that Island had been restored by the British to the Portuguese. The English colors were superceded by the Portuguese; and general Beresford was about to embark on board a frigate, it was supposed, to proceed immediately to the Brazils.

The following article is given in the Baltimore North American. Considering the highly prejudiced character of this print, we place but little reliance on the authenticity of the facts stated.

"*Montreal, May* 28.

"The boats of the Michillimackinac company, under the sanction of the permanent articles of the treaty of 1794, and the special provisions of a late act of Congress, respecting Indian trade, were proceeding to their ulterior destination by the accustomed route along the shore of Lake Ontario, when, as they were doubling the point, to cross over to the British side as usual, with cargoes here laden for the Indian trade, the collector at Niagara, aided by the troops of the garrison, fired upon the boats, brought them back, seized the goods, and turned the crew adrift without provisions. Some of the bullets even reached British Niagara.

"A representation of the outrage has been forwarded to the government of the U. States by express."

The following extract of a patriotic address presents an honorable contrast to the proceedings of the Massachusetts representatives.

COMMUNICATION

Of the Governor of Georgia to the legislature at the opening of its present extra session.

Fellow-citizens of the Senate and of the House of Representatives.

GENTLEMEN,

On the 6th of April last, I issued my proclamation for convening the General Assembly, in consequence of which you are now convened—my object in doing so at this time, was to afford you an opportunity of devising some mode of relieving our fellow citizens from the embarrassment into which they have been thrown by the acts of Congress laying an embargo.

I was induced to this measure from a strong recommendation by a number of influential, patriotic and well informed members of the community, as well as from the recommendation of several grand juries, and his honor Judge Tait; and from my own opinion that the distressed situation of the country call for something which is not to be found in the ordinary course of judicial proceedings.

Although the acts before alluded to have brought upon us a temporary distress and subject us to many privations; yet I must remark that they are viewed by me, as the only means we had within our power to avoid becoming a party in the wars which have so long raged in Europe, and if these should be found sufficient, and I have no doubt they will, to enable us to maintain our neutrality, I feel persuaded our countrymen will acquiese with cheerfulness in the wise measures of our general government—for I am sure that no one will differ with me in the opinion, that war is one of the greatest calamities which could befall our country.

The general government in adopting this measure, has taken high ground, and assumed a dignified attitude, which must affect all the European nations equally alike: and it becomes our duty as good citizens to support the government in the position which it has taken, and to do this with the more effect, it appears to me necessary that the severities of our civil law should be in some degree relaxed; at least until the depressed state of our intercourse with foreign nations shall wear a different aspect.

SPIRIT OF THE TIMES.

We understand that a number of gentlemen have agreed to establish a PATENT SHOT MANUFACTORY in the town of Alexandria.

We take pleasure (says the Alexandria Advertiser) in mentioning that the stock in the Alexandria & Washington Turnpike Company has all been subscribed for, and some shares over; and we have no doubt but as soon as the contracts are made for the work, that the stock will be considerably above par.

New-York, June 6.

We have been informed by a merchant who left Antigua on the sixth of May, that notwithstanding the Cork fleet had arrived there consisting of five or six sail, that there was a great scarcity of provisions. Flour 30 dollars per barral, sugar 4 dollars per quintal—*Oracle*.

We have now a *council of five hundred* in Massachusetts, of which the Boston proportion in *number* exceeds the Athenian Areopagus—though not indeed so much as they fall short of it in *wisdom*. *Salem Reg.*

From the Aurora.

Pursuant to public notice, the democratic republicans of Delaware county, convened at the Black Horse tavern, in Middletown, on Saturday, the 28th of May, 1808—William Anderson was called to the chair, and Thomas Pierce appointed secretary—after which, the following resolutions were unanimously adopted.

Resolved, That we highly approve of the nomination made by the democratic members of Congress at their late session in Washington, of JAMES MADISON for President, and *George Clinton*, Vice-President of the United States; and we pledge ourselves to use every legal and justifiable means to promote their election to said offices.

Resolved, That we will, by every egal and honorable means in our power, promote the election of SIMON SNYDER to the office of governor of this commonwealth at the ensuing general election.

The "New-Jersey Journal," printed at Elizabeth-Town, says "*James Madison* will receive an unanimous vote for President in this state notwithstanding Mr. Sloan's opposition."

FROM THE TRENTON TRUE AMERICAN.

PRESIDENTIAL ELECTION.

We have hitherto refrained from any discussion of this subject, from a belief that it was on our part wholly unnecessary. In that belief we yet continue.

