American.

Commercial Daily Advertiser.

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WEDNESDAY, NOVEMBER 25, 1807.

"J. Ennis's advertisement shall appear tomarrow.

CONGRESS.

-BOUSE OF REPRESENTATIVES. Washington, November 23.

Proceedings this day.

Mr. Elliott, from the committee appointed son the subject, reported " a bill extending Intisdiction in certain cases to the territorial coasts, and for staer purposes;" which was zead twice, and referred to a committee of the whole on Thursday.

Mr. Morrow offered a resolution, the object of which was, that a committee formerly appointed should be instructed to inquire whether provision ought not to be made by Taw for placing on the pension list of the U. B. persons who had received wounds in the service of the United States since the revulationary war, and who were called into service under any law for the protection of the Frontiers, whether such persons were of the Volunteer corps or militia, &c. Agreed to.

The" bill allowing additional compensation to the secretaries of the Mississippi, Andiant, Louisiana & Michigan territories,' was read the third time and passed.

The "bill authorising the crection of a bridge over the river l'otomac" was read the third time.

Mr. R. Nelson moved, that it be recemmittéd to a select committée. Ho said that this hill was extremely prejudicial to the people of this state, and if it must pass, as he supposed it must, he wished to make it as palatable as possible. His principal objection to the bill was, the perpetuity of the charter; he wished it to be comined to a limited numher of years.

This instion was opposed by Mr. Lewis and Mr. Gardenier; & advocated by Mesers. Bloan, Smilie, Key, Crowanashield, and cibers; when the question was taken on recommitting the bill, and carried, ayes 72. committee of 5 incarbers was then appointed for the parpose.

Aduessage was received from the president of the U. S. transmitting, agreeably to the promise contained in his message, the zestimony in the case of A. Bunn. The mes. sage and documents were referred to the committee to whom was referred a revision of the laws on the subject of enterprizes a. gainst the public prace, &c. [The speaker moon after informed the house, that a suffisient unmber of the documents referred to in the message had been printed, and would be laid on the tables of the members to-morrow morning.

Mr. G. W. Campbell, from the committee of ways and means, to whom was referred the memorial of sundry measures of salt and coal of the New-York district, made ra report, concluding as follows; Resolved. the the memorialists bave leave to vithdraw relieur metidorial . Referred to to a committee of the whole to-morrow.

Thursday, Nov. 19.

On motion of Mr. Milner to discharge the committee of the whole house, on the report of the committee of elections on Joshua Barney's memorial;

Mr. Moutgomery stated that he was in favor of the motion, not because he was dispesed to avoid the resolutions proposed by the-gentleman from Ponnsylvania (Mr. J. Clay sheet it was not his habit to shrink from .any question; that he considered it his duty to meet every proposition, and that he was prepared to give his decided negative to two of the resolutions offered by the gentleman from Penusylvania, (which went to express an opinion upon the clause in the constitu-· Kion, relative to qualifications of the elected. and to a declaration that the laws of 1700 and 1802 were unconstitutional, so far as they Lequired a district evidence in the candidate,) what he was ready to give his affirmative to "She last resolution, (which went to confirm Sabe seat of William Mic Creery) he then cal-Led upon the Clerk for the resulations, and after reading the first, he stated that he had. -carefully examined the constitution, and recould find no article, clause or section in it, Which gave power to the house of represeu-* Batives to crect themselves into an explana-Hory convention, to declare their opinions upon abstract questions, what was or what was " mot the consutution, that it was a most dan-Exergus power to be exercised, and might be made an engine daugerous to the liberties of . our deautry, that a gentleman from Virginia Chadespreased, and truly too, that to declare alaw off a state unconstitutional was ymiry ground; but that if a legislature ever did wouch apon miry ground, it was that which Ban been presented to the committee by the mentlemen from Penasylvania, (here Mr. lay ross and stated to the Speaker, that the ecotlomen had no right to discuss the resoluselons which had born offered, that they were mot before the bouse, and that they were as talance were in his pocket): Air. Muniquery explained; the ground he was about to take and that he was going on in fair argument apon the duction before the kouse, and aswigning restone in support of the motion which had been made: the Speaker decided Mr. Montgomery was in order, who was atain proceeding to oppose the two first reso-Julians, when Mr. Clay appealed to the house from the decision of the Speaker. As the Speaker was about to put the question, Mr. Montgomery rose and stated that to relieve the Speaker and the house from any embar-Franch arising from the appeal, inasmuch he the reasons he was about to assign, might be mied if occasion required, in case the gen-Meman from Pennsylvania should renew his resolutions in the bouse, or on a report which the committee of elections might make, he would wave his right; the gentleman from Pennsylvanie, then withdrew his appeal to the bouse, and the question being put on Mr. Milners, motton, it was determined in the affirmative. Me. Thomas moved, that the reports of

