

2dly. That although he had given us to understand that the ordinary credentials, such alone as he had delivered, could not bind his government in such a case, his proposal had neither been preceded by nor accompanied with the exhibition of other, commission or full power; nor, indeed, has he ever given sufficient reason to suppose that he had any such full power to exhibit in relation to this particular case. It is true, that in his letter of the 23d of October, he has stated an authority eventually to conclude a Convention between the two countries. Without advertent to the ambiguity of the term eventually with the mark of emphasis attached to it, and to other uncertainties in the phraseology, it is clear that the authority referred to, what ever it may be, is derived from instructions subject to his own discretion, and not from a patent commission, such as might be properly called for. It is true, also, that in his letter of the 4th of November, subsequent to his proposal, he says, he was possessed of a full power in due form for the express purpose of concluding a treaty or convention.

But it still remains uncertain, whether by the treaty or convention to which it related, was not meant an eventual or provisional treaty on the general relations between the two countries without any reference to the case of the Chesapeake. Certain it is that the British government in former like cases, as will be seen by the adjustment of that part of the affair at Nootka Sound, which is analogous to this case, did not consider any such distinct full power as necessary; nor is there the slightest ground for supposing that Mr. Erskine, although confessedly instructed to adjust this very case of the Chesapeake, was furnished with any authority distinct from his credential letter. That Mr. Jackson has any such commission is the less to be supposed, as it is but barely possible, that possessing it he should not on some occasion, or in some form, have used a language susceptible of no possible doubt on this point.

But proceeding to the proposal itself, it is to be kept in mind that the conditions forming its basis, are the very conditions for the deviating from which Mr. Erskine's adjustment was disavowed.—Mr. Jackson, if not on others, is on this point explicit. "I now add, says he, that the deviation consisted in not recording in the official document signed here, the abrogation of the President's proclamation of the 2d July, 1807, as well as the two reserves specified in the paper of memoranda enclosed in my official letter to you of the 27th ult."

Considering then the conditions in the proposal as an ultimatum, in what light are we compelled to view such an attempt to repair the outrage committed on the frigate Chesapeake, and to heal the disappointment produced by a disavowal of a previous equitable reparation?

It is impossible on such an occasion not to recall the circumstances which constituted the character of the outrage to which such an ultimatum is now applied. A rational ship, proceeding on an important service, was watched by a superior naval force enjoying at the time the hospitality of our ports, was followed and scarcely out of our waters, when she was, after an insulting summons, attached in a hostile manner; and the ship so injured as to require expensive repairs, the expedition frustrated, a number of the crew killed and wounded, several carried into captivity, and one of them put to death under a military sentence. The three seamen, tho' American citizens, and therefore, on every supposition detained as wrongfully as the ship would have been detained, have notwithstanding, now remained in captivity between two and three years; and, it may be added, after it has long ceased to be denied that they are American citizens.

Under these circumstances we are called upon to ransom the captives

1st. By acknowledging that a precautionary proclamation, justified by events preceding the outrage, by the outrage itself, and by what immediately followed it, was unjustifiable, and that a repeal of it was properly a condition precedent to a reparation for the outrage. And this requisition is repeated too, after such an acknowledgment had been uniformly asserted by this government to be utterly inadmissible, and what is particularly remarkable, at a time when the proclamation, as is well understood, is no longer in force. The occasion obviously invited a silent assumption of the existing fact, and this would have excluded the difficul-

ty heretofore found to be insuperable.

2d. By throwing into complete oblivion the conduct of the officer answerable for the murderous transaction, with a knowledge, too on our part, that instead of being punished or even brought to trial, he has been honoured by his government with a new and more important command.

3d. By admitting a right on the part of Great Britain to claim a discharge from our service of deserters generally, and particularly of her natural born subjects, without excepting such as has been naturalized in due form under the laws of the U. States.

(To be Continued)

## The Maryland Republican.

Annapolis, December 19, 1809.

We have unavoidably excluded some original communications, and the proceedings of Congress, in order to make room for the interesting correspondence contained in the Documents communicated with the President's message. As they will soon be closed, we shall then have room for other interesting articles.

### VOTES AND PROCEEDINGS

OF THE

## Legislature of Maryland.

THURSDAY, DECEMBER 14,

Mr. Harryman delivered a petition from the commissioners for building the new court-house in the city of Baltimore, praying a further appropriation to complete the same; read, and referred to Messrs. Harryman, M. Brown and Randall.

