AMERICAN,
AND
Commercial Daily Advertiser.

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By yesterday's Mail, we have received New-York papers of the 15th inst. by which we are enabled to furnish our readers with European Intelligence one day later, than by the BRUTUS and REVENGE.

NEW-YORK, Dec. 15.

The brig Peace arrived at this port last evening, in 31 days from the Downs. She left there, on the 12th of November, the ship Augusta, Howe, of Boston, getting under way for Virginia, to touch at Portsmouth for the purpose of taking on board Mr. Munroe and his family.

At the same time came up the ship Indian-Hunter, captain Newman, in 25 days from Liverpool (having performed her voyage in 90 days, 61 of which she lay there in dock) and brings London papers of the 12th November, one day later than our advices by the Brutus.

In addition to the articles which we have selected for this day's MERCANTILE ADVERTISER, we learn from the paper of the 12th that the Statira frigate, with Mr. George Henry Rose on board, after beating about three days in the Channel, had been obliged to put into Portsmouth.

The English Government had not issued their Proclamation declaring France and her dependencies in a state of siege, and prohibiting all intercourse with them except directly from a British port; it not having received the signature of the king. A private letter from a member of Parliament mentions that it would be published in the London Gazette of the 14th. It is calculated, the opposition writers assert, inevitable to produce a temporary suspension of British commerce, and probably its ruin; and it is argued on the other side that England is not at all dependent on commerce, that her manufactures are the source of national wealth, and that the annihilation of her foreign trade would not necessarily diminish her strength. The propriety of this vigorous measure depends solely on the accuracy of the information.

The Proclamation of the King of England relative to the Copenhagen expedition, has been treated in the Official paper of the French Government with unusual virulence. It disavows Buonaparte's intention of violating the independence of Denmark, reprobates such a measure as "a signal injustice, that would have been a stain on the Emperor Napoleon in the eye of posterity, whose opinion is said to be not indifferent to that great sovereign."

Price of Stock, Nov. 12, 1 o'clock: 3 per cent. reduced 54 1-8 3 per cent. consols 52 1-4. Consols for account 54 1-4 3 4 per cent.

[*Mer. Advertiser.*

LONDON, Nov. 12.

We stated in our yesterday's paper that all friendly communication between this country and Portugal had now finally terminated, and to-day we are sorry to confirm this account, by inserting the following Proclamation of the Prince Regent, brought over by the Auckland packet, just arrived at Falmouth, in eleven days from Lisbon:

EDICT BY THE PRINCE REGENT OF PORTUGAL.

It having always been my greatest solicitude to preserve within my dominions, during the present war, the most perfect neutrality, upon account of the acknowledged benefits resulting therefrom. It being, however, impossible to preserve that neutrality any longer, and considering besides how desirable a general pacification is to humanity: I have been pleased to accede to the cause of the Continent, uniting myself to his majesty the Emperor of the French, King of Italy, and to his Catholic majesty, with the view of contributing as much as in my power to the acceleration of maritime Peace; wherefore I am pleased to order, that the ports of this kingdom shall be immediately shut against the entry of the ships as well of war as mercantmen, belonging to Great-Britain, &c.

Given at the Palace of Mafra, the 20th October, 1807, by order of the Prince Regent, our Sovereign.—That all persons may have due notice, it is ordered that the Edict be publicly affixed.

J. F. LUDGVICE.

Lisbon, Oct 22, 1807.

By our Plymouth Correspondent's letter, we find that two vessels of the Boadicea's Convoy had put into that port, in ballast, from Oporto, not having been suffered to load. They state, that the Newfoundland fleet was not permitted to enter the Tagus; an exception, however, was made in favor of seven vessels in distress.

We have received additional Madrid Gazettes—They chiefly relate to some actions that have taken place between the Spanish gun-boats and our sloops of war, in which the enemy claim the advantage.

A proclamation has been issued at Gibraltar, in pursuance of the one recently issued by the Court of Madrid. It commands all subjects of Spain instantly to quit the garrison. And prohibits the stay of any foreigner whatever, but under certain restrictions.

A private letter from Hellmasburg, mentions, that Prussia had threatened to march an army through Finland, if the King of Sweden persisted in carrying on the war.

The Treaty of Tilsit is again said to be very unpopular in Petersburgh.

Dispatches have been received from his excellency Lord Granville Levison Gower, our Ambassador at the Court of St. Petersburgh. It is supposed that they are of the most interesting nature, as a Cabinet Council assembled at a late hour at the foreign office, to deliberate on their contents.

