

tion? Must not this indignity and injustice be submitted to even in the face of a force equal to its prevention? If so, here is the mighty utility of the measure? Such is the language of our sameleon casuists, who, in the extensive wardrobe of party prejudice, can find a covering fit for any purpose; who can, with perfect nonchalance condemn in one character what they approve in another, and be the first to reprobate what they were the first to recommend.

Because this measure was not at once undertaken, the administration was denounced; and now it is adopted, its utility is attempted to be exposed. Will these gentlemen have the goodness to recollect that it was not, perhaps, at first adopted for the very obvious reasons they themselves now urge. Will they recollect that until lately, the administration were in good faith bound to observe the provisions of a treaty made by their political opponents with Great Britain, from whose ships of war we have suffered the most extensive spoliation; and that this treaty provides,

"That in all cases where vessels shall be captured or detained on just suspicion of having on board enemy's property, or of carrying to the enemy any of the articles which are contraband of war; the said vessel shall be brought to the nearest or most convenient port; and if any property of an enemy shall be found on board such vessel, that part only which belongs to the enemy shall be made prize, and the vessel shall be at liberty to proceed with the remainder without impediment. And it is agreed that all proper measures shall be taken to prevent delay, in deciding the cases of ships or cargoes so brought in for adjudication; and in the payment or recovery of any indemnification, adjudged or agreed to be paid to the masters or owners of such ships."

Art. 17. The 18th article, after enumerating such contraband articles as are declared to be just objects of confiscation, proceeds as follows.

"And whereas the difficulty of agreeing on the precise cases in which alone provisions and other articles not generally contraband may be regarded as such, renders it expedient to provide against the inconveniences and misunderstandings which might thence arise. It is further agreed, that whenever any such article so becoming contraband, according to the existing laws of nations, shall for that reason be seized, the same shall not be confiscated, but the owners thereof shall be speedily and completely indemnified; and the captors, or in their default, the government under whose authority they act, shall pay to the masters or owners of such vessels, the full value of all such articles, with a reasonable mercantile profit thereon, together with the freight, and also the demurrage incident to such detention."

By the 22nd article. "It is expressly stipulated that neither of the said contracting parties will order or authorize any acts of reprisal against the other, on complaint of injuries or damages, until the said party shall first have presented to the other a statement thereon, verified by competent proof and evidence, and demanded justice and satisfaction, and the same shall either have been refused or unreasonably delayed."

The 17th article of our treaty with Spain, ratified in the year 1795, declares that,

"To the end that all manner of dissensions and quarrels may be avoided and prevented on one side and the other, it is agreed, that in case either of the parties hereto should be engaged in a war, the ships and vessels belonging to the subjects or people of the other party must be furnished with sea letters or passports, expressing the name, property, and bulk of the ship, as also the name and place of habitation of the master or commander of the said ship, that it may appear thereby, that the ship really and truly belongs to the subjects of one of the parties, which passport shall be made out and granted according to the form annexed to this treaty. They shall likewise be recalled every year, that is, if the ship happens to return home within the space of a year. It is likewise agreed, that such ships being laden, are to be provided not only with passports as above mentioned, but also with certificates, containing the several particulars of the cargo, the place whence the ship sailed, that so it may be known whether any forbidden or contraband goods be on board the same: which certificates shall be made out by the officers of the place whence the ship sailed in the accustomed form: And if one shall think it fit or advisable to express in the said certificates, the person to whom the goods on board belong, he may freely do so: Without which requisites they may be sent to one of the ports of the other contracting party, and adjudged by the competent tribunal, according to what is above set forth, that all the circumstances of this omission having been well examined, they shall be adjudged to be legal prizes, unless they shall give legal satisfaction of their property by testimony entirely equivalent."

We have not the French treaty at present before us: but its provisions, on the point under consideration, are not materially variant from those already recited. Here then are three treaties, by two of which the government are still bound, and by one of which they were bound until lately; all of which were negotiated by a federal administration, and ratified by a federal Senate.

