

The French army in Bavaria now consists of 70,000 infantry, 18,000 cavalry, and 4,000 artillery.

When General Moreau passed through Ratisbon, he invited the Ministers of Prussia, of Sweden, and the two Houses of Hesse, to dine with him. The invitation was sent by an Aide-de-Camp.

MADRID, September 28.

The affair of the capture of the two frigates at Barcelona, has been taken up very seriously by our government. Every one is indignant here at the event, and we know not how to characterize the spirit which influenced the English on this occasion.

Our state of warfare not permitting the king's ministers to address complaints directly to the court of London, they have confined themselves to denouncing the fact by a circular letter to the ambassadors of all the foreign powers who reside at Madrid, and to inform them of it, more particularly the ministers of his Swedish majesty, whom that event concerns more than any other, exhorting him to require from the British government a satisfactory reparation for the outrage done to his flag, and the punishment of the officers concerned. The following are the papers mentioned above.

Circular letter to the ambassadors and foreign ministers to the court of Spain.

Sir, I have the honour to communicate to you a copy of the memorial which the king my master, has ordered me to send to his minister at Stockholm, in order to be transmitted to the ministry of his Swedish majesty.

The principles which are established in it, and the event which has given rise to it, are of a nature to interest all the commercial nations of Europe, particularly the neutral powers.

His majesty is persuaded that your government will see the affair in the same point of view, and he flatters himself that it will concur in effacing, as much as possible, from the annals of this war an attack so destructive of the confidence and hospitality, of which neutral and friendly flags enjoy.

I repeat the assurances of my consideration and esteem.

(Signed) CHEVALIER D'URQUIJO.

St. Ildephonso, Sept. 17, 1800.

Letter to the Minister of Foreign Affairs of the King of Sweden.

Sir,

The King my master, has seen with the greatest indignation, by a report which the Consul of his Swedish majesty at Barcelona has transmitted to the Captain-general of Catalonia, containing the declaration of Captain Rudbart, of the Swedish galliot the *Hoffnung*, that on the 4th of September last, in the afternoon, two English ships of the line and a frigate forced the said captain, after having examined and found his papers according to rule, to take on board English officers and a considerable number of sailors, and to suffer himself to be towed at night-fall by several English chaloups to the harbour of Barcelona, and under the cannon of its batteries.

That the English having reduced the said captain and his crew to silence, by holding a pistol at his breast, got possession of the helm, and made at 9 P. M. by means of the galliot and the chaloups surrounding it, an attack upon two frigates under the Spanish flag, who were there at anchor, who not suspecting that this friendly ship concealed enemies on board, and could be made use of for the most attack, were taken almost by surprise and forced to surrender.

I refer you for the other particulars, and for the violence committed by the English on the Swedish ship, to the declaration of the captain hereunto annexed.

The King my master could not consider that event but as interesting the rights, and wounding the interests of all the powers of Europe, without excepting England; and above all, as the heaviest insult to the flag of his Swedish Majesty.

In fact, it is evident that the belligerent powers, by admitting neutral ships into their harbours and ports, wished to foment the scourge of war, and to preserve those commercial relations between the people of different nations, which their mutual wants require.

Every thing therefore that tends to render the navigation suspected and dangerous, injures in an equal degree the rights and interests of all nations.

But in the present case the rights and honour of the Swedish flag have been violated in so outrageous a manner, that few examples of such a violation can be found in the Naval History of Europe.

The attack if it were to remain unpunished, would tend to embroil two friendly powers, annihilate their commercial relations, and cause the neutral flag which should suffer it to be considered as the secret auxiliary of the enemy's power, and would thus force Spain to take such measures as the interest of his vessels, and the security of his ports should command.

Yet the King, my master, wishes still to believe that the Swedish captain has not been guilty of the least connivance with the English, and that he yielded only to their force and their great number.