2 o'clock P. M. We have just seen letters from Bilboa, which state that no French troops had entered Spain, and that none were expected. These letters are totally silent on the reported death of the king of Spain.

Letters from Badajoz furnish the important intelligence that in consequence of an arrangement concluded between the Prince Regent and Bonaparte, the sea ports of Portugal are immediately to be garrisoned by the Spaniards. They enter under the the name of the Auxiliary Army of Portugal.

VIRGINIA LEGISLATURE.

Concluded from yesterday.

Mr. Smith (of Wythe) did not expect that his motion would be made, when a distant day was about to be appointed for the discussion of the question. Was this fair and proper? Was it the usual and regular course of proceeding? The gentleman does not see that his own course defeats his purpose. If these resolutions be this day postponed, may not others of a similar spirit, perhaps the resolution of the gentleman from Henrico (Mr. Foushee) be hereafter introduced? Certainly this great question should not be hastily dismissed. He would offer but a few remarks on each of the resolutions.—It follows from the present constitution, that a judge cannot be dismissed, however monstrous may be his opinions; for these do not amount to a high crime or a misdemeanor. It seemed to him, that a judge's opinions may be so hostile to the liberties of this country as to require his removal. He may maintain, for instance, that the bloody code of the Common Law is in force in this country. He may maintain that the treaty of Peace having been violated is void, and that the part which recognizes our independence has no longer any existence.—The judges contend, that they have a right to declare any acts of the Legislature to be unconstitutional, and therefore void. Shall this doctrine be submitted to by us? It is better that two or three judges, or the Congress of the U. S. shall decide on the meaning of doubtful clauses in the constitution?—They have decided, with respect to the executive that the presidential cabinet may be broken at their binding, and that inferior officers are to be liable to them, through the process of mandamus, for an obedience to the orders of their superiors. They have decided, that the orders of the President of the U. S. do not justify the acts of military officers acting in conformity therewith, and thereby weaken the principles of subordination. The purport of this resolution is, that the judges should be removable by 2-3ds of both houses of Congress. In England, a majority of both houses of parliament may address the throne for their removal; and yet in that country, there exists not as much complaint against the judges as there does in our own.—"The amendment proposed by another state empowers the President on the vote of both houses to remove a judge," Mr S. disapproved. The President should have no power on the subject. He ought not to be able to remove or protect a judge under any circumstances. The grant of such a power would subject a judge to Executive influence. The representatives of the people in Congress ought alone to possess this power. As to the second; has not every man a right to revoke a power of attorney when he finds the authority to be abused. Ought not a state government to possess the same? Shall a senator, be entitled to hold his office for 6 years although the state government believes he is betraying them during the time? It is not more proper that the state legislature should have a right to withdraw him than that a majority of the Senate of the U.S. should have power to expel him? They are about to exercise this very privilege at this moment. Ought the Legislature of Ohio to be disgraced for years by such a representative as Mr. Smith, whom every candid man in the U. S. believes to be a traitor?

Mr. Blake said that he should call for the Ayes and Noes on this question.

Mr. Murdaugh expressed himself sorry to see, that on this important question, he was the only member that stood on that floor to support the cause of Truth; but he should not shrink from his duty.—It had been said, that he had attempted to strangle discussion. To such charges he should always turn a deaf Ear, and should pay no sort of respect to them. If this had not been a question so peculiarly affecting the vitals of our Republic, as to have become the subject of universal discussion, he should feel no hesitation in withdrawing his motion. But he presumed that there was no man in that House, who had not already made up his mind.—He had been charged with supporting, the supremacy of the judiciary. He had uttered no sentiment of that kind, and the House would bear him out in that conclusion. The judges are not supreme. The judges declare nothing but the interpretation of the law. If the law be wrong, let it be corrected, but do not for that reason reduce the judges to a state of Slavery.—One gentleman has made great professions of Republicanism, and has quoted the celebrated maxim, VOX POPULI EST VOX DEI. He too admired that maxim. He had followed it through life, and when he abandoned it, might God abandon him! But he could not see why for every little disadvantage that resulted from any institution, the people should be for ever changing it. The gentleman has turned to England. He could not have turned to country, (said Mr. M.) which could more fortunately for myself or cause. I would turn to that country, because I would employ its institutions as examples for me to imitate but as many beacons to point to danger. Had the gentleman found some cases in former times, when he saw the English bench rotten and corrupted and distributing injustice with a prodigal hand! But what is the situation of England now when the tenure of a judge is so much more eligible? Look at the last 10 years of our judicial administration! Have we seen her courts trampling upon patriotism and genius, and grinding the feelings of the people to dust? Does the gentleman wish to reduce our own judiciary to this situation?