If the provisions are injurious or unjust, who are to blame but federalists? However improper, it is the clear duty of the present administration to observe them. That there is great injustice practised in carrying them into effect cannot admit of a doubt. That it is the duty of the government to remonstrate against it is equally clear. That they have remonstrated is extremely probable. Whether their remonstrances will put an end to the evil is uncertain. Should they fail in doing this, it rests with the legislature to apply the remedy. The demand of justice and its refusal, necessarily, according to the theory of our government, transfers all ulterior powers to the legislature. With them are deposited the revenue and the armed force of the nation, as well as the regulation of trade, and with them it must rest to decide whether the cases of such a nature as to demand an appeal to arms, or a restrained or interdicted intercourse. And should a cause occur, can it be doubted that those, who assume to themselves all the patriotism of the country, should the friends of the administration be remiss in their duty, will fail to bring forward such measures as an injured and insulted nation are called upon to pursue. Then the nation will be able to determine whether the present administration are really averse to the protection of commerce, or to the vigorous redress of violated rights. Should they refuse to take the necessary measures, then, and then only will there be reason to complain.

There are two important considerations which on this as well as other topics are not duly attended to. The first arises from the abandonment by the federalists of the principle that free goods, which had been previously adopted in several treaties. While this principle was uniformly asserted by us to be just, and while we refused in any solemn stipulation to surrender it, we stood upon high ground. We were under no obligation to allow our vessels to be searched, or sent to adjudication, under the pretext of having enemy's goods on board. We remained free, in case the hostile principle were asserted, to oppose force to force without violating any moral obligation.

The other considerations arise from confounding the powers and duties of distinct departments of our government. Because the President has high and extensive powers, it is often either ignorantly or perversely inferred that he has all power. But so different is the theory of the government, that the very reason why he is denied some great powers is his being possessed of others. Thus, though it is made his duty to execute all, he is prohibited from making any laws; and though it is his duty to negotiate with foreign nations, he is prohibited from using the national force against them without the express permission of congress. It is the great, pre-eminently distinctive feature of our system, that the nation, which is to experience the complicated evils of war, is likewise the sole judge of its propriety.

Suppose then the executive, by overstepping his constitutional powers, by consulting his own indignant feelings at wrongs committed against the American nation, should, by hasty measures, snatch from congress their great prerogative of declaring war, would not those, who are now the most clamorous for energetic measures, be the first to institute an impeachment? Would not the cry of usurpation resound through the land?

### American AND COMMERCIAL DAILY ADVERTISER. THURSDAY, SEPTEMBER 26, 1805

SOME of our advertising friends are still in the habit of requesting, in a particular manner, that their advertisements may appear in the country American; to prevent the necessity for the repetition of such orders, we would again inform them, that our country paper is issued three times a week—that the inside pages of two daily papers, (without alteration, excepting the two title lines) form one country paper—so that whenever an advertisement appears in this side of the daily American, with the news—it at the same time appears in our country paper. Our friends will by this observe, that ALL advertisements have their proportion of insertion in the country paper.

From the tenor of the following, we would presume, that the writer had principally in view, the sluggish or lethargic state of the people of the county of Baltimore, in not manifesting more solicitude, relative to the approaching election—and not, as has been inferred, a pointed reprobation of, or rather denunciation against the delegates composing the last representation.

The republicans, except in Baltimore county, appear to be doing something. Each portion of the state of Maryland seems to be rousing from a dozing posture, (yet Frederick is not perfectly awake.) But Baltimore county, a long remarkable for the jarring conflicts of the friends of freedom concerning a preference of individuals, and which has too often exhibited a dilatoriness in the great mass of its republicans, seems to have abandoned things

to their destiny, as if the people there had determined to realize John Adams's assertion, that the greater part of mankind, if they have a plenty to eat and drink, care nothing about government. This is a cause of triumph to the foes of liberty, and a disgrace to republicanism. Let the republicans of Baltimore county act in unison, with vigor and firmness, and they will become of far more importance than they are at present in the legislature. They have good men enough among themselves of sense and character, from amongst whom to choose delegates.

It has often been matter of astonishment that the friends of freedom in our sister county have not heretofore fixed upon Col. Wm. Clemm as a candidate. A man of character and fortune; sensible; of more than common smartness and activity; firm and decided, and withal a revolutionary soldier; he justly merits, and he ought to receive the confidence and support of his fellow citizens as a delegate to the General Assembly of Maryland. Independent as he is, he would never be a time-server nor a sycophant; and the Baltimoreans would never have to regret the election of such a man. The first Monday of October is rapidly marching towards us, and to see so respectable a county as Baltimore in so degraded a situation, as it were "unannounced and unannounced" preparatory to the day of election, is deplorable. Some ought to be done, and quickly too, or the consequences may be extremely injurious to republicanism. [Rep. Adv.]