Under this supposition, the King has ordered me to lay before his Swedish Majesty, this grievous insult committed against his flag; and not doubting the reluctance which he will feel at a procedure equally low and disloyal on the part of some officers of the British navy, he expects that the court of Stockholm will make to the English Ministry the most serious representations, in order that the officers who have rendered themselves culpable upon this occasion, be punished severely, and that the

two Spanish frigates furnished and refitted off from the harbour of Barcelona by a stratagem equally contrary to the rights of nations and the rules of war, be immediately restored with their cargoes, as having been illegally furnished by means of a neutral ship, which served as an instrument to the assailants.

His Catholic Majesty thinks himself too much the more entitled to consider the success of this reclamation as certain, as the English Government even cannot dispute that its enemies, by following a similar example, might themselves also make use of neutral vessels to infest its harbours, and do in its ports all possible damage.

But if, contrary to all expectation, the steps of his Swedish Majesty, at the Court of London, to obtain reparation for the injury done to his flag, as well as the restitution of the two Spanish frigates, should not have the desired success before the end of this year, his Majesty will be obliged, though with much regret, to adopt towards the Swedish flag, measures of precaution which shall in future shelter his harbours and ports from an abuse as dangerous and revolting, as that which the English have just committed.

I have the honour to be, &c.

(Signed) CHEVALIER D'URQUIJO.

St. Ildephonso, Sept. 17, 1800.

Note.—The declaration of the Swedish captain gives an historical detail of the transaction.

By this Day's Mail

NEW-YORK, Nov. 5.

The Editor of the New-York Gazette received yesterday a letter from an officer on board the United States frigate *President* Commodore Truxtun, dated Basseterre Roads, September 30, which says,

"On our passage out to this station, we made one recapture, to wit, the English ship *Ruth*, from Martinique bound to Newfoundland, loaded with the produce of the English islands."

Enclosed in the above letter, was a copy of the following, from David M. Clarkson, Esq. to Commodore Truxtun,

"Dear Sir,

"I have dispatched a negro to Old Road as you desired, and have written captain Shaw.

"By a gentleman who left Curacao on the 4th of September, I was informed the French frigate *La Vengeance* had gone to sea in a very lame situation, with only 165 men, and but very few seamen on board. Captain Pitot was ordered by one of the agents of Guadaloupe who had gone to Curacao to use his force in compelling the Americans there to pay for the damages that ship sustained in the engagement with the *Constellation*, which he refused; in consequence, he was threatened with arrestation, and to be sent to Guadaloupe—immediately he made every reparation to the ship he possibly could, and went to sea in a very crippled state; since when, I am informed she has been taken and carried into Bermuda by a British 44, in a very wretched situation, as is also the British ship.

"I am most respectfully, sir, Your obedient servant,

DAVID M. CLARKSON.

Thomas Truxtun, Esq. Commander of United States Squadron.

October 1st, 1800.

Seven of the villains who broke jail on Monday, have been apprehended and lodged in Hackensack jail.

From the Halifax Journal, Sept. 9.

Monday arrived here the *Schr. Sisters*, captain Cameron, in 26 days from St. Thomas's a Danish King's brig, mounting 22 eight en pounders, arrived there, bringing in with her the *Schr. Eagle*, capt Nulton, of this port. Captain Cameron, went in his boat, to go on board the *Eagle* but was prevented by the Danish officers, when John Doyle, who was armourer of the *Eagle*, got upon the gunwale, and informed him, they had been fired into by the above brig, in the most barbarous manner, without the least provocation. That capt. Nulton and one man was killed, and the 1st Lieutenant and 5 others wounded. Captain Cameron was refused any further direct communication with the crew of the *Eagle*, who were landed next day under a strong guard, and confined in the Fort; and the only reason assigned for this extraordinary proceeding, was, that one of their armed schooners had been attacked by a British privateer, called *Dreadnought*, and they were determined to have satisfaction.

When we compare the behaviour of the Danish frigates in the North sea and in the Mediterranean, with the above murderous and unprovoked action, and consider that the Danish brig had arrived but five days from Denmark, and that probably she had brought out the new orders of that Court, there can be no doubt but the Danes are provoking that chastisement from the British Navy, which it is highly probable they will shortly receive.

Gazette of the United States.