The gentleman from Wythe (Mr. S.) said, that several dangerous principles may be recognised by the bench, and have taken as an instance the adoption of the bloody code of the common Law. He asks, shall there be no redress? There is a redress. Let congress declare that it is not in force in this country and the remedy at once exists.

The question was then taken on the postponement till the 1st of March and lost. Ayes 23. Noes 141.

It was then referred to a committee of the whole house on Monday the 21st inst.

Mr. Smyth (of Wthe) begged leave to call the attention of the House to a subject of importance. It appeared to him that the information war which already existed between this country and Great-Britain must very soon become a war in form. We have been informed by the public prints that the British court have declared that if the non-importation act goes into operation, it will be considered by that court as a declaration of war on our part. This information appears to be credited by the members of Congress. A gentleman has said on the floor of the House of Representatives that the British minister has said to us, "if you persist in this law" we consider it a declaration of war." May we not then (said Mr. S.) presume that the British cruisers on our coast have provisional instructions to seize our vessels, if the law in question is not and ought not to be either. We may therefore expect open war to commence immediately after Monday next. Under these circumstances ought we to remain inactive, and rely for the protection of this state entirely on the government of the U. S. or ought we to add to the means Congress may provide, other strong power, to give to this state still greater security? It appears to him that the state legislatures were at liberty, after the general government have made such provision for the defence of a state as might seem reasonable, to make further provision for the same object. The constitution of the U. States says, "no state shall without the consent of Congress, keep troops, or ships of war in time of peace." The practice of this state agrees with the principles contended for. Several companies were formerly raised, and kept in the pay of the state, for the protection of the western frontier. The general government bore such part of the expence as seemed reasonable, and this state defrayed the balance. It appears (Mr. S. said) that the general government contemplates to provide 60 gun boats for the protection of the harbour of Norfolk, and this may be a reasonable proportion of the means of defence they are about to provide. But if this house think it insufficient, let us add to it so as to make it ample. He moved that the house come to the following resolution,

Resolved, That a committee be appointed to enquire whether any, and what provision is necessary to be made for the defence of the eastern frontier of this commonwealth, in addition to the provision, for that purpose, made by the government of the United States; and that they be authorised to report by bill or otherwise.

The resolution was agreed to and was referred to a select committee, composed of Messrs. Smith (Wythe), Murdaugh, Holt, Baytop, Foushee, Riddick, B. Harrison (P. George), Mercer and Sample.

Pennsylvania Legislature.

IN SENATE, Dec. 7.

Whereas our relations with foreign powers stand in a precarious situation, particularly with the government of G. Britain: And whereas, the late outrages, committed on our sovereignty as a free and independent nation, have not, perhaps, been exceeded in the history of civilized nations, and for which it remains, as yet, uncertain, whether that government is disposed to make such acknowledgements and satisfaction as one independent nation should expect from another, and as war may probably ensue: Therefore

Resolved, That a committee of 3 members be appointed by the senate, to join a committee of the house of representatives (should that house think proper to appoint such committee) for the purpose of addressing the general government, expressive of assurances of our support and co-operation in such measures, as congress may think expedient to adopt, relative to the present circumstances in which we stand with the government of Great-Britain.

Ordered, That Mr. Vance, Mr. Wayne, and Mr. Mitchell, be a committee for that purpose. Extract from the journal.

GEO. BRYAN, C. S.

HOUSE OF REPRESENTATIVES.

On Friday last Mr. Charles W. Hare moved the following resolutions, stating that he wished them to be discussed at the same time with the preceding.—Both sets of resolutions were ordered to be printed and referred to a committee of the whole house to sit on Wednesday.

Whereas it appears from the communications of the government to the legislature, "that events justly exciting the indignation of every American, have led the national government, to make a large requisition of the militia of this state; and that the issue of the measures pursued by the federal executive to vindicate our rights, without an appeal to arms, has not been ascertained"

Therefore, resolved, That although in the opinion of the legislature, the interests and prosperity of the United States, will, if peace can be maintained with dignity and honour, be most effectually promoted by pursuing a pacific policy.—Yet, it becomes the representatives of the people of Pennsylvania, early to provide the means of resisting the outrages, and punishing the insolence of any foreign power.

Resolved, That a committee be appointed to enquire whether it is expedient to purchase any, and what additional quantity of ordnance, small arms, and fire-arms, for the use of the militia of the state, and to report by bill or otherwise.

