PROVINCE OF UTRECHT.

[The following remonstrance of the inhabitants of the province of Utrecht against the new constitution of Holland, contains an ingenious and spirited protest against the inquisition of that form of government by the hands of a foreign nation.]

" *All the undersigned citizens and inhabitants of Utrecht, to the president and members of the state directory of the Batavian republic.*

" *Fellow citizens,*

" A new plan of a constitution being again proposed to the Batavian people, in order to its being subjected, without delay, to their assent or rejection, and as we have it not in our power to make known the reasons for our dissent at the time of voting, we take the liberty to inform you, that after minute investigation and mature consideration of the said plan, the same appeared to us, far from amending the present constitution; to be an the contrary, liable to produce, much greater evil, which sooner or later, must necessarily proceed therefrom to the nation; and we therefore feel no difficulty in stating that the plan, according to our view of it, is at variance with the interest of the people of Batavia, and republican liberty, for which her ancestors have sacrificed so much blood and treasure. It appears from the contents of this plan, that

I. " The possessions and property of the inhabitants are left at the mercy of the most arbitrary dispositions of the political power, the experience whereof has proved of great injury to so many eminent inhabitants from the year 1795, down to the present time, without obtaining any redress, norwithstanding their just complaints have been presented against these abuses; which is the cause of so much dissatisfaction at this time.

II. " That, by the said plan, justice, and the course of the law, that palladium and sacred support of liberty, which was still left free by the present constitution, and which ought always to remain free to all the inhabitants in all coases, is impeded, and can be suborned in the most arbitrary manner, which cannot be limited by any constitution, since it is the incontrovertible right of every member of society.

III. " Tnat the supreme power is placed above every law, and a most unlimited, nay despotic authority, is committed to one person, as it were, under the old title of pensionary of the council, a power much greater and more extensive than ever belonged to the ancient counts of Holland, and to the late Stadtholders, nay, which even exceeds that of a constitutional king, there being abandoned to him without the least limitation first,

" The whole supreme administration of the national pecuniary means, to dispose of of them according to his pleasure—

2. " The free disposal of the whole military force of the country, as well by sea as land—

3. " The arbirtary nomination of all high functionaries, and the free appointment of the administration of the place where the government resides, to the prejudice of the right of its inhabitants to the free election of their own magistrates—

4. " The exclusive right of alone making propositions in the assembly of their high mightiness, and the limitation of the power of that assembly, which cannot deliberate on any other subjects but such as are proposed to it by him; thus, when he is silent, all are silent, and a deadly lethergy ensues—

5. " That he is made accountable to no man, but only to the supreme being, who is contemplated with far too much loseness and liberty; for there being no ruling or distinguished religion established, surely a wide door is opened for every body's conscience, upon which the people of Batavia must entirely depend, and embark all their concerns.

" A power therefore, of which one of the members of the legislative assembly has justly observed, that if the person who possesses it be a Cato, managing the republic wisely and honestly, the commonwealth may possibly be happy for the time being; but on the contrary, if he be a Cæsar, it must stoop under his controul.

" And is it now eligible and prudent for the inhabitants of this country, to adopt a plan of a constitution of that nature upon an uncertainty, and for the nation to be hazarded upon the chance whether a Cato or a Cæsar shall be at any time placed at its head? With great reason did the aforesaid member exhort the inhabitants of this country to watch diligently over this point, that they might not deliver themselves up indiscriminately to despotism and violence, and thus suffer themselves to be fettered with bonds of slavery.

" These are the reasons, Citizens, why we, as well for us as our posterity, are nether willing nor able to resolve upon the acceptation of a constitution, by which, under the specious forms of old names or titles, the most arbitrary government may be introduced.