### DANISH CONSUL'S OFFICE.

To prevent misapprehensions being entertained concerning the nature and execution of the new quarantine regulations within the Danish European dominions, which are established upon principle of facilitating commerce as much as possible, consistent with the end of any such regulation—the following limitations in regard to time, and specification of goods which are thought liable to carry infection, are hereby made public:

1. Vessels coming from any country under suspicion of being afflicted with contagious disease, but having bills of health in perfect order, no dangerous goods, nor any sick at the time, or during the passage, and no recent communication with vessels from the Barbary coast, will have to perform a quarantine observation for four days.
2. Vessels under similar circumstances, but coming from an infected place, consequently without bill of health—14 days.
3. A vessel having a few dangerous goods on board, such as can be aired and purified on board, without unloading the cargo, coming from an infected place—40 days.
4. Such a vessel, having many dangerous goods from an infected place, or having actual contagion or pestilential diseases on board, must proceed to Christiansand in Norway, there unload within the limits of the quarantine ground, and undergo the prescribed purifications during 40 days or longer, according to circumstances, where also such goods as are of a nature to carry infection will in this case be burned.
5. Vessels without a cargo or in ballast, from an infected place, (or having had communication with a vessel from the Barbary coast) if 30 days have elapsed since and no sickness has appeared will perform a quarantine of 4 days or as many more as they may be deficient in the stated 30 days.

The following goods are considered as dangerous or liable to carry infection, viz. Wool, Cotton, Silk, Bast, Hair, Feathers, Quills, Down, Flax, Hemp, Straw, Sponge, and all articles manufactured thereof; Paper, Books, and Cordage, which is untarred, &c.

Further, Hides, Skins, Peltry, Leather, Parchment, and all that is manufactured and composed of these materials.

Further, such animals as are clothed with Wool, Hair, Bristles or Feathers, as also their Horns and Bones in a raw state.

Also, Cochenille, rasped Dye-Woods, and Coins of every kind.

Not dangerous are estimated,

1. Grains of all kinds, viz. Wheat, Buckwheat, Rye, Barley, Oats, Rice, Corn, &c. Pulse, Pease, Beans, &c. and

Whatever is prepared and composed from grain, viz. Flour, Groats, Starch, Bread, &c.

2. Beef, Pork, Fish, of every preparation; also, Butter, Cheese, Lard, Honey, other-like nutriment and Tallow.

3. Fruit of all different kinds; also, Cocoa, Nuts, Almonds, &c. Further, Potatoes, Roots, Vegetables, &c.

4. Liquids, as Water, Oil, distilled Liquors, and Liquid preparations of different kinds.

5. Spices of all kinds, Drugs, Medicines, Plants, Tea, Tobacco, Hops, and every other article derived from plants, which has not already been excepted.

6. Wood and every thing derived or manufactured from it, except rasped Dye-Wood, Coals, Ashes, Gums, Tar, Rosin, &c.

7. China, Pottery-Ware, Metals of all kinds (except Coin) Alum, Vitriol, Paints, Brimstone, Charcoal, &c. &c.

When goods, not liable to carry infection, are packed in dangerous articles such as Straw, then the whole is considered as dangerous until the package is separated from it.

Philadelphia, 21st September, 1805. I. F. ECKARD.

### SHIP NEWS

From the Merchants' Office-Books. September 24. Arrived, brig Minerva, from Boston. September 25. Arrived, brig Potowmack, Tupper, 12 days from Turks Island—salt—the master. Left there 13th, brigs Susan, Smith, of Providence, and Betsey, of Somerset. Brings nothing new. Also, brig Happy Couple, from New York, and William, from Savannah, via Norfolk. Also, brig Union, Oxnard, 4 days from New York—ballast—Charles Deshon.