Resolved, That provision ought to be made by law, for more effectually organizing, arming and disciplining such corps of volunteer militia, as, animated with the genuine spirit of freedom and independence, have tendered, or shall hereafter tender their services for the defence of their country.

Resolved, That whenever, in the opinion of the national government, war shall become inevitable, the legislature of this state will use every exertion within the sphere of their constitutional powers, to promote the honour, and find the firmness, and secure the independence of America.

Resolved, That copies of the above resolutions be transmitted to the president of the U. States, and to each of the senators and representatives from this state, in congress.

FOR THE FEDERAL REPUBLICAN AND AMERICAN.

[illegible] GROUND!

[illegible]

[illegible] the house of Commons of Britain, is well known—and how it stands under existing circumstances is not ascertained.

[illegible] the number of [illegible] to [illegible]. We then turn to the insurgent [illegible] and [illegible] with [illegible] that [illegible] executive [illegible] to [illegible] and that [illegible] people would [illegible] voluntarily [illegible] that war was [illegible] and [illegible] while [illegible] war [illegible] and [illegible] and to give him and the [illegible] any critical emergency. These and other subordinate considerations prompted the wish that we would wait awhile, and leave this place to who ever else the people may decide to fill it.

Our [illegible] the [illegible] of our country. The extent [illegible] government [illegible] and powerful enemy; and [illegible] our disputes with a nation who [illegible] armies on our continent—[illegible] it is extremely important that we should have at the helm of government a man in whom the people may confide more than they probably do in perhaps ever will do in any other—and that all disagreements and divisions which might spring out of a new election, from amongst candidates possessing equal or nearly equal pretensions, should be avoided, at this most critical conjuncture of our affairs.

These sentiments are the sentiments of every republican with whom we have conversed on the subject—and we believe of all in this state. And if this expression of them can have any effect in continuing to us the services of the president Jefferson for another four years we shall feel happy in having made it.

Bonaparte—I have had the pleasure of an interview with Lt. Reed, commander of the U States schooner Revenge, who informs me that the declaration ascribed to him, namely, that if our government did not withdraw our Minister from the Court of St. James, or if it sent another Minister to that Court, Bonaparte would consider it as a declaration of war, is totally unfounded. Lt. Reed says that he never made that or a similar declaration to any one; and that knowing the curious anxiety of some individuals, he has been cautious in the expression of any opinion on our foreign affairs since his arrival. He adds that while he was in France, he of course continued at his post, and that whatever opinion some private individuals may have expressed there, he never heard that Bonaparte made the declaration ascribed to him in all the papers.

The story of Bonaparte's having declared that "*there should be no neutral nations*," is untrue.

Amer. Cit. Dec. 15

Mr. Wm. Irvin, a blacksmith, in Cherry-street, put a period to his existence on Saturday afternoon by shooting himself through the head with a pistol in the presence of his wife and family. *Newyork pap.*

Died, on Tuesday afternoon, after twelve months lingering illness, Mr. Abraham Jones, aged 120 years and upwards.

Charleston pap. Dec. 1.

Charleston, Dec. 5.

Arrived, ship Monticello, Philips, Newport 24; brig Little Ann, Fales, Bristol, R. I. 12: sch'r Elizabeth, Gage, Richmond, 7; sch'r Mary, Ruscomb, Edenton, N. C. 11; sch'r Nancy, Tobey, Georgetown, S. C. 1.

Cleared, ship Mary, Wood, Newport, sch'r Edmund, Bulkly, Newyork.

The ship Commerce, Lyons, 90 days from Africa, took a pilot yesterday. There were also two brigs to leeward of the bar, one of them said to be the Albert, from Africa.

The brig Betsey and Polly, Philips, for this port sailed from Bristol 6 days before the Little Ann.

On the 17th ult. in lat. 32, 38, long. 66, 30, capt. Philips spoke ship Caledonia, Henderson, 8 days from this port for Liverpool.

The sch'r Rising States, Wood, for New York; schooner Lucy, Lewis, for *Baltimore*, and some other vessels, which had went to sea on Thursday, returned yesterday.

CONGRESS.

HOUSE OF REPRESENTATIVES.

Washington, December 17.

Mr. Newton, from the committee of commerce and manufactures, to whom was referred the memorial of the trustees of the university of Vincennes, I. T. (praying that a small tax may be laid on salt, manufactured at the public works of that territory, and also on licences to Indian traders, for the support of that university) made a report, concluding as follows: Resolved, That simple provision having already been made for the support of public schools and seminaries of learning, in the Indiana Territory, the memorial of the trustees of the university of Vincennes is unreasonable and ought not to be granted.

