From the Charleston Courier.

ERASMUS, No. II.

WHEN I read the attack upon judge Chase's charge, I was forcibly struck with the verification of the proverb, that "*hypocrisy always overacts.*" There is so much affection for the constitution expressed; that poor judge Chase is doomed to perdition, for saying a word about it; and the soundness is even transferred to the constitution of Maryland, for no reason, as it should at first appear, but because it is guaranteed by that of the United States. But, although violently in love with the constitution, and although love is proverbially blind, yet the illustrious writer seems to get the bandage from one eye, at least, before all is over; for we find that he is charmed with the constitution of Maryland, not so much from the intrinsic value of it, as from its aptness to change. It contains the facile mode of change, and has lately been changed, and rendered "*more republican,*" he says. How has the constitution of Maryland become more republican? By the establishment of *universal suffrage;* and by another change in contemplation, it will become more so, that is, to make their judiciary dependent on popular faction. Here we have an explanation of the writer's idea of republicanism, a facility of change, and an eternal exercise of it, even in the mad projects of *universal suffrage*, and *prostration of the judiciary*. "*A material part of the constitution consists in a prescribed mode of changing it,*" are his own emphatic words.

Why is the constitution of the United States so very like the British, which is so very bad, become an object of democratic affection? Because they have discovered, that it can be altered. Ask any leading democrat, how, and why they have so much varied their note, from disapprobation to affection: he will say, "*we can alter it.*"

All the wisdom of Lycurgus, Solon, and many others of the wise ancients, as well as moderns, which considers *permanence* in the constitution of government and laws of a well-regulated state, to be its first and best security against faction, is here destroyed at a stroke. Change, lovely change, is all that can be valued in the eye of our exclusive republicans, as they dub themselves. Why not attack the constitution fairly, and say it is despotic, and what not? Because the people will not bear it; for they really love the constitution as it is: therefore the attack must be covered, under professions of great esteem for it, and taking advantage of the natural fickleness of the human heart, keep up the work of *holy insurrection and change*, till some Bonaparte shall say, by the aid of the bayonet, "*peace, be still.*"

The second obvious intention of this attack upon judge Chase, is to prepare the public mind for an attack, next session of congress, upon the judiciary, by way of impeachment.

It will be recollected that the violence done the constitution, by removing sixteen judges who held their offices during good behavior, without the constitutional mode, that is, by impeachment and conviction, gave much uneasiness to many of the more considerate democrats. To avoid any thing of this kind in future, impeachments, if properly managed will supercede the necessity of any more such imprudent strides. In exact pursuance to this calculation, the house agreed to impeach John Pickering, judge of the district court of New-Hampshire; but as no other articles were made out against him, it cannot now be determined what the charges will be against judge Pickering; but report says, he is, at times, insane, and that this is to be the ground of impeachment; certain it is, that nothing is publicly known to form just and legal grounds for it. Now, this *National Intelligencer* begins to conjure up spirits from the vastly deep, to prepare the way to attack judge Chase—for what? for opinions, which the writer is pleased to think contain *anti-republican tendencies*. And the better to carry on the deception, the cry of *a rooted attachment to monarchy*, is set up. The people of this country are well known to entertain strong prejudices against monarchy, and it is believed, that not a man in the country has a wish partaking so much of insanity, as to contemplate changing our present constitution for a monarchy, or any thing like it. But when a man is to be hunted down, at any rate, this is a favorite mode of attack—"*He is a monarchist.*" This is exactly the course that popular demagogues have always pursued; once establish an impeachment for "*opinions,*" and the revolutionary work is done to their hands. Fellow-citizens, look, I beseech you, upon the peace in the *National Intelligencer*, read the comments I have made upon it;—think, and decide for yourselves. Your constitution must be preserved against open attacks; but much more vigilance is requisite to defend it against the subtle machinations of its secret foes, whose inveteracy produces an incredible share of activity to sap, and eventually to destroy.

ERASMUS.

SIR ROBERT WILSON'S

Account of the Battle between the French and English, which decided the fate of the Expedition to Egypt.

On the memorable 21st of March, 1801, the army, as usual, was under arms at three o'clock in the morning; all was quiet till 3½ o'clock, when the report of a musket was heard at the extremity of the left. Instantly afterwards a cannon fired, scattered musketry succeeded, and then two more guns. For a moment attention was directed to that quarter. All were convinced that a general attack was commencing, but it was immediately evident that the firing was too feeble on the left to believe *that* to be the point of the enemy's serious object. Indeed this was the universal sentiment; and general Moore, who as general officer of the night, on the first alarm proceeded to the left, was so impressed with this idea, that he turned back to the right.