Mr. Randall delivered a petition from the New-market fire company, praying for a lottery to build an engine house, read and referred to Messrs. Randall, Bland, and M. Brown.

Mr. Frazier delivered a petition from sundry inhabitants of Dorchester county, praying a lottery to raise a sum of money to build a wharf at Cambridge; read and referred to Messrs. Frazier, Lecompte, and Lucas.

Mr. Harryman delivered a petition from sundry inhabitants of Baltimore county, praying an arbitration system; read and referred to Messrs. Harryman, M. Brown, Archer, Randall and Brent.

Mr. Griffith delivered a petition from sundry inhabitants of Dorchester county, praying for a canal from the head of Black-water river to the head of Parson's creek; read, and referred to Messrs. Griffith, Frazier and Lecompte.

The clerk of the Senate delivered the bill to repeal the forty-fifth article of the Constitution and form of government, and the bill to incorporate a company for making an artificial road from French-town, in Cecil county, to the Delaware line, severally endorsed "will pass;" ordered to be engrossed. And the bill concerning the amendment of judicial proceedings, endorsed, "will pass with the proposed amendments," which amendments were read.

On motion by Mr. J. Brown, the following order was read: Ordered, that the Register of the land office cause to be laid before the house a statement, shewing the amount of fees received by him (on oath) in virtue of his office for one year prior to the 1st Nov. 1809;—and, on motion by Mr. J. H. Thomas, the question was put that the words "and the Register in Chancery," be inserted after the words "land-office;"—resolved in the affirmative. On motion by Mr. Brent the question was put that the following words be inserted after the last amendment, to wit, "the Clerks of the court of appeals, the Clerks of the county courts, and the Register of wills in each county;"—resolved in the affirmative.

A petition from Charles Duvall, and others, of Prince George county, praying that a road through John Boyd's land may be made a public road, was read, and referred to Messrs. Herbert, Magruder and Reid.

On motion by Mr. A. Dorsey, leave given to bring in a bill, entitled, an act to ascertain the allowance of members of the General Assembly, and for other purposes, ordered, that Messrs. A. Dorsey, J. E. Spencer, and Chapman, be a committee to prepare and bring in the same.

FRIDAY, DECEMBER 15.

The bill authorizing a lottery to raise a sum of money to purchase a fire engine, and to erect a house with an alarm bell thereon, in the Western precincts of Baltimore; and the bill concerning waste, were sent to the Senate.

Mr. Worthington delivered a petition from sundry inhabitants of the city of Baltimore, praying that a law may pass for the decrease of dogs and the increase of sheep; read, and referred to Messrs. Worthington, Tabbs and Archer.

The house proceeded to the order of the day on Mr. Archer's resolutions for the ENCOURAGEMENT OF DOMESTIC MANUFACTURES; and, after considerable discussion, and many amendments being

made in several sections of the bill, the question was put that the House assent to the whole of the resolutions; resolved in the affirmative.

The following is a correct copy of the bill as amended:—

BY THE HOUSE OF DELEGATES;  
December 15th, 1809.

WHEREAS the present relations of the United States of America with the belligerent powers of Europe, give us but little room to hope that they will speedily abandon those unlawful measures of retaliation on each other, and of violent and indefensible aggression and encroachments on the rights of neutral States, which they have adopted, so inimical to the laws of nations and the free navigation of the seas, and our country free, flourishing and independent, and resting, as the basis of its existence, upon the industry, public spirit and disinterested patriotism of its citizens, contains within its bosom the seeds of almost every comfort, convenience and luxury of the Eastern hemisphere, which, if by careful and tender hands they be nurtured and cultivated, will flourish into maturity in the midst of a grateful people grown by their assistance, and conducted by their prosperity to a proud state of perfect and enviable independence on the commerce and manufactures of the nations of Europe;

And whereas it is the indispensable duty of the representatives of an enlightened people who are resolved to live or die as freemen, to propose such measures and enact such laws as will be necessarily conducive to effectuate so desirable an object, and to place themselves and their constituents above the odious necessity of surrendering their dear-bought and high-prized independence at the altar of foreign usurpation, or of bowing in humble submission to the lawless and insulting orders in council of Great-Britain, or the unauthorized and illegal decrees of the French emperor; And whereas no measures, which a State legislature could adopt, would so effectually tend to rear these commendable intentions into actual existence, as a strict attention to the encouragement and promotion of domestic manufactures;—

Therefore Resolved, by the General Assembly of the State of Maryland, That they will make use of all means in their power constitutionally to further, protect, encourage and promote the growth and progress of domestic manufactures.

