STAR

OR,

EASTERN SHORE GENERAL ADVERTISER

EASTON: TUESDAY MORNING
FEBRUARY 3, 1807.

Latest Foreign Intelligence

BY LAST NIGHTS MAIL.

New-York, January 28.

We are at length, after a long lapse of time, enabled to gratify the public anxiety with respect to the occurrences which have taken place on the continent of Europe since the victorious army of the emperor Napoleon entered the capital of Prussia.

The arrival of the ship Cato from Liverpool, has furnished the editor of the Mercantile Advertiser, with London papers to the 6th of December, inclusive (nearly a month later than any previous advices.)

From the great mass of political matter before us, (the greater part of which is very interesting) it is difficult to select so as to give the reader a full "view of the whole ground" at once, and impossible to enter into minute detail. We have endeavored to compress the most important articles into the subjoined abstract.

The London papers contain the French bulletins down to the 25th number, the last being dated at Berlin, Nov. 2. From these it appears that Magdeburg, Stettin, Custrin, and Spandau, have fallen into the hands of the French, and the whole Prussian army dispersed, after a series of hard fought battles.—Magdeburg, with a garrison of 20,000 men, capitulated on the 8th of Nov.

The duke of Brunswick died of his wound.

On the 12th of Nov. the head quarters of marshal Bernadotte were at Lubeck. On the same day general Berthier gave notice, that all Russian and Swedish ships lying there might take their departure unmolested. One English ship only was at Lubeck when it was taken by assault; the captain and three seamen of which were killed.

On the 10th the French took possession of Hanover, under the commrnd of marshal Mortier.

The fortress of Hamlin in the electorate of Hanover, capitulated on the 11th inst. It surrendered to the king of Holland, who commanded the siege.

On the 12th the dutchy of Oldenburg was taken possession of for the king of Holland by Batavian troops.

News had reached England that nearly all the British troops had withdrawn from Calabria Ulterior, in consequence of the encreased strength of Massena's army. Sir John Stewart was on his way home.

The ships of war at Cadiz had hauled farther up the harbour, and no prospect of their going out.

The expedition so long detained, sailed from England on the 14th of November. It consists of five regiments of infantry, two of cavalry, and three companies of artillery—about 5,500 men—under eonvoy of the Spencer, Ganges, Thesseus, and Captain, each of 74 guns, and two frigates.

The official account of the capture of Hamburg by the French, was communicated to the lord mayor of London by viscount Howick, on the 20th of Nov. By this, they entered with a corps under general Mortier on the 19th of Nov. All English property was confiscated—and the Englishmen held prisoners till disposed of by Bonaparte. Great uneasiness in England—stocks fell.

A letter from Hamburg states, that Bonaparte had demanded, that the arch duke Charles should resign his command, and that the Austrian army, should withdraw from the frontiers.

The following is said to be the outline of the new political arrangements, which Bonaparte has declared he is determined to enforce on the continent.

The electorate of Brandenburgh, with some contiguous territory, to be erected into a kingdom, under the dominion of Jerome Bonaparte.

Prussia proper to be retained by his Prussian majesty, with the tile of king. His capital to be Konigsberg.

The Polish territory to be wrested from Austria, Russia, and Prussia, and reconsolidated into one state, of the same extent as before the partition.

Murat to be proclaimed king of the Poles.

Holland to receive very considerable recession of territory, particularly in Westphalia.

The dutches of Cleves and Berg, at present possessed by Murat, to be given to one of the French Marshals.

The Prussian army under prince Hohenlohe, after an ineffectual attempt to reach Stettin, surrendered prisoners of war on the 28th of October.

The whole of the Prussian territories to the Oder was in possession of the French, and there was no longer any army on the south side of the Vistula.

The French troops were extending themselves on the west to the mouth of the Elbe, and were at the same time stretching their forces eastward into the Polish territories.