" Far be it, nevertheless, that by this our rejection of the proposed plan, we should be understood to approve of the existing constitution in the whole, and that we should not be considered as disposed to agree with you in any wise improvement of a more concentrated administration; no, the contrary is the fact! for if we are to speak out what we think, and what our hearts dictate, we have experienced none but unfortunate years since the revolution of 1795; and the sounding words of equality, liberty and fraternity, of Batavian liberty, of unity and indivisibility, of a pretended patriotism, and of a far-famed and loud cry of love of our country have produced none but the bitterest fruits to the principal part of the nation, to those who have not enriched themselves by the treasures levied at so dear a rate.

" We long, therefore, for a change, but at the same time for an improvement; and nothing will be more agreeable to us (this we speak confidently in the name of the whole nation) than, after being so long tossed to and fro, to see for once, a good plan of a constitution offered, resting solely upon the basis of rights, of equity and of sound politics, by which liberty and divine worship should be maintained, every individual protected in the possession of his lawful property, justice exercised without impediment; so that even the meanest inhabitant may obtain his due right, and by which the supreme power may not be placed above the law, and a sovereign and unlimited authority not entrusted to any single individual, whosoever he may be, and by whatever appellation he may be distinguished.

" And how greatly is it to be lamented, Citizens, that in the present instance, an inconsiderate enthusiasm should have deviated so far from the union, and placed every thing upon a vague foundation; and from the union, by which our republic, under the blessing of God, had risen to the highest summit of felicity; from the union, by which every man's real liberty was provided for, and devine worship duly maintained, without tyranny or compulsion of conscience; and all predominance of one province over the others was duly prevented; and by which, as you yourselves have not obscurely hinted in your note to the Legislative Body, the country has expericenced such happiness during two centuries.

" And if this be true, as it is undoubtedly, can the nation desire any other plan of a constitution, than such a one as being purged from all former defects, as much as is consistent with the present circumstances, shall be principally founded upon the union?

" If, however, the critical circumstances in which we are involved by a ruinous war, require, for that period a concentrated administration, to give more energy to the decrees which are to be passed for the welfare of our country; well then, in that case, let us follow the steps of the ancient Romans, and appoint until the peace, or for a limited time, five years at the longest, a dictator, after the Roman manner; let us name even the intended person (Schimmelpenninck) to this pre-eminence, and let all necessary power and authority be entrusted provisionally to him, without imparing the people's liberty and justice; but let us by no means deprive the nation thereof for ever, under a constitution, the consequence of which may be the most arbitrary oppression, under which we must suffer and endure violence, or be reduced to the disagreeable necessity (like so many other respectable families, which have already removed their residence to other countries) of quitting this our native soil, once so free; but to the introducing of this constitution, and of necessity, we *can never give our assent*, after so many sacrifices as we have made to liberty; we *must*, therefore in giving our suffrage, *reject the proposed plan with the most decided negative.*

Utrecht, April 4, 1805.

BY THIS DAY's MAILS.

LONDON, May 5.

ESCAPE of the TOULON FLEET.

The town is now distracted by such a multiplicity of important events, that something even of the public asperity against lord Melville has subsided, and a higher degree of fear and interest abroad eclipses the operation of private feeling and prosecution at home. In a word, as all things are of relative importance, and the first concern of a people is to be secure from a foreign foe, the zeal and animosity against the delinquents of the Tenth Report have, in a good measure, been diverted into another channel, and turned with no common violence against that part of our administration which superintends the naval department. The clamor, indeed, is general, but the complaint is almost wholly without reason.

It now appears that the French have taken the war into their own hands; that we have all along been dreaming of our maritime super-eminence, and that the system of blockade, upon which we relied so much, has proved, in its event, destructive and ineffectual—ruinous to our vessels exposed to the casualties and violence of the weather, and unequal to the confinement of the enemy.

The French fleet has not only escaped from Toulon, but is employed in beating round the whole circuit of the Mediterranean coast, to the relief of the blockaded enemy; they are enabled to raise the siege at every port, and our force is not strong enough to oppose their entrance.