the commissioners on the claims of the refugees Irpin the British provinces of Canada and Nora Scotia, be referred to a select coinmittee of 3.4 Carried.

American, Commercial Daily Advertiser.

WEDESDAY, NOVE MAER 25, 1807.

The present contested election between Messrs. M'Creery & Barney, from the length of time it has engaged the House of Representatives, seems to have excited more than common interest, inasmuch as it has brought into action the rights of the Congress of the U. S. and of the state legislatures, respecting the qualifications of representatives to the general government, from the several states. In order to understand this controversy properly, the Constitution of the U.S. is our only guide. Whether Mr. M'Creery voted in tavor of the Yazoo speculation or not has no bearing at all as to the matter in issue; it might as well be urged against other members, in order to deprive them of their seats in that august body, that they are federalists. The Consultation of the U.S. requires that every officer shall swear to support it, but it undoubtedly does not descend to the minor divisions of party. The first section of the first article of the Constitu-'tion says - ' All legislative powers herein granted shall be vested in a Congress of the Unit-" ed States," &c.

The second section of the same article declares that " No person shall be a representa-" tive who shall not have attained to the age of " twenty five years, and been seven years a ci-" tizen of the United States, and who shall " not, when elected, be an inhabitant of that

state in which estall bechasen" The fifth section of the same article also declares that " Each house shall be the judge of " the elections, returns and qualifications of its " own membirs," ac.

The last paragraph of the 6th article express. ly says, that " the senators, and representa-"tives (of Congress) before mentioned, and " the members of the several state legisla-"tures, and all executive and judicial officers. both of the United States, and of the sever ! " states, shall be bound or outh or affirmation, to se support the Constitution."

This is all the Constitution says on the subject—In the first place it defines the powers of legislation of the general government; Ally. It declares who shall and who shall not be chogible to a scat in their body; 3dly. It delegates to each house of Congress solely, the power to decide on the elections, returns and qualifications of its own members; and lastly, every in Lvidual of the state governments, is bound by the sacred obligations of oath or affirmation to support the constitution of the general government

Here we find that Mr. M'Greery was returned a member to represent the city and county of Baltimore in the Congress of the U.S. The House of Representatives, of which house he was duly returned a member by the highest number of votes, could alone determine on the legality of his qualifications to serve in that body, according to the constitution. Insamuch as the legislature of the state of Marvland is bound by oath to support the Constitution and laws of the Unite ! States; they have either misconceived the extent of their legislative powers, or they must have considered them as indefinite, and were willing to try them in order to draw white of demarkation; this line is now drawn, by the question before the House of Representatives of Congress, and it may behove them to rese nd a law, which upon due inrestigation, will be found to operate unconstitutionally.

If the determination of that body shall have the appearance of a deprivation of a civic or inherent sight, the 5th article of the constitution has provided an amil: remedy.

As we are not disposed to enter the lists of controversy in farmer of any particular character, we shall confine ourselves solely to a defence of the principles of the Constitution and the republican institutions of our country.

The Constitution having defined the necessary requisites for all officers of government, as well legislative as executive and judicial, declares that the powers not delegated to Congress by that instrument, are reserved to the states individually and to the people; here the choice of representation rests with the people. The Constitution confines the representation to a residence in the state only which they represent. The voice of that majority, who elected Mr. M'Creery, knew all the circumstances attending his revidence, and have thought proper to give h m their suffrages; and we are dispused to acquiesce, not on account of any predilection of character, but because we think it a right inherent in the people and not in the legislature, to say in what part of the state their representatives shall reside: The admission of Mr. Barney's claim to a seat, is an advocation of a principle we shall ever oppose, inasmuch as we cannot discover any leading feature cither in the constitution of this or my other state, or in that of the general government, which can give the least support to the doctrine, that a minority ought to govern, which principle would be fully admitted in the present instance were Mr. Barney successful in his endeavours. The state legislatures have an undoubted right to apportion their respective states into Congressional districts, but they have no right to dictate to the people, from what quarter of the state to choose their representatives. Jincality always creates prejudices unfavourable to Liberty, and to establish its aburdity is to 127 the foundation for a separation of the Union, an event which, we fondly wish, may never occur.