The emperor Napoleon remained at Berlin on the 18th November, but Davoust's division, with the Polish general Dombrowski had advanced to Posen, and over the Wartz—and there was seen the first effect of the emperor Napoleon's proclamation to restore the kingdom of Poland. Dombrowski was received with acclamations by the populace, and the horses taken from his carriage. In other parts the proclamation had produced a considerable effect.

The Austrian government appeared to be agitated and alarmed at these demonstrations on the part of France, and certainly with reason, as it is stated in some of the German papers that Napoleon has ordered his minister at Vienna to present two notes to the court—the first demanding *the evacuation of Bohemia by the Austrian army* and the second declaring, *that he should consider the departure of the archduke Charles, for the army as a declaration of war.*

The king of Prussia was at Graudentz on the 7th of November, and was expected to be at Keningberg on the 14th.

Sir Samuel Hood and Mr. Sheridan are elected to represent the city of Westminister in parliament.

The most serious news to the United States is that relative to our affairs with England, which we find in the Courier of December 6—which goes to a suspected suspension.

Extract of a letter from Yarmouth, dated December 5, 1806.

"We have just time to inform you of our arrival here from Hamburg, which we were obliged to leave at few moments notice, after a decree making all the English there prisoners of war.

"Buonapart's last proclamation is to this effect:—'That British property of every description is to be confiscated—*England is declared to be in a state of blockade*—and all British subject, who may be found in the country occupied by the French, are declared to be prisoners of war.

From the National Intelligencer.

We lay before the public the following sketch of proceedings in the circuit court of the United States for the district of Columbia. We shall endeavor to present in our next paper a more comprehensive statement.

On FRIDAY Mr. Jones, the attorney of the District, invited the attention of the court to the situation of Erick Bollman and Samuel V. Swartwout, and the crimes laid to their charge. He made a number of remarks going to shew that they had been guilty of treasonable acts against the peace and union of the United States. Evidence to this effect he said would be adduced at a future period. He rose, however, merely to move that the court would issue a warrant directing the marshal of the district to take the prisoners, at present in the hands of military authority, into his custody. He grounded this motion on the affidavits of General Wilkinson, already published. He did this in obedience to instructions received from the executive of the United States, whose wish it was that they should be surrendered into the hands of the civil authority. Mr. Jones then read the affidavits of General Wilkinson, and went into an argument of some length in support of his motion.

Various questions were submitted by the court, the object of which principally was to ascertain the specific offence charged, and the grounds on which the attorney supported it.

The attorney in reply, made an argument to shew that the offence charged was treason; but contended that if it were inferior hue, still the arrest and commitment were proper to be made.

The court took time further to examine the case. Their hesitation to grant the motion of the attorney arose chiefly from the uncertainty of the offence charged against the prisoners in the affidavits of General Wilkinson; and from the necessity of specifying some specific offence in the warrant of arrest.

On SATURDAY, on the opening of the court, Mr. Jones observed that it was his wish, previous to a decision on his motion, to submit the evidence of general Eaton and Mr. James Lowry Donaldson, for, whom he moved subpœnas.

The court ordered subpœnas to be issued for these witnesses.

Mr. Caldwell then said that he held in his hand a petition signed by him in behalf of Messrs. Bollman and Swartwout, whose signatures could not be obtained, as access was denied to them. Mr. C. read the following petition:

To the Judes of the Circuit court of the United States in and for the district of Columbia.

Your petitioners Erick Bollman and Samuel Swartwout, respectfully represent that they are continued within the body of Washington county, in the district of Columbia, at the Marine Barracks under a military guard, without just and legal cause, and are deprived of the benefit of counsel, or being confronted with their accuser, and of being informed of the nature of their offence, or of the cause of their commitment. Your petitioners therefore request a writ of Habeas Corpus, in the usual form, directed to Lt. col. Franklin Wharton, or to such other person as may have the custody of your petitioners, that they may be proceeded against as the laws direct, and have an opportunity of being heard in their defence.

For and on behalf of Erick Bollman and Samuel Swartwout,
ELIAS B. CALDWELL.
Attorney.

After offering this petition Mr. C. made a concise speech in support of its prayer.