It is credited, from general report, that the Toulon fleet, upon its escape, immediately sailed to Cadiz, where sir John Orde, who was stationed at the mouth of the harbor, was not in sufficient power to engage them. At this point, however, evidence fails us; it is known that the French fleet almost immediately left Cadiz; whether accompanied by the Spanish fleet or not, is the subject of doubt.

Some, who are very bold in their conjecture, believe that the Spanish admiral was compelled to sail, though his ships were unmanned, and his preparations almost deficient, and that the combined fleet had proceeded straight forward to release about 7 sail of the line in the port of Ferrol—thus making a general circuit of deliverance and *Oyer-Terminer* round the coast, and enabling themselves, by this means, to enjoy a superiority in the Mediterranean.

May 10.

The Glory, of 98 guns, is hourly expected at Spithead, with admiral sir John Orde on board. Orders have been sent to him to repair thither, and to strike his flag. The growlers complain that sir John Orde did not attack the Toulon fleet, notwithstanding its great superiority of force; but they forget that six line of battle ships were ready to put to sea from Cadiz, to increase the fearful odds against his little squadron.

Some think that it would have been advisable for sir John Orde to have effected an immediate junction with our fleet off Ferrol, and gone in close pursuit of the enemy, when they could have had but a day or two start of him, even at the risk of letting out the ships there, which, having no troops, and not forming part of any expedition, could have done less injury. But we doubt whether sir John Orde could have had authority for such a proceeding.

A private letter, of the 2d, from the Hague, says, " In Italy there are now 100,000 Frenchmen in arms, partly to prevent the remote possibility of hostile attempts, and partly to give weight, if necessary, to the plan for the extension of the new frontiers of that kingdom. As early as the 15th of February, secret orders were given, under certain circumstances, to act offensively on the Adige. Prince Joseph still persists in his refusal to accept the crown of Italy. It is now Bonaparte's intention to cede it, at some future period, to Eugene Beauharnois, and, by this stipulation, to give a proof of his condescension and moderation at a general peace. The president cost the Milanese twenty-four millions of livres; the king must prove much more expensive."

Extract of a letter from Cadiz.

" CADIZ, 12th April, 1805.

" I wrote you last post (the 9th instant,) all the news which occurred till ten o'clock at night, respecting the Toulon squadron. That night, and the following morning, the Spanish fleet of five line of battle ships, and a frigate, joined them. The St. Rafael, another Spanish line of battle ship (a 90,) ran a ground, it is strongly presumed, by design of the commander, Montes. The wind being moderate, and the sea calm, no hurt happened, but Montes appeared little inclined to follow, when officers from the general of this navy department, as well as from admiral Alava, obliged him to sail about twenty-four hours after the others; so that yesterday, 6 o'clock in the morning, she was out of sight, and her junction with the fleet is of course supposed. At 8 o'clock yesterday morning, an English brig of war hove in sight, but disappeared in the afternoon, and since then we have seen nothing else.

" It must be confessed, that the French do not appear to be so great bunglers in navy affairs, as they were during the Revolution: all the ships appeared to be in the best state; they came from off Carthagena in thirty hours, and in the morning of the day before yesterday, were seen in full sail, and in great order, keeping their line with much exactness."

A deputation of West-India Merchants waited upon Mr. Pitt, within these few days, requesting of him information respecting the probable safety of our possessions in the West-Indies. Mr. Pitt regretted that he was not at liberty to say precisely what had been done; but he assured them such measures had been adopted as wonld not only render the islands secure, but afford every possible protection to the trade.

May 11.

Major Gwynn arrived yesterday at lord Camden's office, with ditpatches from the leeward islands, contaioing the particulars of the recent operations of the enemy's squadron in that quarter. They also confirm our former statement of the safe arrival of the Cork fleet, under convoy of the Proselyte, with 3000 troops on board, 1000 of whom were landed at Barbados, and the remainder distributed among the other islands which are now considered to be in a very respectable state of defence. Advices were at the same time, received at the admiralty, the nature of which has not yet publicly transpired; but we understand that admiral Cochrane has reached his destination, and that the date of the last accounts he had sailed in pursuit of the enemy's squadron, from which he was then distant only a few hours sail. Accounts of a most satisfactory description may therefore be very shortly expected from that quarter.

