the several counties; the characters tenemy, a plain rule exists, and may be who generally compose the juries in the | appealed to, to decide the rights of peace county courts, it is remarked by intelligent observers, are men whose years make them experienced, whose plain, solid, sound understanding give them a respectable rank in the community, and whose independence, in point of circumstances, and uprightness in life, obtain for them the confidence of their fellow citizens, but it is found by experience, that as the duty is generally considered oppressive and inconvenient, these suitable, qualified and useful characters, by some means or another, are not summoned to attend the general set, Kent, Harford or Washington court, and that the young and inexpericounties; and where the residence of ! enced, (who make this their first entre the parties is in Allegany, St. Mary's, | into life) and the indolent, with some | flections respecting the same, as its great exceptions, are the jurors generally se-; importance appears to demand. lected. The consequence not unfrequently follows, that in causes of the greatest moment; wherein the prejudices of the city of Annapolis happen to be involved, the influence of the city, not the legal merits of the cause, as explained by counsel or expounded by the court, decides the case-besides too, it has been experienced, that from the op- dispatched to the proper officers in the portunities which are oftentimes furnished by the separation of the jury af- the abuses which have wis ment of those i ter they are sworn in a cause which oc- illegal decrees, and put an end to the acupies more than one day, and which predictions which are wasting the taxful occurs every term, jurors of this description are very liable to be improperly swaved and influenced by the fallacious representations of artful and designing characters out of doors. These evils have a real existence, and have excited a just clamor; and they, with a number of others which have been, and a number which might be enumerated, have SIR, not yet been corrected by the court, although constructed of characters of unquestioned probity and uprightness, and aithough the presiding judge stands highly eminent in legal qualifications.-They are defects arising out of the rottenness of the system, not to be remeweight of costs and charges of trial in died by judges, more ably qualified than 33 the general court, including the cas's the present judges; nor would the change 3 50 and itinerant charges of witnesses, the of the places of helding the courts, as 7 50 | extraording, y fees to counsel, added to has been conceived by some, effect any the debt and interest or damages recorelief; they are corroding ulcers, and l vered, form an aggregate amount, a the general court the reot, a given been none | trifle perhaps to the affluent and wealthy, | the vitals of the state, to be a cetually serious though to a man in moderate remedied suly by cradication.

The principles of the bal published My Lords, for consideration, and how far the pro-The time necessarily spent in attend- | visions will carry into effect the princiance by parties, witnesses and juiors, ples, will be subjects of examination

A COUNTRYMAN.

FOR THE AMERICAN.

Mr. PECHIN,

PLEASE to republish the official publication made by the depositment of state, some time past, that the propie of the United States may have an opportutilly of contrasting the lite decisions of the British course, with the information given by the li. icish minister to the government of the United States.

A SUESCRIBER.

From Mr. King to Lord Heackesburg GREAT CUMPERLAND PLACE, March 13, 15-1. My LORD,

Tiil. decree of the vice admiralty court of Nassau, a copy of water is annexed condemning the cargool an American vessel, going from the Unit d States to a port in the Spanish colonies, upon the ground that the articles of innocent merchandise composing the same though bona fida neutral property, were of the growth of Spain, having been senctioned, and the principles extended by the prize ceurts of the British Islands, and particularly by the court of Janiaica, has been deemed sufficient authority to the commanders of the ships of war and private ets. cruising in those seas, to fail upon & capture ali American vessels bound to an enemy's colony, and having on board any article of the growth or manufacture of a

nation at war with Great Britain. These captures which are vindicated by what is termed the belligerent's right to distress his enemy, by interrupting the supplies which his habits or convenience may require, have produced the strongest and most serious complaints among the American Merchants, who have seen, with indignation, a reason assigned for the capture and confiscation of their property, which is totally disregarded in the open trade carried on between the British and Spanish colonies by British and Spanish subjects, in the very article, the supply of which, by neutral merchants is unjustly interrupted.

The law of nations acknowledged in the treaty of amity, commerce and navigation, between the United States and Great Britain, allows the goods of an encmy, to be lawful prize, and pronounces those of a friend to be free.