Mr. Jones opposed allowing the prayer of the petition, principally on the ground of its collision with the motion made by him, then depending before the court, the effect of which he contended should be the same as that produced by the writ of Habeas Corpus, if allowed.

Mr. Dorsey replied, in support of the petition.

Mr. Caldwell again spoke: and,

Mr. Jones replied.

Some further conversation ensued between the counsel—when chief justice Cranch declared it the opinion of the court, that before in strictness a right existed to claim a writ of Habeas Corpus, it must appear on affidavit that the warrant of commitment, or other authority, under which the confinement had taken place, had been refused, together with the grounds of refusal.—Judge Cranch added that this decision was made under the 31st of Charles Second, which applied to this case.

A faint objection was made by Messrs. Caldwell and Dorsey to the application of this statue, which was over-ruled by the court.

A short time after this General Eaton and Mr. Donaldson appeared in court.

Mr. Jones said that the testimony of General Eaton would be lengthy, and in order to allow time for his drawing it out, he requested that he might be indulged until Monday.

This course was acquiesced in by the court in respect to both the witnesses.

Mr. Caldwell then offered the following affidavit.

District of Columbia—Wasinhgton county, ss.

On the 24th day of January, in the year of our Lord, 1807, personally appeared Elias B. Caldwell, who being duly sworn, deposeth and saith that he called on Lt. Col. Franklin Wharton, commandant of the marine corps, and requested of him a copy of the warrant or cause of commitment of Erick Bollman and Samuel Swartwont, to which the said col. roplied that he had no warrant of commitment, but that they were delivered to him in the usual military mode, and that they were merely under his care for safe keeping.

Sworn to before me the day and year above written.

WM. BRENT, Clk.

Mr. Caldwell added that he had not seen Mr. Bollman, and did not know whether it was his wish to apply for a writ of Habeas Corpus. He would, therefore, only move for a writ of Habeas Corpus for Mr. Swartwout.

Mr. Jonen intimated a hope that some days should be allowed for making out the return of the writ, which might repuire deliberation and legal advise.

This was opposed by Messrs. Caldwell and Dorsey.

When the court ordered a writ of Habeas Corpus, in the case of Samuel Swartwout, returnable on Monday at 1 o'clock.

Advices from New Orleans have been received as late as December 25th. Mr. Ogden had been again arrested.—and Mr. Alexander., Gov. Claiborne had offered a reward for the apprehension of Burr.

CÆSAR A. RODNEY, is appointed Attorney General of the United States.

Notice,

THAT the Levy Court for Talbot county will meet on Monday the ninth day of March next, to appoint constables—and on the first Monday in April next, to appoint overseers of the roads.

Per order of the Levy Court,
J. LOOCKERMAN, Clerk
Levy Court for Talbot county.
February 3, 1807. 3

St. Michael's School.

THE subscriber begs leave to inform the public, that he will open a *School* on *Monday* the 16th inst. at the above place, where youth will be instructed in the following branches, viz. Reading, Writing, Arithmetic, English-Grammar, Book-Keeping, Geometry, and Trigonometry, with their application to Mensuration, Navigation and Surveying. He trusts from his assiduous attention to his Pupils, to merit their approbation.

JAMES HORNER.
Talbot county, Feb. 3, 1807. 4

N. B. He can procure board for a few Scholars, where a strict attention will be paid to their morals. J. H.

Just Published,

And for sale at this Office, (in a small Pamphlet,)

THREE ESSAYS,

On the Constitution of the Christian Church; the Succession of the Ministry; and Schism—With notes.

FOR THE REPUBLICAN STAR.