Resolved, That for this purpose, liberal and effectual measures should be taken to encourage the raising and improving the breed of sheep.

Resolved, That sheep under the number of twenty, shall be protected in the hands of every individual from execution or attachment.

Resolved, That if forty men, or more, in any company of militia or troop of horse within this state, shall clothe themselves in full uniform of woolen cloth of the manufacture of this state, to be certified to the Governor and council, by the captain of the troop or company, and commanding officer of the extra battalion or regiment, to which such troop or company may belong, they shall be completely armed and accoutred at the expense of the state, provided that sufficient security be given to the governor and council for the safe keeping of such arms, and their return when required.

Resolved, That each member of the General Assembly, who shall appear at the next session in a suit of woolen cloth, of the manufacture of this State, shall have his name enrolled on the journals as a patron of domestic manufactures.

Resolved, that it be recommended to the good people of this State to clothe themselves in the domestic manufactures of the country.

By order,  
JOHN BREWER, Clerk.

The house proceeded to the order of the day on the second reading of the bill to repeal all such parts of the acts of Assembly of this State as require the payment of 25 shillings for a marriage licence; and on the question being put, shall the said bill pass? it was resolved in the affirmative,—ayes 39—nays 17.

SATURDAY, DECEMBER 16.

The resolutions for the encouragement of domestic manufactures were sent to the Senate.

The clerk of the Senate delivered the bill authorizing a lottery for raising a sum of money for the purpose of erecting a building to be called the Baltimore Female Academy;—the bill providing for the payment of the costs which accrued upon the trial of Thomas Burk;—the bill authorizing a lottery to raise a sum of money to purchase a fire engine, and to erect an house with an alarm bell thereon, in the Western precincts of the city of Baltimore;—and a bill to lay out and straighten a road in Harford county;—severally endorsed "will pass;" ordered to be engrossed.

Mr. Williams delivered a petition from Zachariah Duvall, collector of Anne-Archard county, praying a further time to complete his collections; read, and referred to Messrs. Williams, Boyle and Sellman.

Mr. Physick delivered a petition from John McCoy an old revolutionary officer; read and referred to the committee appointed on petitions of a similar nature.

Mr. Herbert delivered a petition from sundry inhabitants of Prince George county, praying the Levy court may be elected by the people; ordered to lie on the table.

The house resolved itself into a committee of the whole on the bill concern-

ing divorce, Mr. Winter in the chair; and, after some discussion, the committee rose, and the chairman reported the said bill with amendments.

Mr. John E. Spencer delivered a bill, entitled, an act for the more effectual prevention of duelling.

Mr. Bowles delivered a bill entitled an act to pay the civil list, and other expences of civil government.

On motion by Mr. C. Dorsey, ordered, that the further supplement to the act respecting the equity jurisdiction of the county courts, have a second reading on Monday.

On motion by J. H. Thomas, leave given to bring in a bill for the speedier payment of the allowance to jurymen;—Ordered, that Messrs. J. H. Thomas, C. Dorsey, Bowles, Tabbs and Bland, be a committee to prepare and bring in the same.

On motion by Mr. Archer, ordered, that the bill to tax the bank-stock, have a second reading on Thursday next.

On motion of Mr. Bland, ordered, that the further supplement to the act for quieting possessions, and securing and confirming the estates of purchasers, have a second reading on Thursday next. The house adjourned.

### NOTICE.

The Subscriber begs leave to inform the Citizens of Annapolis, and its vicinity, that he has commenced business as Auctioneer, and is ready to receive goods of every description. He assures those who may think proper to favor him with their commands, that he will execute them with secrecy, punctuality and fidelity. He hopes that from his constant and unremitting endeavors to give satisfaction, that he will meet with the favour of a generous public.

H. S. HALL.

Annapolis, December 19, 1809.

### MINERAL WATERS.

WE are happy to present to the public the following respectable and satisfactory testimony from some of the most eminent physicians of Baltimore, which most sufficiently establish the utility and medicinal virtues of the Artificial Mineral Water, as prepared by us, and which places us beyond the reach of envy or calumny.