REPORT

(In part) of the committee on the part of the message of the President of the U. States, which relates to the desence of our sea-port towns and harbors.

In Scapte of the United States. November 20, 1867.

Mr. Mifchill, from the committee on that part of the message of the President of the J. States, which relates to the defence of our sea port towns and harbors reported, in part, the following letter from the accretary of the nary :- also a bill to appropriate money for the construction of an additional number . of gun boats.

NAVY DEPARTMENT, 18th November, 1807.

In answer to your letter of the 10th inst. in

which you ask for such information in relation to the defence of our era port towns and harbors, and the further provision to be made for their security, as the navy department may possess: I have the honor to state, that in aid of the fixed fortifications, which will be submitted by the secretary of war, it is presumed that there will be required it the ports and harbors, mentioned below, the number of gan boats annexed to them respectively, vis-

At New Orleans, At Baranush. At St. Mary's, Al Charleston, B. C. At Ceorgetown, de.

At Egg haghd. At Ambuy, At New-York At Louis Isla At Now-Lond At Connecticore, At New-Ports. At Tiverton, At Boston, At Salem audburyport, At Portland At New-Bed At Marbleheitl Cape Ann, At York, Keunk and Saco, At Kennebechteepseut, Damariscotta, Brujay, St. Ceurge's, At Penobscol Prenchmasoy.

At Philadelp Delaware and river, Makiril Of which were at this time pro-

Passamaqty Bay,

At PortsmouN. H.

At Ocracock

At Nurfolk,

At Alexandr

At Baltimore

vided,

At WilmingtN. C.

At Albemarlound,

Would leavebe provided

gun boats. The buildingthese gun boats is estimated, on an avera at 5000 dolls, each. 138 gun boatt 5000 dolls.

dolls. 940,000 make Dedact the nount of timeber contracted ; as stated in the exhibit of anabrdmany expences inend by the na-

vy department ce the 22d 87,509 June last, Would leave be appre-

dolls, 852,500

Respectfulkubmitted, RT. SMITH. Hon. SAMUEL MITSHILL.

printed for the liding of 188

gun mais,

Chairman of Committee of the Serate EW YORK. November 21. Interesting Lilligence - The following is in extract of a tter recemed this forenoon

by the eastern ail. BOSTON, Nov. 17. By the Frans from Liverpool, London papers are receed as late as Oct. 12th. It is ascertained than the 7th of Oct. Mr. Mun--rec took leave othe king, preparatory to his

cinbarkation. A gendemanassenger had a conversation with Mr. Munre, on the 10th of Oct. and was told by thenmister that he found it absolutely necessay to come home and have a personal conferuce with the President, as the last instructors had fettered him so that it was impossible to conclude a negociation with the Britishgovernment. He added that he was prepard to state to the President, how far GreatBritten would yield certain points, and in wast particulars she would remain immoveabe; that there must be some mitual concessions, and that he still hoped that no insurmountable ob the es existed to an amicable and satisfactory adjustment of the concerns of the two countries.

FROM RUSSIA. Capt. Happeten, arrived yesterday from of troops had been entering that place for some time before his departure, with immense quantities of Artillery, & every kind of military apparatus, lumaces were prepared upon the mote for heaving shot-block ships were fitting up, and placing in stations of desence, and every kind of preparation was making as though they expected an attack; doubtless their apprehensions were from the Luglish. A French ambassador had recently arrived there, and a change in the ministry followed. Most of the nobles were said to consider the late peace a disgraceful act. The king of Sweden was groken of in Petersburgh as a gatiant, able and warlike prince, who, inconsiderable as his power was, might still be able to give annoyance to Russia. The memory of Charles XII probably is not obliterated. At Co. penhagen where capt. H. stopped, the language was, that they had been betrayed by the Crown Prince.