READ THIS—Not as an encomium on the author's stile, but as developing circumstances, in which the interests of civil society, are considerably concerned. It is well known, therefore needs little illustration, to any class of society, with what expence of time and money, vexation, disappointment, and final dissatisfaction, the prosecution of suits, even in our courts of common pleas are almost invariably attended. Considering the complicated, procrastinated and unsatisfactory manner in which civil differences have been so long adjusted, even in the most simple cases, I have often wondered that men should so blindly adhere to a system productive of so many difficulties, and so few advantages. How often have prosecutions been entered, for property withheld, or wrong inflicted, in which, if final adjudication was ever obtained, the expected remuneration was absorbed in a vortex of costs, the return not indemnifying the proceeding, and the offending and defending cats, the dressed spectators of the cheese-devouring monkey, the elected judge? In a case like this, where is now your remedy? an appeal to a higher tribunal, or is not this rather a foolish repetition of an ignorant act? I have seen a handsome, and although a high-coloured, not an incorrect carricature of this subject, an action is entered for a suit of clothes, the plaintiff obtains a verdict, the defendant is stript to the buff, the plaintiff gets the shirt, and the council divide the clothes. To distort facts, to paint in false the specious colours, must necessarily happen to one or other party, both cannot be right, and with what success this false colouring is frequently held up, every person who observes the processes of law must be well acquainted. A boasting barrister, once declared so potent was his eloquence, that by the time he had pleaded half an hour, nobody knew on which side the right was, or whether there was any right on either side—If our lawyers are not so successful, we can only deprecate their want of rhetoric, twould certainly be injurious to attribute it to a sense of justice or honesty. The law cannot embrace every subject, in the most plain and simple cases, how often has the just expectations of one party been thrown to the ground, his right the plain & undisputed by every disinterested observer, snatched from his hands & himself ingulphed in costs without redress, by the artful turn of some quibble which the opposing council has laid off, and to which he tenaciously adheres? 'Tis not his business to expedite justice, but defend his client. I have pointed out the disease, the remedy is plain. The simple, the satisfactory mode of arbitration, offers itself in conciliatory colours, and if resorted to in a judicious way, will be found not to deceive. To those only however, who wish to settle their disputes, is arbitration recommended. In frightful aspect it appears, in vain must it be recommended to those, who expect to live, by the spoliation of the widow and orphan, the oppression of the weak and defenceless. Tis not alone, as has been erroneously supposed, to the most trifling cases, that the arbitrative mode will properly apply. With the merits of differences, which so frequently occur, in the concerns of land-holders, who can be so well acquainted, as those who are daily conversant in similar concerns? Our farmers are not so illiterate, as to be ignorant in what manner business should be done; the business of arbitration is simple, and surely there can be found in every neighbourhood two or three men, honest enough to do it impartially. It is their interest to do it impartially, the eyes of others are upon them, and they subject to, and must be sensible of those sneers and reproaches, from which the situation of the lawyer exempts him, and to which the business of his life has made him callous. After years spent in attending upon courts, in urging your lawyer to bring on your suit, and every time you urge, the hinges must be greased; how often has it happened after receiving every cent of fees which the most barefaced impudence could extort and none now to be expected, he has turned you over to the mode of arbitration? The expense of this mode is trifling, the loss of time inconsiderable, the satisfaction great. In choosing arbitrators some precautions are essentially necessary, and they should not be chosen merely because they are intimate acquaintance, relations, or of the same politics with ourselves, but because they are men of sense, and have borne an untainted character of probity and integrity. I would take no man as an arbitrator, who should tell me he would espouse my cause, and it is an error which arbitrators may fall into to suppose that they are bound to defend the cause of those, by whom they are chosen. This, however, no man of firmness and integrity will do.——To the law and its servants I am not opposed, both it and they are in a measure indispensably necessary; unfortunately however, our courts, our towns, and our country are so thronged with them, every corner so stuffed with them, that there cannot possibly in an ordinary way be employment enough for them all. Instead of lessening our difficulties by their numbers, they must serve to increase them—To get employment, and to live by their profession are synonymous terms; to do it, some way is to be adopted, and when application is made for advice, even in the most unpromising case, business is not to be regretted, clients should not be discouraged—By engaging this man in a suit we get his business, his money comes soon after, and who cares what becomes of his cause? In our state laws many improvements have been made, many more I hope will be, many are wanting. The most artful villain, is as yet, the most successful: From the bare-faced plunderer, who by some legal quibble, openly withholds the widow's dower to the fawning sycophant, who while with one breath, he deplores the unhappy fate, with another can extort from dying agony and mind distracted, the fatal signature, which conveys to himself the rightful inheritance of the ignorant but deserving female, of the young or absent relative. CIVIS.