HANNA and HAWKINS.

No. 1.

BALTIMORE, July 19, 1809.

Having had frequent occasion to prescribe the factitious waters manufactured at your laboratory, I take great pleasure in testifying to their virtues. I can assert, with truth, that my expectations have not been disappointed in a single instance, and I have no doubt, but (when judiciously administered) they will become a valuable acquisition to our city. I cannot but anticipate sufficient liberality and discernment in the citizens of Baltimore to remunerate you for your labour and expense, and beg of you to accept of the assurance of my disposition to promote the interests of so useful an establishment.

Signed NATHL. POTTER

No. 2.

THE establishment of your Artificial Mineral Water Warehouse, cannot fail to be highly beneficial to such citizens of Baltimore as labour under debility of the stomach or bowels, with the various concomitant complaints of such affections. Long since the celebrated Bergman discovered, that every natural mineral water could be successfully imitated by every intelligent chymist, if accurate analysis had discovered its component parts.

I am, Gentlemen, your obedient servant.

Signed JOHN CAMPBELL WHITE, M. D.

No. 3.

BALTIMORE, July 21, 1809

I AM of opinion, that the artificial mineral waters prepared under your direction, will be found highly beneficial to the citizens of Baltimore, and very little inferior in medicinal virtues to the natural mineral waters of our country. They are prescribed, therefore, by me, in all cases where mineral waters have proved salutary.

Your obedient servant,

Signed ASHFON ALEXANDER.

No. 4.

IT gives me very sincere pleasure to find an establishment such as yours, so likely to become permanent in Baltimore; as it affords to invalids, whose cases require the use of mineral waters, an opportunity of receiving all the advantages they produce, without the necessity of taking a long journey to obtain them at their source. From the manner in which they are prepared, I do not consider them inferior to those produced from the Springs, and shall think it my duty to recommend them to all those whose cases require such remedies.

With every wish for your success, I remain, Gentlemen, your obedient servant,

Signed A. HAMILTON,

No. 5.

HAVING examined the artificial water as prepared by you, I am of opinion they are a very good imitation of the natural waters of the Springs, and can recommend them as not only salutary but highly beneficial in all those diseases where the natural waters have been found useful.

Signed JAMES SMITH.

No. 6.

YOUR preparations of mineral waters I consider near imitations of their originals, they will therefore, no doubt, be often referred to by the Faculty, and add very much to the comfort and convenience of the public.

Signed JNO. OWEN.

August 2.

The above WATERS are sold, by appointment, by JOHN WELLS, Druggist, Church-street, Annapolis, in bottles, containing a quart each.

September 23, 1809.

PRINTING,  
OF EVERY DESCRIPTION,  
EXECUTED IN THE NEATEST MANNER,  
AT THE OFFICE OF THE  
MARYLAND REPUBLICAN.

### Public Sale.

Will be exposed to Public Sale, on Tuesday, the 11th day of January next, if fair, and if not, the first fair day thereafter,—that fertile and valuable tract of land (late the residence of Thomas W. Walker, deceased) lying in Anne-Arundel county, called and known by the name of "PART or ROE DOWN SECURITY;" supposed to contain about 325 acres. It is situated between Patuxent and South rivers, within two miles of Queen Anne, and eleven of the City of Annapolis. The soil is extremely fertile, and peculiarly adapted to the growth of tobacco and corn, and, in point of situation, whether as regards salubrity, convenience, or prospect, inferior to but few seats in the County. The whole is enclosed by a good and substantial fence, is well timbered, and the Houses are in a state of very tolerable repair. The above property should particularly demand the attention not only of those who are desirous of procuring a convenient and comfortable country residence, but also of any person who is disposed to enter in speculative purchases of real property.

It will be sold on the following terms and conditions, to wit: on a credit of thirty days from the day of sale, a failure of payment to be a release of the purchase in the discretion of the Seller. Any person wishing to view the premises, will call on Mr. Samuel Tyler, residing thereon.

At the same time and place, will be offered for sale, also the personal property of the said deceased, consisting of a number of VALUABLE NEGROES, amongst which are many able bodied Men, Women, Boys and Girls; also, Horses, Cattle, Hogs, Sheep, plantation utensils of every description, Household & kitchen furniture, and all the Corn and Tobacco made the last season. The terms of Sale are, nine months credit for all sums above ten pounds, the purchaser to give bond, on interest, with approved security;—and all sums under ten pounds, the cash to be paid on delivery of the property. Sale to commence at 10 o'clock, and continued from day to day until sold.