Mr. Findley, from the committee of elections, made a report on the petition of Duncan Mac Farland, contesting the election of John Culpepper, [representative from North Carolina.] The report concludes as follows: Resolved, That from the testimony laid before, and admitted by the committee, it appears, that John Culpepper, [the sitting member] is not entitled to a seat in this house. Referred to a committee of the whole on Tuesday.

MEDITERRANEAN FUND, AND TAX ON SALT.

Mr. G. W. Campbell observed, that it would be recollected by the house, that at the last session a law had been passed repealing the duties on salt; part of that duty had ceased for some time, and the remaining duty of 8 cents per bushel would also cease in a few days. It would be recollected that the duties called the Mediterranean fund would also expire on the first of January next. In the letter of the secretary of the treasury, laid before the house at the commencement of the present session, it would be found that these duties were mentioned as the most proper to be resorted to in case of necessity. He therefore offered the following resolution:

Resolved, That the committee of ways and means be instructed to inquire into the expediency of continuing for a limited time the duties on imported salt, and of continuing in force for a limited time the law imposing the duties called the Mediterranean fund; and that they have leave to report by bill or otherwise.

Mr. M. Clay moved to strike out that part of the resolution relating to salt.

Mr. Campbell would merely suggest, that when the house were drawing such large sums of money from the treasury as they were now doing, it was high time to devise some method of bringing money into it. Besides, the non importation law had expired, which would certainly have an effect upon the revenue.

Mr. Pitkin said as the resolution merely proposed an enquiry, he could see no impropriety in it.

Mr. Lloyd (of Mass.) wished to refer a subject, upon which they were determined to act. The tax on salt had produced a clamour from one end of the union to the other and he had heard it urged that if Congress had used it hunted [illegible] against the late administration [illegible] he would rather see the treasury empty, and our ports undefended [illegible] a tax on salt. With respect to the Mediterranean fund, he [illegible] of great amount, although [illegible] in that fund, were not [illegible], and some of them might perhaps be struck out.

Mr. Gaston had always considered the tax on salt as an oppressive duty, but it was far more oppressive to other days. But in referring the subject to the committee of ways and means, the house did not pledge themselves to vote for the continuance of that tax. For his own part, he would rather see a duty of 5 per cent. imposed on articles now paying an ad valorem duty. But if the country wanted money, he should not object to taxing any article of merchandize; and if it was necessary in defence of our rights, he was persuaded the people would cheerfully pay it.

Mr. Macon would go as far as any man in the house in case of extremity. But as he considered the salt tax as more oppressive on the poorer class of citizens than any other that could be formed, he would rather vote for a poll tax. If a tax were laid on salt, provision would also have to be made for salt provisions exported. He had hoped never to see this subject brought before the house again. No tax had ever caused so much dissatisfaction. If the house were determined not to act upon it, he could see no reason for going into the inquiry. If money must be collected, it would be more agreeable to him to double the Mediterranean fund.

Mr. Alston said that if the state of things was such as not to justify the continuance of the salt tax, the committee would not recommend it; but if it should happen that all our sources of revenue should be struck off the list, it would certainly be unnecessary to resort to this tax.

Mr. Findley was also opposed to the resolution. He remembered the time when the want of salt occasioned a great mortality among cattle and sheep. He thought the most proper time to lay a tax on salt was a time of war, and not of peace.

Mr. Southard said, that if this inquiry was gone into, it would induce the merchants to raise the price of salt immediately, under the idea that the tax would be continued. He was opposed to any tax on salt; because in time of war it would be unproductive, and in time of peace unnecessary.

Mr. Quincey said, it was true, that this tax had excited much clamor; but what was the reason? It was no doubt unpopular when first laid; but soon afterwards in consequence of the price of articles, and the depreciation of money, the price of salt, like that of every other article, had risen; and this rise was attributed solely to the tax. He contended that the present tax of 12 cents a bushel did not amount to 6 cents per annum for each individual in the U. S. We ought (he said) to preserve the tax for the benefit of the interior, as a protecting duty to our own manufactures. The state he had the honor to represent (Mass.) had a considerable manufactory of salt; but the policy which the house had thought proper to adopt the last session, had put an almost entire stop to the erection of any new buildings for the purpose. The tax on salt (he said) ought to be made a permanent tax, to encourage individuals to embark their capitals in the manufacture of that article, which might ultimately tend to render independent of foreign nations for a supply of it.

Messrs. Upham, Holland, Stone & others, spoke against the resolution; and Messrs. Troup, Montgomery and others, in favor of it.

The question was then taken by ayes and