PHILADELPHIA, THURSDAY EVENING, NOVEMBER, 6.

M'K--n and Fr--ch Cockades, United States and the American Cockade.

From the TRAITOR'S GAZETTE of this morning.

General Orders.

LANCASTER, October 7, 1800.

THE Governor having observed that the Military dress of the Militia is prescribed by the Legislature, consisting of a blue coat, faced with red, and the lining white or red, but that no regulation has been made by law respecting the COCKADE, and being desirous of distinguishing the Militia of this State, from other CORPS, recommends, that in future the colours of the COCKADE be BLUE and RED, corresponding with the colours of the uniform.

RICHARD HUMPTON, Adjutant General.

We shall not at present make any comments on the above, the thing speaks for itself. It may, however, be proper to remind Americans, that the genuine American cockade, is recognized to be Black, 'twas with this Patriotic Badge our friends and relatives, fought and gained our Independence, and for the honour of our country it is hoped that there are but few Americans to be found base enough to wear any other.

AMERICAN COCKADE.

Recommended to be worn, by General Washington and President Adams. BLACK, With an EAGLE in the CENTER.

The most important information, received by the America, we gave in an extra sheet early this morning. We have inserted it in this evening's Gazette, with additional extracts from London papers, which will be found to be interesting.

A gentleman passenger in the America is the bearer of dispatches from our Commissioners at Paris, which are to be immediately forwarded to the seat of government.

A gentleman has promised us a regular file of London papers received by the ship *Active*, M'Dougall, in 34 days from London.

The Presidents Birth Day has been celebrated in a handsome manner at Boston.

Massachusetts Election.

FEDERAL REPRESENTATIVES

Votes in Fourth Western District.

Upsham. Lincoln. Scatterling.

822 1083 233

Lancaster

where the Deputies to a General Congress are to assemble, is a town of France, and principal place of a district, in the department of the Meurthe, situated between the Vesouze and the Mourte, which unite a little below, in a marshy country, which has been drained. In the 6th century, it was a county of itself, united in the 12th to Lorraine. Long. 24. 9. E. Ferro. Lat. 48. 36. N.

Federal Meeting.

AT a large and respectable meeting of the Federal Republicans of the City of Philadelphia convened at Donwood's on Wednesday evening, for the purpose of taking into consideration the subject of a Legislative appointment of electors of a President and Vice President of the United States, at the approaching election. THOMAS FITZSIMONS, was called to the chair. And GRIFFITH EVANS, chosen Secretary.

On motion ordered that a committee of seven report forthwith a communication to be addressed to the Senators from this district.

Whereupon,

Thomas Fitzsimons, Wm. Rawle, William Lewis, Joseph Hopkinson, John Hallowell, James Milnor, and Charles W. Hare Esqs. were appointed, who having withdrawn for sometime, returned to the meeting, and reported the following Resolutions, which being read and considered were unanimously adopted.

Resolved, That in the opinion of this meeting the appointment of Electors of President and Vice-President of the United States, is a matter of high constitutional obligation and ought in all possible cases to be carefully and faithfully performed. But the manner of executing this duty will prove inadequate and delusory, unless the powers en-

trusted to the Legislature by the people are strictly adhered to. The constitution of the State defining the powers, prescribes the rule by which the public representatives are to act, and to deviate from what is thus prescribed, is to disobey both the constitution of the State and of the United States. To the latter, no obedience can be valid if the act of the Legislature is unsupported by the former, and in presenting a nominal list of citizens unauthorised on constitutional principles to perform the functions of Electors, the Legislature might, perhaps, evince its desire to fulfil its obligations without succeeding in the attempt, and infringe one constitution without obeying the other. After long and mature consideration with the best information that the best citizens among us could obtain, the Senate of Pennsylvania was declared to be a component part of our Legislature, and the people have found in this system, the security and stability, which till then had been deficient in our national councils. What the voice of the people has created, the voice of the people alone can destroy, and until by equal authority the present constitution of Pennsylvania shall be altered in this part of its foundations, the Senate must still be considered as a component part of the Legislature. In all instances except where the constitution itself expressly directs otherwise, the powers and duties of the Senate are exercised as a corporate body, the members of which cannot in their functions unite with the members of any other body. In two cases only, the members of the Senate are required to perform certain acts jointly with the members of the House of Representatives and thus by rational and necessary inference in all others, the functions of each must be separately exercised, communicating with each other, only as corporate persons, where concurrence is necessary.