For a few minutes all was still; but it was the awful suspense of anxious expectation, not of apprehension. Every eye was painfully extended forwards through the gloomy mist of the atmosphere, and the ears strained to catch the smallest sound. Occasionally the eastern horizon was anxiously regarded; but though the grey of the morning was perceptible, it seemed reluctantly to break. On a sudden loud shouts were heard in front of the right, which fully certified the enemy's intention, a roar of musketry immediately succeded, and the action there became general.

The enemy, covered by the unequal surface of the ground, had advanced unperceived as far as the videttes, and continued to press on with them and the retiring piquets of infantry to the main position with all celerity; one column directed itself upon the ruins where the 58th were posted, the front of which was considerably more extensive than the front of the regiment; but some part of the wall still standing, it admitted of the regiment's dividing itself, but scarcely notwithstanding did the troops fill up the different openings. Colonel Houston, who commanded, faintly perceived the column of the enemy advancing with beat of drums and buzzas; but fearing lest the English piquets might be preceding, he allowed it to approach so close that the glazed hats were clearly distinguished, when he ordered the grenadiers to fire, which was followed by the whole regiment, and repeated with several rounds. These continued, and well directed discharges, not only checked, but made the enemy's column retire quickly into a hollow some distance in their rear, when it shortly afterwards wheeled to the right, and endeavored to force round the redoubt in front of its left, with another column directing its march upon the battery. The 28th regiment stationed there opened a heavy fire on that part of the enemy which attempted to storm the redoubt in front; but the main body of the two columns, now joined to a third, forced in behind the redoubt, and whilst some remained to attack it thus in the rear, the rest penetrated into the ruins. Colonel Crowdjye, who commanded the left of the 58th, observing their advance through the openings, wheeled back two companies, and after two or three rounds of fire advanced on the enemy with the bayonet. At this instant the 23d regiment appeared to support, having moved for that purpose from its station, and the 42d also advancing on the exterior side of the ruins to cover the opening on the left of the redoubt, so cut off the troops which had entered, that after a severe loss they were obliged to surrender. The 28th regiment had presented, as well as the 58th, the extraordinary spectacle of troops fighting at the same time to the front, flanks and rear. Although thus surrounded, the 28th regiment remained fixed to the platform of the parapet, and preserving its order continued a contest unexampled before this day.

Col. Chambers had the honor of commanding, col. Paget having been wounded at the commencement of the action. The advance of the 42d relieved the 28th for a moment from this unequal attack; but as that regiment approached the right of the redoubt, the first line of the enemy's cavalry, passing by the left of the redoubt, floundering over the tents and in the holes dug in the encampment of the 28th regiment, charged en masse, and overwhelmed the 42d; yet, though broken, this gallant corps was not defeated; individually it resisted, and the conduct of each man exalted still more the high character of the regiment. Colonel Spencer, who with the flank companies of the 40th had taken his station in the intervals of the ruins, was for some seconds afraid to order his men to fire, lest he should destroy the 42d, so intermixed with the enemy. But the cavalry passing on, and directing itself against that interval, he was obliged to command the firing, which stopped the cavalry's advance; yet such a feeble force must instantly have been overpowered, if at this critical moment general Stuart, with the foreign brigade from the second line, had not advanced in the most perfect order, and poured in such a heavy and well directed fire that nothing could withstand it, and the enemy fled or perished. It was in this charge of the cavalry that the gallant sir Ralph Abercrombie, always anxious to be the most forward in danger, received his mortal wound. On the first alarm he had mounted his horse, and finding the right was seriously engaged, proceeded thither. When he came near the ruins, he dispatched his aids-de-camp with some orders to different brigades, and whilst thus alone some dragoons of the French cavalry penetrated to the spot, and he was thrown from his horse. One of them, from the tassel of his sword supposed to be an officer, then rode at him, and attempted to cut him down; but just as the point of the sword was falling, his natural heroism, and the energy of the moment, so invigorated the veteran general, that he seized the sword, and wrested it from the band; at that instant the officer was bayoneted by a soldier of the 42d. Sir Ralph Abercrombie did not know the moment of his receiving the wound in the thigh, but complained severely of the contusion in his breast, supposed to be given by the hilt of the sword in the scuffle. Sir Sydney Smith was the first officer who came to sir Ralph, and by an accident had broke his own sword, which sir Ralph observing, he instantly presented to him the one he had so gloriously acquired.*