BENJN HODGES, Executor.

N. B. All persons having claims against the said Estate, are hereby requested to exhibit them, properly authenticated, on the day of sale to the Subscriber.

B. HODGES. ida.

THE PROPRIETORS

OF THE

### Mineral Water Warehouse

Are now engaged in the introduction of all the Medical Gases, which have been administered with the greatest success in England, by Drs. Beddows, Thomson, Stranger, Dobson and Samuel Varley, professor of chemistry, and many others.

That the public may form some idea of the efficacy of these Gases, they subjoin the following extract of a letter from Mr. Varley to his daughter, Mrs. Hawkins; as well as several extracts from the manuscript of his lectures, delivered in London.

Christening Hours, Jan. 19, 1809.

My dear Jane, If you could make a connection with a medical person of character, who would deal honourably with you, I think you might introduce the Medical Airs with advantage to yourself and the public. The greatest cure that has ever been effected with them, is truly astonishing, in almost every species of inflammation; even inflammation of the brain, in a case where every other application was despaired of. Deafness of more than 20 years standing; and in the most obstinate ulcers, when every medical application had failed in putrid fevers and in mortifications. You will know many others, so that I need not mention them particularly, as well as the great cure you effected in Frith-street (Soho) square, when falivation had been tried without effect.

Extract from Lecture No. 10.

Genlemen, I shall begin my narrative with the case of Mr. Newman—He was dangerously hurt in his leg by his stable boy; the wound increased rapidly—his leg up to his knee was full of ulcers—there was no want of surgical assistance, but all attempts towards his cure proved fruitless. He was advised to go to bath, where he bathed and drank the waters, from whence in three months he returned rather worse, and continued for three years. At last I was consulted, and had the happiness of curing him by the application of Medical Gas.

From page 56.

Mr. Wilson's malady was also very remarkable, which was the Leprosy of 23 years standing. He was full of sores and ulcers, in some parts were holes which gave out pus—his back was particularly offensive. He heard of Dr. Thomson's recommending factitious airs, and for this reason he called for my assistance. I administered to him a species of Medical Gas, with as equal success as in all preceding cases, and it deferves particular notice, that the cure was effected radically, though the Gas was applied only to one leg and one thigh.

From page 53.

Another instance to prove that Factitious Airs may be employed with salutary effect, I have experienced in a lady labouring under an Othitis. She was given up as lost and incurable by the physicians. I administered to her the Hydrocarbonate; she recovered, and is now perfectly well.

Lecture 4, page 20.

Oxygen is of a great use in affmatic complaints. A Mr. Hill, one of the life guards at St. James's, had long lingered under this disease, given over by his physicians, and intended to go to Nottingham, his native place, to die amongst his friends; he was told of oxygen gas, and applied to me—I had a small portion prepared for another purpose, which I willingly gave him. He came the next morning, felt much relieved, and had a better appetite for breakfast. I administered to him another portion, and on successively for some time; he was cured, and has been well for several years past.

I also administered the oxygen gas with equal success to Sir H. Fletcher, Sir Richard Neave, Dr. Lynd, lady Stanhope, &c. &c. who were all cured (by inhaling this gas) of this or other complaints. Many other striking instances may be referred to, in scalded heads, mortifications, debility and pulmonary affections; but the foregoing are deemed sufficient to prove the utility of the gases, which can be taken with the greatest safety and ease, without any disagreeable sensations. Those who wish to be further satisfied, can see the manuscript from which these extracts were taken.

It is not the intention of the subscribers to administer these gases indiscriminately; and that they may not be accused of using them empirically, they will refer in all cases to Dr. Potter, and other eminent Physicians, who are well acquainted with the theory of Drs. Hay, of Leeds, Dobson, of Liverpool, Beddows, Stranger and Thomson, of London, who have all administered them with the greatest success, in Europe.

These Gases will be prepared and administered by the subscribers at No. 11, South Calvert street, in private rooms appropriated for that purpose.

HANNA & HAWKINS.

Hours of attendance from ten till one o'clock, and from three till six, daily.

December 14.