Upon an opposite system, the utility and effect of the Senate, would be destroyed; the number of the members of the other house would always enable them to prevail over the voice of the Senate; and it would soon become a matter of indifference to the people, to preserve the form of two legislative bodies, when in effect and operation they were blended into one.

When, by the Constitution of the United States, the duties, now in question were devolved upon the direction of the legislatures of the several States, it is obvious, that it was expected in the first instance, that the legislatures were only to direct in what manner their constituents should appoint the electors.

Since however electors chosen immediately by the legislatures in other parts of the union have been considered as constitutionally appointed, it is now unreasonable, and unnecessary, to discuss the validity of this construction of the general constitution.

But while the present impossibility of appointing electors by the voice of the people is conceded and regretted, we deem it our duty to exert in favour of the constitution of Pennsylvania to our zeal for obeying that of the United States.

Where they cannot stand together, the former must give way; but we need not seek for occasions to prostrate it without necessity.

In submitting to the present exigence and approving of a legislative choice of electors, we cannot approve of making that choice in any other than a constitutional manner.

There is too much reason to believe, that a joint vote would, on this occasion, be little more than authorising the House of Representatives alone, to make the choice, and thus in substance only a part of the Legislature would do what the constitution of the United States requires to be done by the whole.

By such a measure the will and authority of the people would be disobeyed, although half their confidence has been reposed in the Senate, the whole would be affirmed by the House of Representatives, and the same arguments which would justify this invasion of our charter, might with facility be applied to the making laws and performing every other public duty.

It is therefore only by a concurrent vote that the sense of the people in the choice of electors can be constitutionally conveyed. They have given no other powers, and the Corporation of Philadelphia might with as much justice and propriety undertake to appoint electors, as the unauthorised and nameless junction of the members of both Houses.

The fervor of party may occasionally prompt to measures the consequences of which it diffinds to calculate;—but we trust that there still remain among our political opponents some calm and temperate minds, who will long deliberate before they infringe a fundamental principle of the constitution; who will remember the precedents leading to evade, or disobey the sense of their constituents, may terminate in mischief which they did not intend, and ruin which they cannot avert.

Resolved, That the preceding Resolution be transmitted to the Senators from the District composed of the City and County of Philadelphia, and County of Delaware, as the sense of many of their constituents on the important subject now before them—Which Resolutions being read, were unanimously adopted.

By order of the Meeting, THOS. FITZSIMONS, Chairman Attest, G. EVANS, Secretary.

Just Received, AND FOR SALE, BY SIMON WALKER, Fourth street, corner of Union street,

Fresh Cloves

AND Real Ceylon Cinnamon of the best quality.

november 6 to th fa St.



Gazette Marine List. PORT OF PHILADELPHIA.

ARRIVED.

Ship *Active*, M'Dougall, from London. Dry goods—Davy and Robertson. *Schr. Fair Eliza*, Childs, Rhode Is. Beef and pork—to Captain. *Sea Flower*, Baxter, Barkley.

Ruth, Offick, New Haven. *Ship Rose*, Jones, from hence, has arrived at Liverpool.

The ship *Volant*, Hovey, from hence, has arrived in London after a passage of 27 days. Brig *Globe*, Carline, from Batavia, is here. Captain Littlebridge of the schooner *Active*, arrived at the Point in nineteen days from the Havanna, left there the following vessel: *Ship Fame*, Griffith; brigs *Eliza*, Black; *Clarissa*, Thomas; *Sufannah*, Dil; *Sloop Cicero*, Remington; and several others names not known.

Extract from the Log-Book of the ship *America*, Captain Swaine.

On Saturday evening, 6 o'clock, 15th of October, left the Downs, and on Wednesday the 15th, got clear of the Channel.