N. B. The law is an honorable profession, and when its practitioners pursue it like worthy citizens, their characters derive an additional lustre, from its practice; but these vermin of the statutes, who prey upon parchments like worms and rats, should be treated by all honest men like such obnoxious beings—and as they are the BANE of all society, it is a pity that no "petty-fogging BANE" is yet discovered to demolish them.

Married, on Thursday the 22d ult. by the Rev. Simon Wilmer, Mr. *Henry Wilmer*, to the amiable Miss *Margaret Harris*, both of Queen Ann's county.

Departed this life last evening, in this town, after a tedious indisposition, midshipman *John H. Coats*, of the United States Navy, son of Doctor John Coats, in the 21st year of his age.

INDIA GOODS.

JUST RECEIVED,
By the Ship China Packet, from Calcutta,
AND FOR SALE BY THE SUBSCRIBER,
At No. 28, North Front-street, Philadelphia,

BEERBOOM GURRAHS.
Company ditto
Manackpoore Mamoodies.
Gauzzapore ditto.
Mugga ditto.
Gurrah ditto.
Johanna ditto.
Luckapore Baftas,
Judea ditto.
Johanna Cossacs,
Jaunlatta ditto.
Sajapore ditto.
Mirtzapore Chintz,
Patna ditto.
Embroidered Veils,
Fine Mulmuil and Nansooks,
Laced handkerchiefs,
Embroidered muslin and shawls,
Blue Gilla Romals,
Checks,
Ditto fine,
Fine Chanduagore Long Cloths,
Patna table cloths,
Aliabad Sannahs, } FINE.
Jallalpore do } FINE.
Goldhead do } FINE.
Agamque do } FINE.
Rohelcund Emerties,
Chandilla Sawns,

All the above entitled to drawback.

JOHN LORAIN, Jun.
January 19, (Feb. 3.) 1807. 3

Cambridge and Baltimore PACKET.

THE subscriber returns his thanks to the public, and informs them that he intends runnieg a regular PACKET every week from *Cambridge* to *Baltimore*: To leave Cambridge for Baltimore every *Saturday*, at ten o'clock; and, to leave Baltimore for Cambridge every *Wednesday*, at nine o'clock, and shall keep his Office at Messrs. Loockerman and Chapman's store. where all Letters and Orders will be left—He will also attend himself every Saturday morning to receive such orders as a generous public may think proper to intrust him with—He has also capt. Mitchell's Granary to receive grain or any goods that may offer. The subscriber flatters himself that it will be in his power to give general satisfaction by the attention that shall be paid, by the public's obedient servant,

ALEXANDER TARLTON.
Cambridge, February 3, 1807. 8

MARYLAND, *Kent County Orphans' Court, January* 24, 1807.

ORDERED, That *Samuel Gould*, and *Mary Travilla*, executors of *Thomas Travilla*, deceased, cause to be inserted in the "Star" at Easton, an advertisement as follows, for three successive weeks.

Test,
R. BARROLL, Reg'r. of Wills
for Kent county.

This is to give notice,

THAT the subscribers, of Queen-Ann's county, have obtained from the orphans' court of Kent county, in Maryland, letters testamentary on the personal estate of *Thomas Travilla*, late of Kent county, deceased; all persons having claims against the said deceased, are hereby warned to exhibit the same, with the vouchers thereof to the subscribers, at or before the 15th day of August next, they may otherwise by law be excluded from all benefit of the said estate. Given under our hands this 24th day of January, 1807.

SAMUEL GOULD, and
MARY TRAVILLA,
Ex'rs of Thomas Travilla, de'd

*** *Advertisements, and a variety of matter omitted from the want of room.*