While the United States take no measures to abridge the rights of G. Britain, as a belligerent, they are bound to resist with firmness, every attempt to extend them, at the expense of the equally incontestible rights of nations, which find their interest and duty in living in peace with the rest of the world.

Solong as the ancient law of nations is merchandize of neutrals, while it abandons to the belligerent the goods of his

and war -- The beligerent has no better au hority to curtail the rights of the neutral thun the neutral nas to do the like in regard to the rights of the belligerent; and it is only by an adherence to the ancient code, and the rejection of modern glosses, that fixed and precise rules can be found defining the rights, and regulating the duties of independent states.

This subject is of such importance, & the essential interests of the United States, whose policy is that of peace, are so deeply affected by the doctrines which, during the present war, have been set up, in order to enlarge the rights of belligerents, at the expense of those of neutrals, that I forted into the United States, was condemnshall without loss of time, subplit to your Lordship's censideration such fundier re-

In the mean time, as the decisions referred to cannot, from the unavoidable delay which attends the prosecution of appeals, be speedily reversed, and as the efect of those decices, will comin be to be the unjust and rumous interception of the American commerce in the West India seas, it is my deep to require that precise instructions shall, without delay, be West Indies and Neva-Scoria to correct commerce of a perceable and friendly the ! tion. With great consideration and acspect. Thave the nonor to be your lordship's most obeclient and most humble; servant,

RUFUS KING. (Signed) LORD HAWKESBURY.

Downing-Street, April 11, 1801.

I have the honor to acknowledge the receipt of your letter of the 1 th of last months and to indom you that in con-cquence of the representation consined in it, a letter has been written by his Maic. ty's command, by his grace the Duke of Portland, to the lords commissioners of the Admirate ; acopy of which latter ! herewith enclose to your and a the immerination of the governor state the L. States. I have the honor to ac-

With great truth, ser. Your most chadle it server. (Signed) HAWKESEURY. Rustin Kana, Sc.

White Land L. C. Cold March. 1801.

I transmit to your Lord-hips herewith, a copy of the decrees of the Vice Admiralty Court of Massaul condemning the cargo of an American vessel, going from the Universe States, to a port in the Spanish colonies; and the said decree having been reserred to the consideration of the King's Advocate General, your Lordseips will perceive from his report, an extract from which I enclose, that it is his chi ion that the sentence of the Vice Admirate is terromous and is founded in a misa problem ion or misapplication of the part ciples laid down in the decision of the Hyrl Court of Admiralty referred to. without attending to the limitations therein Considered.

In order therefore to put a stop to the inconveniences arising from these erromous sentences of the Vice Admiralty Courts, I have the honor to signify to your Lorsnio's the King's pleasure, that a cor munication of the doctrine laid down in the said report should be immediately made by your Lordships to the several judges presiding in them, setting forth what is held to be the law upon the subject by the superior tribunais, for their future guidance and direction. I am, &c. PORTLAND.

To the Lord's commissioners of? the lianiraly.

Extract of the Advocate General's Reports dated Morch 16, 1891.

Thave the honor to report, that the sentence of the Vice Admiralty Court appears to necessacous, as a to be founded in a misappelension or misapplication of the principles laid down in the decision of the Court of Admiralty referred to, without_attending to the limitations therein contained.

The general principle respecting the coloniai trade has, in the course of the present war, been to a certain degree relaxed in consideration of the present state of commerce. It is now distinctly understood, and it has been repeatedly so decided by the High Court of appeals, that the produce of the colonies of the enemy may be imported by a neutral into his own country, and may be re-exported from thence, even to the mother country of such colony; and in like manner the produce and manufactures of the mother country may, in this circuitous mode, legally find their way to the colonies. The direct trade however, between the mother country and its colonies, has not I apprehend been recognised as legal, either by his Majestys government or by his tribu-

What is a direct trade, or what amounts to an intermediate importation into the neutral country, may sometimes be a question of some difficulty-A general definition of either applicable to all cases, cannot be well laid down. The question must depend upon the particular circumstances of each case; perhaps the mere touching in the neutral country, totake fresh clearancès, may properly be considered as a fraudulent evasion, and is in effect the direct trade; but the High Court of Admiralty has expressly decided (and I

see no reason to expect that the cours of appeal will vary the rules) that landing the goods and paying the duties in the neutral country, breaks the continuity of the voyage, and is such an importation as legalzes the trade, although the goods be reshipped in the same vessel, and on account of the same neutral proprietors, and forwarded for sale to the mother country.