Sir Ralph, as the cavalry was by this time repulsed, walked to the redoubt on the right of the guards, from which he could command a view of the whole field of battle. The French although, driven out of the camp, by no means gave up the contest on the right. A second charge of cavalry was attempted by their reserve against the foreign brigade, but completely failed. After this their infantry did not keep any longer in a body, but acted *en tirailleur*, except that a battalion maintained still a little fleche in front of the redoubt, on each flank of which republican colors were planted.

The ammunition of the English was by this time totally exhausted, and the regiments of the reserve were obliged to remain without firing a shot, some not having one round left, and for a time there was only one cartouch for the guns in the battery. Whilst such was the state of the contest on the right, the attack on the centre had also continued. As soon as day dawned, a column of grenadiers had advanced, supported by a heavy line of infantry, to the assault of this part of the position. The guards posted there at first threw out their flankers to oppose them, but these being driven in, when the column approached very near, general Ludlo directed the brigade to fire, which they did with the greatest precision. The French general seeing the echellon formation, had advanced to turn the left flank of the guards, but the officer commanding there wheeled back instantly some companies, which checked their movement, and the advance of general Coote with his brigade compelled them to retreat. Finding this effort ineffectual, then they dispersed as sharp as shooters, and kept up a very destructive fire, at the same time that the French cannon played incessantly. The left of the British was never seriously engaged; it was only exposed to partial musquetry and a distant cannonade. The French on the right, during the want of ammunition among the British, had attempted to approach again close to the redoubt, and some of them also having exhausted their's, absolutely pelted stones from the ditch at the 28th, who returned these unusual, yet not altogether harmless instruments of violence, as a serjeant of the 28th was killed by one breaking through his forehead; but the grenadier company of the 40th, moving out, the assailants ran away, the sharp shooters in front left the hollows they were covered by, and the battalion also evacuated the fleche.

At length general Menou finding that every one of his movements had failed, that the British lines had suffered no serious impression to justify the hopes of an eventual success, determined on a retreat. His lines retired in very good order, under the heights of their position: but fortunately for them there was such a want on the part of the English of ammunition, otherwise the slaughter would at least have been double, as the ground they had to pass over presented a glacis for the farthest range of shot. As it was, the cannon on the left did much execution, and also the king's cutters on the right, which had during the whole action most gallantly remained in their station, although exposed to a body of the enemy within half musquet shot, expressly firing at them, and who had the advantage of a considerable elevation. A corps of French cavalry, posted at the bridge on the canal of Alexandria, to protect the right flanks of their lines, and to prevent a movement from the British left deserves equally to be mentioned for the steadiness with which it maintained its ground, although the shot plunged constantly into the ranks. At about ten o'clock, A. M. the action ceased; but it was not till the defeat of the French was thus absolutely assured that sir Ralph Abercrombie, who had remained in the battery, and where several times he had nearly been killed by a cannon shot, could be prevailed upon to quit the field. He had continued walking about, paying no attention to his wound, only occasionally complaining of a pain in his breast from the contusion. Officers who went to him in the course of the action, returned without knowing from his manner or appearance that he had been wounded, and many only ascertained it by seeing the blood trickling down his cloaths. At last his spirit, when exertion was no longer necessary, yielded to nature; he became faint, was placed in a hammock, and borne to the depot, cheered by the feeling expressions and blessings of the soldiers as he passed: he was then put into a boat, accompanied by his aid-de-camp and esteemed friend, sir Thomas Dyer, and carried to lord Keith's ship.

When the French army was totally withdrawn, the attention of the English was directed to those miserable wounded men who were left on the field of battle; and the spectacle, from the contractedness of the ground of action, was really horrible. Those who have never seen such a sight, must not suppose that the effect of this scene altogether consists of the groans and lamentations of the dying: no, it is the gallant resolution with which these acute and terrible sufferings are borne, the energy of the soul subduing the violence of bodily pain; the character of the soldier supported in these last moments which excite the feelings, and annihilate the rage of hostility.