On the 14th spoke the brig *Mentor*, of Dartmouth, from L. Hon, eleven days out, the Captain of which informed, that the brig *Philadelphia*, had been carried into L. Hon by the British for a jurisdiction.

On the 18th spoke the brig *Liberty*, from Philadelphia to Rotterdam, eleven days out, all well.

On the 29th, saw a wreck, full of water, without any masts or spars, had yellow flags and appeared to be sixty or seventy tons; then, her quarter, deck washed off, and supposed to have been at the same time.

Made the Light-House on the 3d November at meridian, and at 3 P. M. spoke the ship *Active*, M'Dougall, from London.

NEW YORK, October 5.

ARRIVED.

Ship *Hope*, Phillips, Bristol. *D. Spatch*, Ward, St. Sebastian. Brig *Aurora*, Shaler, Havana. *Schr. Union*, M'Donald, do. *Citizen*, do. *Eliza*, Fairchild, do. *Jane*, Williams, Virginia.

CLEARED.

Brig *Georgia* Packet, Drummond, Jamaica. *Schr. Polly*, New. *Henry*, Permit, Halifax. *Arctides*, Wood, Cape Francois. The ship *Alknomack*, Atkins, has arrived at St. Sebastian in twenty seven days.

October 7, Captain Sprague spoke the English ship *Mars*, twenty-five days from Ireland. The *Aurora*, Shaler, from Havanna, failed in co. with the *Louisa*, Star, for this port, spoke the brig *Two Friends*, Hart, sixty nine days from Jamai a for Baltimore. November 2, spoke the United States frigate *New York*, Captain M. R. is, five leagues from the Hook. Captain Shaler informs that the ship *Alknomack*, Collins, of this port was taken on her passage to the Havanna, by a French privateer and carried into a small port near Mantanzas, where both vessel and cargo were condemned and sold.

The brig *Polly* and *Nancy*, and schooner *Eliza*, from Havanna, are below.

Yesterday arrived, schooner *Union*, M'Donald, twenty one days from Havanna. Sailed in co. with seventeen fail of American vessels, bound for the United States. Left there brig *Polly* and *Nancy*, Olcott, for New York; brig *Elizabeth*, Stare, for do. to fail in six days; schooner *Eliza*, Fairchild, for ditto; *Sloop Nancy*, Bird, ditto; *Sloop Aurora*, Lincoln, for Charleston, off the Mora saw the Spanish fleet that sailed a few days before standing in.

FALMOUTH, September 30.

The Prince of Wales packet, with the mails for Lisbon, of the 23d inst. and the Duke of Clarence packet with the mails for the Leeward Islands of the 17th inst. are still waiting a wind to fail. The American Packet has not yet received her sailing orders—Wind West.

GRAVESEND, October 2.

Past by the *Aurora*, Mith, from Virginia; Birmingham, Cocklan, from Charleston; Warley, Wilson, from China; Rebecca Snowden; George Ayleward; Busby Park, Brown; Adcon, —; and Colma, M'Kenzie, from Jamaica. Sailed, the *Hope*, Marwick; Liberty, Johnson; Brimnia, Gordon; Rambler, Bryant; Cygnet, —; Reaver, M'Quency; and Liberty, —, for Havanna.

Philadelphia, 11 mo. 6, 1800.

ALL Persons indebted to the Estate of Peter A. Reeve, deceased, are requested to make payment; and all persons having demands against his Estate, are desired to present their accounts for settlement to

NICHOLAS WALN, SAMUEL COATS, JOSEPH S. LEWIS, Executors.

For Freight or Charter, The remarkable fast sailing New schooner

Fair Eliza,

Burthen eight hundred barrels.

Apply to the Captain on board at Welsh's wharf, or to

Joseph Anthony & Co.

november 6

Just come to hand, and to be sold

BY R. AITKIN,

No. 27, Market street,

PRICE 6 CENTS,

A LETTER

TO

General Hamilton,

Occasioned by His Letter to

President Adams.

BY A FEDERALIST.

november 6