### A Young Woman

WITH a good breast of milk, who can bring unquestionable recommendations, wishes a place as Wet Nurse. Apply at John Grose's, near Griffith's Bridge. Sept 26 d4t

### Apprenticeship.

A LAD of genteel connections, and promising talents, wants a situation as an apprentice to a respectable Merchant, or would have no objection to serve in a wholesale (wet or dry goods) store. A line addressed to R. H. and left at this office will be duly attended to. September 26 e4t

### Falls Turnpike Road.

NOTICE is hereby given, that an election will be held on TUESDAY, the first day of October, at 11 o'clock in the forenoon, at the house of Mr. Fulton, the Globe Tavern—For a president, six managers, and a treasurer, to serve one year.

WALTER ROE, Secretary. A few MASONS are wanted to build bridges on the above road—apply to WALTER ROE, Secretary. September 26 d5t

### Charles Wirgman

HAS removed to the Counting Room (No. 47 South Gay-street) lately occupied by Messrs. Smith and Buchanan, & offers for sale, 20 casks of Hollow Glass Ware, assorted 10 half barrels Gunpowder } excellent 20 quarter casks do 6 Rolls of Sheet Lead 1 case Furniture Calicoes 1 hhd. of Saddles and Bridles complete 30 hhd. of excellent Draught Porter 6 casks of Bottled do 10 casks of Yellow Ochre 14 casks of Sad Irons 100 boxes Negro pipes A quantity of Iron Bolts, assorted, and An assortment of London watches and Jewellery. Sept. 26 e0

### Morocco Factory,

(On Baltimore-street, extended, at the first bridge.) JOHN MATTHEWS, RESPECTFULLY informs his friends and the public, that he has on hand, 200 dozen Tanned Sheep Skins 5000 wt. felt wool, chiefly made this season, which he will sell on reasonable terms for cash or approved notes. He also continues manufacturing sheep skins suitable for saddlers, and black and yellow skins; and wool assorted for hatters, &c. N. B. The highest price given for goat skins. Sept. 26 e02

### Dissolution of Co-partnership

HERETOFORE existing under the firm of A. Welsh & Co. is this day dissolved by mutual consent—all persons who have any claims against said firm, are requested to exhibit their accounts to Kraber & Frey for settlement, and those who are indebted, to make payment to them, who are duly authorised to settle the business of said firm.

A. WELSH, SAMUEL FREY, MARTIN KRABER. N. B. The GROCERY and FLOUR BUSINESS will be continued by Kraber & Frey, at their store, No. 106, North Howard-street, where they have on hand, 30 qr. casks Malaga Wine A few pipes Old Lisbon Wine Jamaica Spirits Cognac Brandy Holland Gin New England Rum West India Molasses, of a superior quality Coffee, Loaf and Brown Sugar Teas of all sorts Spices of do. Madder, Coppers and Alum 21 qr. casks Gun Powder Crowly Steel, Rolled and Cut Iron—an assortment of castings—also, Plaster of Paris. All of which they will sell on pleasing terms for cash or approved paper, or taken in barter all kind of country produce. Sept. 26 e04t

### Loft or mislaid,

ONE of the Books of TICKETS in the 2d Presbyterian Church Lottery. The original number of Tickets in said book was 60, and extend from 9421 to 9480, both inclusive. On examination it appears that 40 have been sold, 14 have been drawn, and stand to account of the scheme, and 6 yet remain undrawn, viz. Nos. 9459, 9460, 9461, 9462, 9470, 9473. As the payment of the above Tickets, which may be prizes, will be stopped, if offered for discount or exchange, they can be of no possible use to the possessor. A reasonable reward, if demanded, will be given to any person who will bring or send them to the Store and Lottery-Office of SOWER & S. COLE, 3, Light-street, next door to Bryden's Coffee-House. September 26 d3t-e03t

### OYSTERS.

COVE OYSTERS, large, fat and well relished, received last evening at Finn's baths, and will be served up this evening from 4 to 10 o'clock. Sept. 26 It

### London Millinery.

MRS. NEALE, HAS received per the Perseverance, from London, part of her FALL FASHIONS, among which are the Eastern Cloak, Egyptian and Installation Drapery, Buffon Caps; also, a handsome assortment of white Ostrich and fancy plumes, with a variety of other articles in her line, which will be opened to-morrow at No. 8, South-street. Sept. 26 d1t

### Sale by Auction.

This Day, The 26th inst. at 10 o'clock, at the venue carriage, at the corner of Second and Frederick streets, will commence the sale of DRY GOODS, And at 12 o'clock, 53 hhd. Muscovado Sugar 49 barrels ditto 132 boxes white and brown Havana ditto 10,000 lbs. of excellent Coffee in casks 12 pipes 1st quality Lisbon Wine 8 pipes Madeira ditto 20 casks Bordeaux Claret 30 tierces Rice 100 boxes Raisins Also, 18 pipes of choice Old Sicily Wine. THOMAS CHASE, Auct'r.