On Monday the 30th of April one of the deepest falls of snow ever remembered at this time of the year, fell in the vicinity of Sheffield.

NEW-YORK, July 1.

Capt. Burk, from Guadaloupe, (arrived last night) knows nothing of the destination of the French and Spanish fleets—but says, it was reported at Point-Petre when he sailed, that they had not left Fort-Royal. He informs, that news had reached that place of the arrival to windward of a British squadron. He further states, that a British sloop of war of 20 guns, from the windward, look'd into Basseterre, when the famous French frigates La Cybelle and Didon *both* slipped their cables, pursued, and brought her into port.

Capt. Douglass, of the New-York, was informed by the commander of one of the Guineamen, which he spoke, that they fell in with ten sail of the Lord Nelson's fleet, four leagues from Barbados.

An officer of the French fleet at Martinico, was asked the object of the expedition; he replied—" *To make Nelson run out of the Mediterranean; and then for the French to run home.*"

The St. Christophers Chronicle of the 7th June, received by the schr. Dolphin, contains the following article relative to the alarming aspect of affairs in the British islands.

The decided superiority of the enemy in these seas, has, in a great measure, cut off our communication entirely with the mother country. This is too fatally evinced in the recent capture of the second April Packet, about 100 miles to windward of Barbados, after an hour and a half's obstinate resistence, by a French privateer schooner, of 14 guns and 92 men. One of the passengers by the Packet (Dr. M'Owen), has arrived at Monteserrat from Guadaloupe, and informs, " That the Algiers, admiral C. Major and Achilles, both of 74 guns, part of the expected reinforcements, had arrived at the Island landed about 700 men there, and sailed from thence on Sunday evening." He farther adds, " That the ship Eliza, from London to Barbados, laden with dry goods, one of a London fleet which sailed the 19th of April last, was captured by the above squadron, and carried into Guadaloupe."

By the same vessel which brought the list of the combined fleet, advices were received at St. Bartholomew's. That intelligence had reached Martinique of a British fleet of 17 sail of the line, and 7 frigates having arrived at Barbados, under the command of Sir Richard Bickerton. As we have had some vessels from the British Island's without any news of the like auspicious nature having been received there, we have too much reason to doubt the authenticity of the account.

Two squadrons from Ferrol and Carthagena, consisting of about 16 more sail of the line, are momently expected by the combined fleets at Martinique. We also learn, that not meeting Missiesi's fleet there, an express had been sent after him, requiring his immediate return.

Wednesday morning the government schr. Richard, capt. Tax, arrived express from Montserrat. By her we learn, that an alarm had been fired the preceding afternoon, in consequeuce of 21 sail having been seen to the eastward, and 7 more to the southward of that island—the former supposed to be bound for Antigua.

On Friday the 24th ult. the sloop Apollo, from New-York for Jamaica, with a valuable cargo of 4 or 500 bbls. flour, 100 bbls. bread, 50 bbls. tar, besides staves, hams, &c. was sent into Marigot, in the same island, by the French schooner privateer Perseverance.

Arrived on Saturday, the brig Minerva, Barker, in 50 days from Bordeaux. Left, brigs Minerva, Green; and Eagle, Terry, both for New-York in 12 days; brig Sally Tracy, Skiddy, arrived 2 days before from New-York, performing quarantine. In the river, ship Eliza, Griffiths, from New-Orleans; brig ——, Lovell, for Boston; and brig Jane, Fitzgerald, for New-York.—June 6, in lat. 42, 10, long. 42, 30, spoke a brig 9 days from Marblehead for Hamburg. June 15, in lat. 42, long. 60, the ship Aria, Burk, 9 days from Rhode-Island for Amsterdam. June 22, in lat. 40, long. 67, 30, sloop Drucilla, Delano, 6 weeks from New-Bedford, on a whaling voyage and got nothing.