During the action several explosions were heard and seen in different parts of of the field. They were now found to have been occasioned by the blowing up of tumbrils, set on fire by the English shells. On the ground were found about 1700 French killed or wounded, 1040 of whom were buried in the course of two days on the field of battle. If the calculation be carried on in the general proportion of wounded or killed, the enemy's loss would appear to have been very considerable indeed, but the number, including the prisoners, at the fairest estimation amounted to about 4000 men, among which were most of their principal officers, killed or wounded. General Roiz lay dead on the rear of the redoubt on the right: in his pockets were found the order for the attack, and a letter from general Menou of an interesting nature. Two pieces of cannon were abandoned, one of them, an Austrian eight pounder, was lying within four yards of the redoubt, the four beautiful horses killed which drew it, and several artillery men: it seems that a discharge of grape from the 24th had effected this, when the French during the darkness had brought the gun up by accident in front of the battery. Four hundred horses were also lying on the field, most of them on the left of the ruins. In this battle the French standard was taken. Serjeant Sinclair, of the 42d regiment, and a private of the Minorca, whose name unfortunately cannot now be acquired, claimed equally the trophy, and it appears that each merited the honor; serjeant Sinclair first took it, but being ordered forwards by an officer, he gave it to a private who was killed. When the Minorca advanced, the French had recovered the colors; but the private wrested them from the man who had possession, and then bayoneted him. General Regnier states, that the battalion to which these colors belonged was composed chiefly of Copts; but how Copts came to carry a standard on which *le passage de la Serivia, le passage du Tagliamento, le passage de l'Isonzo, le prise de Graz, le Pont de Lodi*, are inscribed, gen. Regnier can only explain.

The loss of the English was six officers and 233 men killed; wounded, 60 officers, 1190 men; three officers, 29 men missing. The English tents were torn to pieces by the shot, and thousands of brass cannon balls were glistening in the sand. Several servants had been killed in the tents, and numerous miraculous escapes of the sick lying in them are to be told.

* *This sword sir Sidney Smith means to place on his monument.*

A singular circumstance happened almost immediately afterwards. Major Hall, aid-de-camp to general Craddock, whilst going with orders, had his horse killed. Seeing sir Sydney, he begged to mount his orderly man's horse. As sir Sidney was turning round, to bid him to give it to major Hall, a cannon ball struck off the dragoon's head. "This," exclaimed sir Sidney, "is destiny. The horse, major Hall, is your's."

From the Columbian Centinel.

THE last "National Ægis," published at Worcester, gives a very correct view of the late British declaration of war; and a summary of the papers which accompanied it.

After enumerating some of the causes of complaint in the declaration, it says,

"All these have conspired to keep alive the spirit of jealousy, which has never yet been lulled to repose. They have indicated an overwhelming system of conquest which was threatened to destroy the balance of Europe, and to subvert the sovereignty of the British empire. The laws of self-preservation, which are considered by every government as paramount to the obligations of a treaty, have dictated the necessity of guarding against this alarming spirit of encroachment."

It then reviews the controversy, as it respected Malta; Switzerland; commercial prohibitions; the employment of emissaries in Great-Britain, in the character of "commercial agents,"--and Sebastiani's report; and adds:

"With this indignity, may be ranked the publication in a Hamburg paper, (it is said, by order of the first consul) of a gross and indecent attack upon the British government, and the personal character of his majesty. We some time since noticed this vain and puerile gasconade, and expressed an opinion that it never could have been sanctioned by the first consul of France. The declaration of his majesty states it to have been inserted in the Hamburg Correspondent, by the immediate intervention of the French minister there. If this be correct, the government of France is responsible for a vulgar and contemptible insult."

After noticing the extraordinary levee conversation between Bonaparte, and lord Whitworth, the Ægis proceeds:

"But the most extraordinary, and in our opinion, the most unwarrantable attempt, to encroach upon the rights of the British government, is the demand made by the first consul, through the medium of M. Otto, that the *liberty of the press should be restrained*, and the freedom of parliamentary debate should be shackled, in discussing the affairs of France. None but an unprincipled tyrant would have conceived a wish like this; none but a haughty, aspiring and imperious usurper, would have suggested to an independant nation, a servile and abject compliance with such wishes! The nation which would listen for a moment, to such a proposition, would deserve to be enslaved. The government which would hesitate, for an instant, between a submission to such a demand, and a resistance to the aggression, even at the point of the bayonet, ought to be blotted out forever from the list of empires. Let us bring the case home to ourselves. Suppose the government of France or Great-Britain should require that the laws of our own country should be so modified, as to *prevent the publication* of any thing relating to their political concerns, and even to restrain a congressional discussion of their measures. Is there an American among us, who would not spurn with indignation, at such a demand? He would then deserve to be the slave of an ambitious usurper, and to crouch beneath the rod of an unfeeling tyrant.