BOSTON, Nov. 17. Capt. Babson, who arrived yesterday, informs that it was reported 80,000 French troops were to march into Spain. The ficet Cadiz was preparing for sea with giva activity. It consisted of 9 sail of the line and 2 frigates; and a squadron was expected from the Mediterranean to join them. Some persons conjectured a sudden attack was to be made on Gibralter, by land and sea. The Portuguese Boyal Family, influenced by the fear of a visit from the French, it was said, were preparing to embark for the Brazils.

SALEM, November 17. Capt. Williams informs us, that the division of French troops which took possession of Leghorn, had passed through Tuscany, or Etruria, with unprecedented celerity. They entered Florence, the capital, without the inhabitants, or the court being even apprised of their approach. The day they arrived at Leghorn, they made a forced march of 44 Italian miles (said to be equal to 49 English miles.) Their appearance at the gates of the city was so unexpected, that they were for a few minutes denicel admittance; but when it was perceived that they were actually a body of French troops, no further objection was made to their entrance. They halted in the principal square in the city, where a number of the soldiers, exhausted with fatigue, fell dead fipon the spot. They immediately took possession of the forts and batteries and carried into them su extraordinary quantity of ummunition, shells, &c. which excited considerable alarm, lest it had been ascertained that the British intended a bombardment of the city. It was however soon out, that their object was the seizure of the British property; but these preceeding vigorous measures convinced most of the well informed, that the Emperor of France was about making a change in the government of the country;that probably the Roman states, or some other territory, would be added to the little kingdont of Etrutia, and given to Lucien Bonaparte, who had long been an chile at Rome. but who had lately been received into Lavor ty his imperial brother. And such is the present harassed condition of the independent Lingdom of Etruria, as almost to indube the inhabitants to wish for a French government

Americant at Leghorn, were in a state of alarm respecting the differences between Enguand and America, the last oc-

courts indicating no prospect of a settlement, the English being determined, as it was said, never to give up the right of search and impressment of their scamen wherever they could be found, excepting en board our publie ships, which they would respect; and the British men of war in the Mediterranean had of late become more severe in examining American vessels than ever; twice was the crew of the Friendship mustered and examined by English officers.

The accounts of the fate of Copenhagenhad reached Leghorn, and the following affecting circumstance was related; that just before the capitulation, a sortic was made by the Danes, with a view of retaking Frederickstadt by storm; that among the troops that made the sortie was afine battalion of young Cadet Volunteers from the military academy at Cepenhagen, composed of suns of the first families, who pledged themselves never to return unsuccessful from the sortic; that, I (sad to relate!) the whole of the battalion was destroyed-either killed, wounded, or prisoners, not one returning.

It was reported, that immediately after the peace between Russia and France, the Passians suddenly made a peace also with Persia, that the Russian army employed against the Persians had now formed a junction with them, and thus combined, were marching toward the ancient Mogul Empire, possessed by the British, and upon the borders of which they had arrived; that with the Persian army the French Emperor had numerous intelligent officers of the artillery and engineers; that the grand Bonapartean plan was to form two great independent kingdome in India, stipulating with them a free trade with all the nations of the earth, range cunningly excepting England-Whatever may be the reality, this shows how rumour is bu-

From the Merchant's Coffee-House Books November 24.

Arrived, ship Minerva, Marshal, Boston,

sundrier, to sundry persons. Ship Harriot, Childs, 80 days from Amsterdam, ballast, to Wm. Wilson and Sons. Livit the ship Jane, M'Carthy, just arrived, and the Tenton, Cox, ready for sea.

Ship Bacchus, Hull, 12 days from Bourbon, coder, tea, pepper, &c. S. Smith and Buchanan, and lieilins and M'Blair. Spoke nothing on the passsage.

New-York, Nov. 21.