Arrived yesterday, at quarintine, the ship Phœnix, Wright, in 18 days from Mariel, Cuba, Left, ship Suffolk, Thomas, for Boston, to sail in 6 days; ship Ann Maria Jones, Totten, for New-York in 6; ship Jason, Walker, of Portland, for New-York in 12; and several others not known. Spoke June 15, Cape Florida bearing N. W. brig William, 40 days from New-York for N. Orleans. Same day the brig Eliza, from N. Orleans for Philadelphia. 26th, Capes of Philadelphia, bearing N. W. by W. distance 36 leagues, schr. Beaver, Gildea, 18 hours from Philadelphia for Guadaloupe.

Arrived last night at quarantine, the ship New-York, Douglass, in 32 days from Montego-Bay. On the 13th June, off Charleston, on the edge of soundings, was boarded by a French privateer schooner, in company with a brig of 18 guns, and a schr. of 4 guns, full of men. Spoke June, 18, the ship Nancy, Ainsworth, and the Jack Pack, Reiman, both from Surinam for Gharleston, with slaves. 6th, the schooner Concord, from Port-Antonio, for Newport, and supplied her with provisions; she having 17 men put on board of her from a French privateer, some of whom were taken out of the brig Comet, of Norfolk, from St. Domingo. The Concord put two men on board of the New-York.

Also, the brig Minerva, Green, in 40 days from Bourdeaux. Left ships Abigail, for Philadelphia; Sarah, Sutton, of New-Orleans, unloading; H. B. Trist, Rinker, do. do. Woodrop, Sims, of Norfolk, unloading; Dolphin, Hall, Charleston, do. Middleton, Spencer, do. for New-York, 18th May; Maria, Main, of New-York, unloading; Freedom, Keith, Salem, do. General Wilkinson, Myers, New-Orleans, do. brigs Leopard, Smith, Philadelphia, do. Jane, Jones, do. do; Eliza, Nye, Boston, do. Sally Tracy, Skiddy, N. York, do. Young Edward, Morris, do. do. Exchange, Muzzy, of Boston, for New-York May 25; John, Dobell, of New-York, for Spain, May 20; George, Paul, Kennebeck, unloading; Sally and Betsy, Ingersol, of Boston, do. Draper, Green, New-Haven, do. Aurora, Mark, Norfolk, repairing; Hamilton, Thompson, N. York, do. Hope, Cochran, Boston, do, Venus, Shotwell, Charleston, unloading; schooner Sukey, of Berck's Town: ships Eliza, Smith New-York; Caroline, Young, Boston, for Spain, May 25; Mammoth, Mark, Norfolk, rigging. The brig Eagle, Terry, sailed 4 day before the Minerva. Spoke, June 1, in lat. 42, 19, long. 30, 24, brig Julia, of Charleston 9 days from Cherbourg for Norfolk. 5th, lat. 42, 9, long. 35. 20, ship Swift, 50 days from Embden for Salem. 10th, lat. 42, 22, long. 41, 29, schr. Son, 14 days from Marblehead for Bilboa; next day brig Jane 21 days from Bordeaux for New-York. 13th, lat. 41, 51, long. 48, 28, schr. Betsy, of and from New-York.—23d lat. 41, 21, long. 65, 26, ship Brazil, Coffin. 35 days from Nantes for New-York, and parted from her on the 25th, on the bank.

Also, the Hamburg ship Hebe, Hartcop, in 54 days from Hamburg. The Hebe was bound to Havana, but stopt for orders.

Also, the Mary-Ann, Burk, in 20 days from Point-Petre, Guadaloupe. The brig Resolution, Dayton, was to sail in 3 days for New-York. The brig Morning-Star, O'Brien, for do. in 10.

Below, last night, the brig Bulah, in 32 days from Trinidad.

The ship Howard, Ray, was to sail from London for New-York, about the 26th of May.