The fact is, the republicans of this state, so far as we are informed, have long looked to Mr. *Madison* as the successor to Mr. *Jefferson*—they had united in him before the republican members of Congress, after a conference on the question, recommended him to their suffrages—this recommendation confirmed their previous opinion of his fitness and desert, and there was not less unanimity amongst them in his support than there was in the support of Mr. Jefferson as successor of Mr. Adams. Mr. Madison's late conduct, particularly the noble stand he has made in defence of our national rights, interests, and honor, has still more endeared him to republicans generally—and we consider their affections so firmly riveted to him, that, as the one hand nothing that we could offer against him would loosen their attachment, so, on the other, nothing that we could advance in his favor would strengthen it.

In truth, after a diligent enquiry of the numerous republicans from various parts of the state which our situation has enabled us to see and converse with in the course of the last four or five months, we have found *but one individual* (Mr. Sloan) unfriendly to Mr. Madison's election—and have heard of *no other*.

Thus much we have thought it our duty at this time to say—for the information of our republican brethren of other states, and to put at rest all anxiety as the part which New Jersey may be expected to take in the Presidential election.

The following highly important case in the federal circuit court for the district of South Carolina, will be read with interest.

In the federal Circuit court, May 28, 1808, *before Judges Johnson and Bee.*

Ex parte

ADAM GILCHRIST, and others,

vs.

The Collector of the port of Charleston.

A motion was made by Mr. Ward for rule on the Collector to show cause why a mandamus should not be issued against him, to compel the granting of clearances for the ship Resource, Moreton; ship Two Pollies, Wilder; ship Navigator, Bowden; ship Rising States, Anderson, and ship Louisa Cecelia, Fowler, founded on the following affidavit.

"Adam Gilchrist, and J. S. Barker, of Charleston, merchants, being severally sworn according to law, depose, That the American registered ship Resource, arrived from a foreign voyage in the port of Charleston about six months since, owned one half by the deponent, J. S. Barker, residing in Charleston, and the other half by American citizens residing in Baltimore; that the deponent representing the owners aforesaid, apprehensive that the bottom of the ship might, by her being detained here during the embargo, be totally destroyed by worms, did for that reason determine on sending her to Baltimore and regularly advertised for freight to said port of Baltimore; that having obtained the promise and actually engaged the freight of about six hundred bales of cotton, it became requisite to ship either ballast or heavy freight, so as to enable the said ship to be navigated with safety; that ballast not being obtainable, these deponents, about three weeks since, agreed to carry to Baltimore about two hundred barrels of rice, freight free, and that the same was shipped by permit from the custom-house, and under the inspection of a revenue officer about two weeks since; that on application for a clearance of the said ship and her cargo to Simeon Theus, Collector of the port of Charleston, duly commissioned and authorised to exercise and perform the duties of said public office of collector of the port aforesaid, he hath refused to grant a clearance for said vessel and cargo—alledging that although he has no suspicion, that the clearance demanded is to cover an ostensible voyage to Baltimore, or to infringe or evade the existing laws, relative to the embargo, and although he admits that the said ship was laden previously to his receipt of the act of Congress, respecting the embargo, under date of the 25th April ult. yet that he is bound to refuse such clearance, under the directions of the Executive of the U. S. which he conceives he is bound to obey; that these deponents have just right under the law to obtain from said Simeon Theus, Collector as aforesaid, the clearance so withheld and refused to be granted.

ADAM GILCHRIST,
J. SANDFORD BARKER."

Sworn to before me this 24th of May, 1808, JNO. WARD, Q. U.

Upon the return of the rule the defendant shewed the following cause.

United States, South Carolina District, Federal Circuit Court.

Exparte

vs.

Simeon Theus, Esq.

Collector of the port of Charleston.

Rule to show cause why a mandamus should not issue requiring him to grant clearances of certain vessels.

Simeon Theus, Collector of the port aforesaid, on whom a copy of the above rule has been served for cause, sheweth:

"That, in, and by, a certain act of Congress of the said U. States, passed the 25th day of April, 1808, it is, in the 11th Sect. thereof, amongst other things, enacted: "that the Collectors of the customs be, and they are hereby respectively authorised to detain any vessel ostensibly bound with a cargo to some other port of the United States whenever, in their opinion, the intention is to violate or evade any provisions of the acts laying an embargo, until the decision of the President of the U. S. be had thereupon'" Also, that in, and by, a certain circular letter from the treasury department of the United States, dated the 6th of May, 1808, and addressed to the said Simeon Theus, as Collector aforesaid, he is instructed as follows:

[Here follow the circular instructions of Mr. Gallatin.]

That the said Simeon Theus, Collector as aforesaid, doth not detain the vessels aforesaid, under the act aforesaid, because, in his opinion, there is no intention in the parties aforesaid, to violate or evade any of the provisions of the acts laying an embargo, but that he detains them under the instructions which he has received in the letter aforesaid, and which as a public officer he thinks he is bound to obey: that being unwilling, on the one hand, to injure individuals; and, on the other, equally so, to commit a breach of his duty, he submits the question to the court, upon the cause above shown.