The ship Vigilant, Clay, 50 days from Algegiras Left, ship Rebecca, of Norfolk, contain at Madrid prosecuting his appeal simp line, Conway, of Salem, from Buston for Halta, taken by a Spanish gun-boat, cargo condemued (the ship cleared) by the Court at Algeziras-the captain has appealed at to the Court Madrid ; brig Nancy , Morva, of and from Portsmouth (Virg.)via Cork. for L'arcelona, captured, and waiting trial; brig Minerva, Garnon, of Charleston, from Monte Vedo for Barcelona, captured by agim boat brig and cargo cleared, since which Capt. B. has discharged her cargo at Algeriras; brig Elizabeth, Tredwell, of and from New York for Trieste, sent in the 25th Sept. by a Spanish gun- boat, and immediately liberated. Ship Gen. Hamilton, Brown, had acrived in 30 days from New-York. Ship Jano, Toby of New Bedford, from Amsterdam for Leghorn, was captured by two Spanish gun houts on the Stu Sept. and the same day stranded and totally lost, (cargo partly saved) on Green Island or Fort Reese; the captain (Lingester) and four men belouging to the privateers were in jail, in conse quence of taking and running the ship on shere-Capt. T. has prosecuted the owners of the privateers for amount of simp and cargo, or for damages. The ship Abula, Dillingham; and schir Ocean, Barnard, from New-York, passed up the Straits the 10th September. The ship Connecticut, Lovett; and schir Clarissa, Henshaw, from New-York, have arrived at Cadiz.

By this arrival information is received that the English will capture and send into Gibraitar, any American vessel bound from one enemy's port to another, even in ballast. Several vessels who were destined to Malaga, had concluded to re urn home. The Spaniards are capturing all vessels bound to or from an English port, under Bonaparte's block ading decree.

> Philadelphia, Nov. 23. Arrived.

Ship William, Crosby, Lamerick, 67 days; sch'rs Retaliation, Dagget, Boston, 5; Bet-

sey, Foster, do.

· Cleared,

Ship Liverpool, Hamilton, Liverpool; Comet, Dixey, N. Orleans; Agnes, Bunce, Charleston; brig Charlotte, York, Kingston Jam. sloop Schencetady, Smith, New-York-The ship Wm. Johnston, Wells from Am-

sterdam, and a dismasted brig, are below. Capt. Collet, in the ship Pigou, of this port, was spoke the tth of Oct. off the Scaw, from Cronstadt, for London. Capt. C. informed that previous to his departure from Crou stndt, the British shipping were detained by n embargo.

For Sale, freight or Charter. The new and fast sailing Ship

GRAND SEIGNIOR, James Snow, master. Burthen 305 tons per register, carries about 3500 barrels, is a remarkably strong faithful built Ship, just off her Erst voyage and by competent judges esteemed a very superior vessel, new lying at Kerr's wharf,

Fell's Point.

The very fine Ship. GENERAL KNOZ, Samuel II. Ginnodo, master; A strong faithful built and very fast sailing Ship, about 300 tons burthen. Lying at Kerr's wharf, Fell's-Point, and may be dispatched immediately. Apply to

CORNTHWAIT OF YARNALL, No. 83 Bowly's-wharf. 11 mo. 25 🛳

For sale, freight or charter, The Ship

MERMAID. One year old, is 233 tons, sails fast, and is in complete order to receive a cargo, now lying in Smith's dock -For further information enquire at No. 61, Smith's whark november 25

Apples for Sale. A few harrely of very fine PIPPIN AP PLES, just arrived from the Eastern Shore, now lying on board of the schooner Bet, captain Bowen, Chespeide what. morember 23

Sale by Aution.

On THURSDAY MORNING. The 26th instant, at 10 J'clock, at the Ven lus Warehouse, at the corner of Second will Frederick streets, wil common e the case of A VARIETY OF DRY GOODS;

Part of which are, Cloths, Coatings, Flushings, Flannels, Hosiery, Cancoes, Dunities, Velveteens, Thicksets, and One trunk FRENCH GOODS,

Consisting of Cambrics, Cambric Handkerchiefs, Silk Gloves, Long Shawls, Hair Combs, Colored Linestrings, &c. And for account of the underwriters,

8 bales damaged German Lineas. And at 12 o'clock, A variety of GROCERIES, &c. without

reserve. THOMAS CHASE, Auct'r.

november 25 sale, freight or charter,

The Ship MINERVA; W. Marshall, Master; Burthen about 1500 barrels ; 2 good vessel, well found, and will be ready to receive a cargo on boar in a

few days. For terms apply to the master oa board, at Smith's wharf, or to

WALES & CLOPPER, Who have received by said vessel, 10 pipes old Cogniac Brancy

80 hoxes E. Baker's Checolate 30 barrels Bay Mackerel 100 leaxes Candles

many of his

100 barrels Beef. november 25 wfmw8t*

Advert sement.