Cleared, ship Bristol Trader, Phelps, Bristol; brigs Moses Gill, Patterson, Greenock; Sussex, Lee, West-Indies; Lucy, Pinkham, Bermuda; Ulysses, Ingersoll, Martinique; Washington, Hoyt, Bordeaux; schooners Amazon, Carman, Saint Thomas; Regulator, Dough, Washington, N. C. Mars, Stewart, Hartford; Philip, Cottrell, Philadelphia; Cincinnatus, Bowne, St. Bartholomews; Abigail, Ferguson, Cambden; Ranger, Pugh, Washington, N. C. sloops Mary-Ann, Caroline, Vail, New-London; Defiance, Wise, Guadaloupe, Jere Moore; Polly, Justid, Providence; Ranger, Chandler, Portland; Sally-Ann, Church, Bristol, Mass.; Aurora, Cahoone, Newport; Nancy, Parker, Richmond; Alonzo, Westcott, Providence; Providence, Russel, ditto.

PHILADELPHIA, July 2.

It was reported at the Coffee-house last evening, that a letter was received from St. Martins, mentioning the capture of Antigua by the combined fleet.

Extract of a letter from Liverpool, dated May 14.

" Since we last had the pleasure of addressing you, our cotton market has continued uncommonly dull, and our prices have experienced a farther decline; indeed, our present quotations can be considered as little more than nominal. The last parcel of New-Orleans sold (of any consequence) was at 22d. and they were of very good quality: Some smaller parcels, we know, have since been disposed of at lower prices, and a few Upland Georgia's at 18d. a 18 1-2d. We have recent advices from Manchester, from a confidential quarter, which mention that the twist has fallen 6d. per lb. and even with that deduction there are scarcely any buyers. This unusual depression is not to be attributed to any considerable increase in our general importations. The unsettled state of the continent has shaken that confidence so necessary to trade, and the orders for twist have in consequence been delayed, as well as on account of the advance which has taken place here. The attack on our West-India possessions, & the disposition shewn by the French to harrass our trade, in every possible way, has also materially tended to distress business in general. It is besides to be regretted that many houses, from their inability to meet their engagements, persist in forcing sales, when there is little or no demand; which is productive of great mischief; for when the prices are once lowered, it is not very easy to get them up again.

" Under the present circumstances, it is difficult to form an opinion in what manner our prices are likely to rule; we know that the dealers and spinners have very small stocks on hand, and it is generally believed that the continent is not very well supplied with twist: It is therefore not unlikely that the demand may revive, particularly if our squadron falls in with the French; but it is very material that every precaution should be taken to discourage the advance in America, as cottons laid in at high prices, may, if we experience further depressions, subject the shippers to very serious losses.

" Our arrivals from the Mississippi territory have not been sufficient to enable us to form an accurate opinion of the quality of the last crop. We have seens ome Louisiana, which is very good, but others appear to have suffered in the staple from the catterpillar, and are very light and frothy.—it is still generally believed that the cotton grown about the Natchez and in the Tennessee territory, will be better than usual; but it must be remembered, that the latter discription generally sells from 1d. a 2d. per lb. lower than the best New-Orleans.—Fine cottons are not at present in much demand: but there is great probability that they will maintain good prices, as there certainly is a great deficiency in our supplies. Coffee continues to command very high prices: and, since the news from the West-Indies, is still looking up.——Our stocks are not at all considerable. Sugar has also advanced, and though the demand is not very brisk, there is every probability that the prices in Europe will continue high. Tobacco's are in fair request, and the stock on hand moderate, Corn and flour have been extremely dull, and our prices have continued to decline. There is very little American flour on hand, and no sales can be made, except by chance, for exportation. The price is nominally 53s. a 56s. per barrel. Wheat 70s. a 96s. per quarter of eight bushels. The last sales in London went rather better; but there is no prospect of any material amendment.—The price in Cadiz was as high as 23 dollars per bbl; but as the blockade is raised