"The laws of England, like our OWN, have provided for the punishment of libels against the government, as well as individuals. The promptitude with which Peltier was punished, for a libel on the first consul of France, is a sufficient proof, that the protection of these laws is readily extended to other governments, as well as their own. But *a previous restraint* upon the press is totally repugnant to all our ideas of a privilege, which we conceive to be essential to the very existence of our freedom.

"During the important reign of Henry III, the parliament of England were *required*, by a writ *from their own sovereign*, to change the law respecting bastardy, so that one "*born before matrimony might inherit, in like manner, as he that is born after matrimony.*" All the earls and barons, with one voice, answered, "*Quod nolunt leges Angliæ mutare, quæ hucusque usitatæ sunt approbatæ*—*that they would not change the laws of the realm, which have hitherto been used and approved.*" After this honorable resistance to an imperious demand *from their own sovereign*, on a subject of comparatively trifling importance, could the first consul of France believe, that a British parliament would humble and degrade themselves, by sacrificing *the liberty of the press*, to appease his aspiring and vindictive temper? The answer of lord Hawkesbury displayed the intrepid spirit of an Englishman, and the magnanimous resolution of a proud and independent nation."

The Ægis then notices the requisitions of Bonaparte respecting the emigrant bishops, and nobles, in England: and observes:—

"If there be any on this list of proscription, who have conspired against the government of *France*, it will not be denied that it is the duty of the British government to banish them from the kingdom. But if they have been guilty of no other crime than that of *thinking for themselves*, and expressing their opinions in matters of politics or religion, if they have even believed that Louis the XVIII has a better claim to the throne than BONAPARTE himself;—if they had beguiled their sorrows, by wearing the badges of their ancient order, in remembrance of what they had been, before they were exiled by the terrors of the revolution; if these are the only charges against them, it would have been a cruel violation of the laws of hospitality, to have driven them from the country, to which they had fled for refuge and protection."

"The ancient hospitality of *England* would revolt at such a demand, and the ancient usage of every civilized nation would be violated by such a concession."

The Ægis then concludes:—

"On the whole, we perceive much irritation in the measures of the French government; and much of that overbearing temper, which so strongly marks the character of the first consul.

"It is not matter of surprise, that the proud spirit of *Britain* should not brook this imperious language of defiance.—From BONAPARTE we are to expect neither confession nor repentance. He has assured the British, that if they are the first to draw the sword, he will be the last to sheath it.

"We may therefore look forward to a war, not less vindictive, sanguinary and distressing in its progress, than any one which has hitherto disgraced these jealous and implacable rivals."

We have been the more particular in noticing the above remarks, as they discover a spirit of independence rarely met with in democratic papers.

From the Balance.

Perhaps there is not a more astonishing instance of petrifaction in the western world, than is to be seen about half a mile south-east from the court house in Schoharie county. And, what is almost as astonishing, it has never been noticed by any geographer or naturalist. It is a hill, whose size almost entitles it to the appellation of a mountain, which may be pronounced a mere mass of petrified shells. I went to the top of the hill (which is some thousand feet higher than the ground where the court house stands) and examined the rock as I went up, and then along the top of the ridge for one half mile. The rock is generally covered with a thin soil, but lies bare at diffeaent intervals, not far distant from each other, in its whole extent; and in some places projects from the ground ten or twelve feet. Every inch of the rock exhibits petrified shells in their perfect form.

In one place I broke off a piece of the rock, in a deep fissure, ten feet from the surface of the rock, and found it to be of the same composition. Wherever the rock is exposed to the sun, it resembles brimstone: where it is hid from the sun, it is dark, coarse and rough. It seems to be composed wholly of river shells: I could find no oyster shells. There is one thing particularly worthy of remark. Although it is a ridge so elevated, that no water of a petrified quality, or otherwise, can possibly run there, I saw a bench of moss, which a gentleman had found there perfectly petrified.

I have no leisure, neither am I enough of a naturalist to investigate and make due reflection upon this wonderful phenomenon; but I hope this communication will excite the curiosity of some ingenious naturalist to do justice to the subject.

PUER.

Livingston Ville, Schoharie county.