### Sale by Auction.

Will be added to the sale, this morning, at 10 o'clock, 2 bales Cloths 1 do. Swandowns 1 trunk calimancoes And at 12 o'clock, 29 hhd. of New Orleans Sugar THOMAS CHASE, Auct'r Sept. 26

### Sale by Auction.

Will be added to our sale, This morning, SEVERAL bales of damaged German LINENS, for account of the underwriters. THOMAS CHASE, Auct'r. September 26

### Sale by Auction.

THIS DAY, At 4 o'clock in the afternoon, will be sold at our auction room, at the head of Frederick street dock, 1 bale FLANNELS, for account of the underwriters. VAN WYCK & DORSEY, Auctrs. Sept. 26

### The Ship Diana,

Capt. Jos. HOLBROOK, being ready to receive a cargo, should a Freight offer for Liverpool, she will be dispatched immediately; or we would accept a Charter to a port in the South of Europe. For terms apply to WM. WILSON & SONS. Sept. 26 e04t

### For Bremen or the River Jade,

If the Weser is not blockaded, The Bremen Ship MARTHA MARGRETHA, About two thirds of her cargo being already engaged the remainder will be taken on moderate freight—apply to VON KAPFF & BRUNE, or JOHN BOLTE, Ship Broker. Sept. 26 d

### Slater and Roy,

84, Market-street, Have imported in the different arrivals from London and Liverpool, Their entire assortment of Hardware and Cutlery, PAINTS, &c. Amalgam which are, Sewing and Seine Twine Hair Seating, from 19 to 30 inches Gold Leaf Coach and Gig Springs 500 kegs White Lead, in oil Copper, in sheets and bottoms; Sheathing do. Tin plates Plated Carriage Furniture Anvils and vices Mill, cross-cut and pit saws Moulding and bench Planes With almost every article in their line; The above, added to an extensive stock of goods already on hand, will be sold on inviting terms for cash or good acceptances; or to punctual men only, in the usual way. Also, 80 boxes Havana SUGAR, of a superior quality, for sale at their Distillery, near the middle bridge. Sept. 26 d10t-e0

### THIRTEEN THOUSAND FOUR HUNDRED AND NINETY Volumes of Books,

Consisting of a great variety of Authors, in HISTORY VOYAGES TRAVELS LIVES MEMOIRS ANTIQUITIES PHILOSOPHY NOVELS DIVINITY LAW PHYSIC With a great variety of SCHOOL BOOKS, STATIONARY, &c. For sale by SOWER & S. COLE, No. 3, Light-street, Baltimore. Next door to Bryden's Fountain Inn and Coffee-House, where Catalogues may be had gratis. Country merchants and others, who purchase by the quantity, will find it their interest to call at the store, as they will find the articles good and the terms inviting. The subscribers, anxious to dispose of as much of their present assortment, during the Fall and Winter as possible, offer the following very liberal terms, viz. For all purchases from Dollars 100 to 300 dis. 20 p.c. 200 500 25 1-3 500 1000 25 1000 2000 27 1-3 2000 3000 30 3000 5000 30 1-3 Approved bills or good acceptances, taken in payment. For sale as above, English and German Almanacks, for the year 1806, by the thousand, gross or single dozen. Tickets in the Second Presbyterian Church Lottery, now drawing, for sale as above. Sept. 26 d3t-e0

### LOST,

ON Monday the 23d inst. Hollingsworth and Sullivan's note, for 1500 dollars, drawn in favour of Keller and Foran, and by them endorsed—The finder will oblige the subscribers by returning it to them, with an E-4 of no use to any person, payment thereof being stopped. KELLER & FORAN. Sept. 26 d4t