SIMEON THEUS, Collector."

The case was then submitted without argument.

Judge JOHNSON delivered the following opinion of the court:

"The affidavit, upon which this motion is founded, states, that the ship Resource is ballasted with one hundred and forty barrels of rice, under a load of cotton, and destined for the port of Baltimore. The collector, on his return to the rule, acknowledges, that he believed the port of Baltimore to be her real destination, and that, if he had no other rule of conduct, but the 11th section of the act supplementary to the embargo act, he would not detain her: but urges in excuse, for refusing her a clearance, a letter from the Secretary of the Treasury. It is not denied that if the petitioners be legally entitled to a clearance, this court may interpose its authority, by the writ of mandamus, to compel the collector to grant it. The only questions, therefore, will be, whether the section of the act alluded to, authorise the detention of the vessel, and if it does not, whether the instructions of the President, through the secretary of the treasury, unsupported by an act of Congress, will justify the collector in that detention. On the latter question there can be no doubt. The officers of our government, from the highest to the lowest are equally subjected to legal restraint, and it is confidently believed that all of them feel themselves equally incapable, as well from law as inclination, to attempt an unsanctioned encroachment upon individual liberty. In the letter alluded to, Mr. Gallatin speaks only in the language of recommendation, not of command; at the utmost the collector could only plead the influence of advice, and not the authority of the treasury department in his justification.

"In the act of Congress there is no ambiguity. The object is to prevent evasions of the embargo act, by vessels which sail ostensibly for some port in the United States, when their real destination is some other port or place. The granting of clearances is left absolutely at the discretion of the collector; the right of detaining in cases which excite suspicion is given him, with a reference to the will of the Executive. Congress might have vested this discretion in the President, the Secretary of the Treasury, or any other officer, in whom they thought proper to vest it; but, having vested the right of granting or refusing in the collector, with an appeal to the President, only in case of refusal—the right of granting clearances remains in him unimpaired and unrestricted.

"It does not appear to us that the instructions from the treasury department, are intended to reach this case. The recommendation not to grant clearances on shipments of provisions appears by the context to be restricted by two provisos, evidently pointed at by the reasons assigned for that recommendation. First, if intended for a place where they are not wanted for consumption, or we suppose, where supplies of the same article can be had from the state or neighborhood in which such place is situated. Secondly for a port which usually exports that article. Now with regard to the article of rice, it is impossible to say how much the city of Baltimore will want for its consumption, as they have no internal supplies, and as the three southern states alone are exporters of that article, shipments of rice from Baltimore to Charleston might create suspicion, but not such shipments from Charleston to Baltimore. We are of opinion that the act of Congress does not authorise the detention of this vessel. That without the sanction of law, the collector is not justified by the instructions of the Executive, in increasing restraints upon commerce, even if this case had been contemplated by the letter alluded to, but from a temperate consideration of that letter, this case does not appear to come within the spirit and meaning of the instructions which it contains."

A *Mandamus* was ordered accordingly, commanding the collector to grant a clearance to the Resource.

The above case was decided on Saturday se'nnight when several vessels, having rice on board, bound for the northern states, cleared at the custom house. The schooner Connecticut, capt. Wasson, with passengers, a regular packet between Charleston and New York, sailed the day following. She was detained in Rebellion Roads by the Hornet sloop of war, and forbidden to proceed to sea with rice on on board. She returned to Charleston and landed her passengers.

Subsequent information advises of the sailing of these vessels without any obstructions from the Hornet.

Charleston, May 31.

It is with pleasure we inform our fellow citizens, that the Upper Battery of Fort Johnson is now ready for mounting the ordnance, and the Lower battery in a state of forwardness. We venture to say, the plans of said batteries are well laid and the workmanship done in a substantial and neat manner, and will, without doubt, when finished, do credit to Major M'Comb, who planned the work, and Mr. John M. Frazer, the master carpenter, who carried the same into effect.

SALE BY AUCTION.

THIS DAY, at 1 o'clock P. M. will be sold at Auction near the Navy Yard, a few doors from *Drummond's* tavern, a considerable quantity of CHEESE and BACON, for Cash.

ISRAEL LITTLE, Auctioneer.

June 13—1t

District of Columbia, Washington County.

Orphants Court, 11th June, 1808.

WILLIAM RHODES having, this day, applied for letters of administration on the personal estate of HENRY KREEMER, late of the City of Washington deceased—claiming the same as a creditor. Ordered that he give notice thereof by advertisement inserted once a week for six weeks in the National Intelligence, one paper published on the Eastern Shore, Maryland, and one in the city of New York.