A true copy from the files of the depart ment of state. JACOB WAGNER, (Signed)

Chief Clerk. * In the case of the American Brigantine Leofiard, Robes, Master, laden in partwith Mais ga Winer. The cargo so far as it consisted of Wines, though regularly imed bu judge Kensal. 20th October, 180 i, " the sume being productions of the Spanish Trulyry in Larofe, and bound to the Transattantic perts of that Empire.

FROM THE ALBORA.

EUROPEAN NEWS.

The negative king of war which has been carried on since the rupture of the peace of Amicus, has efforted very fittle room for positical investigation. The inscrutability of the m. wes of some powers, and of the systems of charge have batace the conjectores of ordinary calculation. The incidents like the causes and the actors with whom they originate, are so perfectly words as to supercede allanalysisty comparison, ad reasoning upon previous experience.

The recent at any amount to approximate the measures of preparation, for three years , st. to the ordinary test of mar - where it is the force of gold, or the later transpiration of sinister ambithere, to be a some of the optionity of momente es content de la la confects contentplated and on constitutional too half a folias chamit. In the destails leaves it no longer doc. sate is disposed to ce-operate egainst i mec.

Little doubt can be and trimed of a simiar aspesion in Veria :- " her for corn out we her will restrains that power. It remains to be seen whether the than is of lingland can sustain the columns of Austria in a renewed contrat; for to all appearance a remewed contest there will be on the community of Europe.

Uncre is no cheice left to the powers of the Panapean continent, between a confition general and compret ensive, and a !- ! lest or open an indiscion to the inferious will of reasere—it is a choice of alificul ties-and in this instance it is to in nevermined upon the same the that the tellant spirit of " on e lasted man" would reason-"shall I subn it without a strug-" gie! Shall I not rather perish glerieus-" ly than live ingloriously! will it not be "better to resist with honor even if I " should be overcome, than submit it no-" bly?" These or such as these would be the reasonings of a gallant and a free nation-will these be the reasonings of the aristocracy of Germany-as the aristocracy and not the people will determine, we cannet calculate upon either courage or viritie—if the people were to determine, then we should be able to give an chimist-24 it is, gold and not viring will regulate the measure of Austrian

Prussia will be newral-or if fores! from acutrelity, she will make wer on the side of France. From 1796, to 1604, it was constantly predicted in this paper, that the war would transfer Hanover to Prussia, and Poliand as an integral part of France. More tions half of the prediction is verified. Lanover is indeed only in the possession of France, and Holland is in a state of nominal nationality. The march of an enemy from the Prussian hontier into Hanover would at once supercedeall further difficulties-parchment and ink might be considered as formally useful, but the event would be the same. Probably Prussia may settle down with a large portion of Saxony; and as Dantzic and Thorn have already become Prussian, and Hamburg may be added to the number of her maritime ports, as a teounterpoise to Trieste, Venice, and the cultivateable and mercantile country of Istria and Venetian Delmatia.

It is perceptible from the conduct of the Porte, that Russia maintains at Constantinople a terrific ascendancy; and the cessions recently made by the Porte in the Filasis of Mingleria, not only of commercial freedem, but of territorial and military positions and fortifications, too plainly prove the apprehensions and humility of the Ottomans, and the slow but reiterated approaches of Russsia to the realization of the vast projects of that power against the ancient seat of Eastern Ent-

The extraordinary manœuvres of the fleets of France in their recent expeditions to the West Indies, and their return to Europe, have surprized without informing politicians on the object of such complex and precarious enterprizes. There turn of the grand combined fleet to En rope has however ended in a partial action, between the fleets of the rival powers, on the 22d of July off Cape Finisterre. The accounts of this action appear to support the belief that it was a partial action; the capture of two sail of the line of Spanish ships, gives it all the consequence of a victory in the ordinary acceptation, since victory is calculated rather by the konor than the gain. The effect of this victory must be to encrease the finance. larry of the British minister and the war -to enforce loans and taxes-and to inspirit exertions—in the combination of