SLIPPED OFF SLATIY! CLIVER B. HAYES, Es p. Attorney an I Counsellor at Law He is 5 fret 8 or 9 inches in height, a tolerable figure, plausible and insinuating in his manners, and calculated, by his appearance, to deceive the most guarded and cautious. Any person who will give information where he may be found shall receive One Hundred Cents and the thanks of

The writer of this advertisement has left his uame with the Printer. The different printers in the United States

CRED. PO. 31

will confer an obligation by giving the above an insertion. november 25

40 Dollars Reward.

SEVERAL ROBBERIES!!! And one BURGLARY of an uncommon kind have lately been perpetrated in this city and the precincts, by a Mulatto man named "BOB," and three Negro men. Two of the latter were on Sunday last committed to Baltimore jail-And two bave not yet been taken, one named

Who is about twenty-five years of age, and between five feet eight, and five feet ten inches

high; he is straight and well made, has a

small mouth, a pleasing countenance and is

very black. " BOB," (The Mulatto) is about the same age and height of "WILL," but not so well made ; neither is his face so agreeable, his EYES look wild and unsettled. He has a considera-

ble stoppage in his Speech. Their apparel I cannot describe. I will pay the above rerard (or Twenty Dollars for either) and reasonable charges for

bringing them to me, or for securing them in Baltimore jail. If any person. BLIGK or WHITE, will give we co tain information how and where " BOB" and "WILL!" may be apprehended, I

will pay that person the said reward; and shall never mention his or ber nome as my informer. RICHARDSON STUART. november 25

By Virtue of a Decree Of the Honorable the High Court of Chancery

of Maryland, the subscriber will sell at public sale, on the premis s, on Mon sy, the 4th of January next, at eleven o'clack in the fore moon. All that valuable Lot or parcel of Ground.

the property of Mr. Charles O'Brien, situated on Cumberland Row, in the city of Baltimore, fronting thereon thirty-one feet and extending back sixty-five feet, whereon is erected an elegant new three story brick Dwelling-House. with large and extensive three story back buildings and halonnies, a brick smeak house and out houses, dry and commodious cellars under the whole house; the yard paved with brick, and a good pump of water at the front

This house liath been occupied as a tavern. and is reputed an eligible stand for that business. It hath been rented at the rate of 500 dollars per animm. A further description of this valuable property is deemed unnecessary. as those inclined to purchase may view it previous to the day of sale.

The terms of sale are, that the purchaser shall give his promissory note, with an endorser, to be approved by the trustee, for the payment of one half the purchase money with interest hereon, to be included in sixty days, and the residue thereof in ninety days, with interest as aforesaid from the day of sale.

SAMUEL MOALE! november 25

Frederick-town, Hager's town. and Chambersburg

LINE OF MAIL STAGES. THE public are respectfully informed that the above line of Stages starts from the sign of the Indian Queen, Baltimore, every Montlay, Wednesday and Friday, at 4 o'clock, A. M. -arrives in Frederick-town same eyenings. Starts from Mrs. Kemball's, at Frederick, every Tuesday, Thursday, and Saturday, M.A. o'clock, A. M.—arrives at Haget'e-town, at 11 o'clock, same day-starts from Hager's-town at 1 o'clock, and arrives in Chambersburg same evening; where it meets the Philadelphia and Pittsburg Line of Mail Stages. Returning leaves Chambersburg, every Monday, Wednesday and Friday-arrives in Frederick-town, same evenings, and in Baltimore, on the fol-

lowing evenings The subscribers also inform those who may favor them with their custom in the shave live of Stages, that there are good Horses and Stages, with esteful, sober, drivers, and tai verns, where passengers and others will meet with careful attendance, and good accommoda.

PETER OUNDORF & CO. GEORGE BULTZHOOVER.... N. B. A line of Mail Stages starts every Tuesday morning, from Birs. Kemball's, Fraderick-town; rung through Winobester, (V2.) Stauntoe, With Court House, Abingdom Knozville, (Ten) and extends as far as Nach.

Fidos y lesto it stops 2 moremet 25

- Waster