TEST,
JNO. HEWITT, Reg. wills.

June 13—w6t.

SUBSCRIPTIONS will be received at D. RAPINE's Bookstore, on Capitol Hill, for an entire

NEW WORK,

Entitled, "The Manual of the French and English Student, or a new and complete Dictionary of the French and English Languages, in two parts; 1st. French and English; 2nd. English and French.

The whole carefully compiled from the best writers, and particularly from the dictionaries of the French Academy, Boiste, Ferand, Catineau, Wailly, Foquot, Nugent, Chambaud, Johnson, Walker, &c.

By N. G. DUFIEF."

This work will contain the pronunciation of every word, according to the most polite usage in France & England. It will preclude the necessity of any other dictionary.

The work will be printed on a superfine paper and new type, cast for the purpose, and delivered to subscribers in two volumes, neatly done up in boards at *Five Dollars.*

D. Rapine has lately received from New York & Philadelphia an extensive collection of Books in addition to his former assortment, among which are all the late and new works of merit.

In a few days will be received the fifteenth half volume of Dr. Rees's Cyclopedia.

May 30—

Treasury Department, United States, April 28, 1807.

WHEREAS the Commissioners of the sinking Fund at a meeting held on the 23d day of March 1807, did among other things resolve, that the Eight per cent. Stock created in pursuance of the several acts of Congress passed on the 16th day of July 1798, and 7th day of May 1800, should be reimbursed on the first day of January one thousand eight hundred and nine.

This is therefore to give notice that the principal of the said Eight per cent. stock will, on surrender of the certificates, be paid on the first day of January 1809, to the respective Stockholders or their lawful representatives or attornies duly constituted and authorized, either at the Treasury or at the Loan Office, as the case may be, where credits have been given for the amount of Stock respectively held by them.

It is further made known for the information of the parties concerned, that no transfers of the said Eight per cent Stock either from or to the books of the Treasury, or from or to the books of a Commissioner of Loans will be allowed after the first day of December, one thousand eight hundred and eight. And the interest on all certificates of said stock, which shall not have been surrendered in pursuance of this notification, will cease and determine on the day preceding the day hereby fixed for the reimbursement thereof.

And whereas the Commissioners of the Sinking Fund at their meeting held on the 23d day of March as aforesaid, did also resolve, that the sum which after making the current payments for the years 1807 and 1808, and after reimbursing the Four and a half per Cent Stock, might remain to complete the annual appropriation of Eight Millions of dollars for those two years, should, among other purposes, be applied to the purchase of the Eight per Cent Stock at private sale, and that such of the Cashiers of the Bank of the United States, and of its office of Discount and Deposit as the Secretary of the Treasury shall designate, be the agents under his superintendance for making the said purchases: Notice is hereby accordingly given, That James Davidson jun Cashier of the office of Discount and Deposit at Washington, has been appointed agent for that purpose in Washington, to whom such of the proprietors of Eight per Cent Stock as may be willing to sell the same within the prices limited by law, are requested to apply.

ALBERT GALLATIN,
1tm. *Secretary of the Treasury*

LANDS FOR SALE.

WILL be offered for sale to the highest bidder on the premises on Saturday the 25th day of June next, 300 *acres of valuable LAND*, lying in St. Mary's county within one mile of Chaptico; and on the Monday following will be offered at public sale on the premises that valuable and well known plantation whereon I now reside, containing 560 *acres*, lying on Patuxent river, at the place called Queen Tree. This land is highly improved, has good orchards and good buildings. A further description is deemed unnecessary, as it is presumed any person inclined to purchase would view the premises previous to the day of sale. I will also sell on the same day at my Dwelling place, several likely and valuable Negroes, stock of all kinds, household furniture, and plantation utensils. The terms will be made known on the day of sale, and possession given immediately if required.

JOSIAH B. GRI[illegible]DALL.

Queen Tree, May 30——4 UG

Bank of Columbia, March 18, 1808

THE President and Directors having this day declared a Dividend on the capital stock of the institution for the half year ending the 20th inst. at the rate of eight per cent. per annum, the same will be paid to the stockholders or their representatives on Monday the 21st inst. or at any time thereafter.

WM. WHANN, Cash.

ep6w.

A BULL.

THERE is now on Col. Tayloe's farm, called Petworth, near the City of Washington, a BUFFALOE BULL, of the true English breed, very remarkable for size and figure, will be let to cows this season at one dollar each—those wishing to improve their breed of cattle should embrace the opportunity, as he will be removed the ensuing season.

Apply to the Manager.

N. B. The money to be paid [illegible] the cattle are sent.

June 3——6t.