Sale by Auction.

just received, and will be added to the sale on THURSDAY, the 28th instant, at 12 o'clock, on a liberal credit,

59 hhds.
8 barrels } choice Muscovado SUGAR.
3 tierces

THOMAS CHASE, Auct'r.

Nov. 26.

Public Sale.

On Tuesday, the 5th December next, at 11 o'clock in the forenoon, will be sold at the late dwelling of John Day, opposite Joppa,

Several very valuable young Horses; besides a variety of useful Household Furniture, belonging to the deceased, on a credit that will be then made known, by

AGNES DAY, administratrix.

November 25. d4D

George Hoffman

Has received by the Newton, & via Philadelphia,

Blankets, rose and duffel; Flannels and Baizes, stout Blue Plains, Coatings & Frises
Worsted and Cotton Hosiery
A handsome assortment of figured and plain Sarsenet Ribbons, &c.

Also, by the General Mercer,

100 pieces prime Creas Dowlas, subject to drawback.

Also on hand,

A few bales fine Cloths on consignment, which will be sold at a low advance and long time. Nov. 26. d3t-eo3t

Liverpool Coal,

A Few thousand bushels of the very first quality, just received and for sale on reasonable terms, by

THOMAS BARKLIE,
Lovely-lane.

November 28. d6t

A Mill

READY FOR GRINDING WHEAT.

UNION MILL,

Situated within two miles of the city of Baltimore,

THE Owner of which wishes to engage with some person to grind by the hundred, at the customary price. She is capable of manufacturing from twenty-five to thirty barrels per day. A good Miller is ready to attend her. If she is not occupied in this way in a few days, she will be rented for one year. Apply to Jas. Byrnes, at the Mill; to

THOMAS S. SHEPPARD, or
S. SPALDING, Baltimore.

N. B. The above mill is for sale at a very low price—property either in town or country, will be taken for pay.

November 23. d6t

Cove Oysters,

A Supply of the best flavor and growth received this season, has just come to hand and will be served up this and each succeeding evening, so long as they last, at the Hanseatic Hotel, North Gay-street.

November 25. d3t

Cope and Brothers

Have just Received

An additional Supply of the following Articles:

Cassarillos	Bretagnes
Listados	Creas a la Morlaix, &
Checks No. 2	Flemish Sheetings.

Also,

15 bales assorted India Goods, well calculated for the West-India market, and entitled to drawback; 2 cases fine Cambrick Shirting; India Satins, &c.

They will purchase BEES-WAX.

Nov. 22. d7t

The Subscribers

Offer at Private Sale, on liberal terms,

50,000 *wt. of Caraccas* COCOA,

In bags, tierces and barrels.

LEMMON & CAMPBELL.

Nov. 19. d8t

John and James Thompson

HAVE FOR SALE,

The Cargo of the ship Hannah, just arrived from St. Jago de Cuba, consisting of
300 boxes white and brown Sugar
38 barrels do. do.
87 seroons } 10,000 wt. of fine Red and
7 cases } Yellow Peruvian Bark
A quantity of Hides, Logwood and Fustic
And 25,500 Segars in barrels.

Also,

The Cargo of the schooner Martha and Mary, from St. Jago,
339 boxes of Segars
36 boxes of Sugar
300 Hides
6 1-2 tons of Fustic.

Nov. 18. d15t

John Walraven,

No. 137, MARKET-STREET,

Has imported per the late arrivals from England, an extensive and general assortment of coarse and fine

Hardware.

September 23. d

To Let,

And possession given immediately.

THE two-story Brick HOUSE at the corner of north Howard and Fayette-streets, well calculated for the dry good business. For terms apply to

ANTHONY KIMMEL & SON.

August 14. d

Strayed or Stolen,

FROM the pasture of Mr. Crown, seven miles from the city of Baltimore, on the Frederick-town road, on Sunday night, the 3d instant, a Bay HORSE, with black mane and tail; a scar or roughness on his cheek, on the off side, which appears to have been a brand; his back hurt by the saddle, and is about 11 years old. A reward of Fifteen Dollars will be paid for bringing him to the stables of Mr. Hussey. Nov. 19. d10t

C. Ghequiere & H. Kunckel

Have just received from Richmond,

About 100,000 wt. prime James River TOBACCO.

Per ship General Mercer, from Bremen,

First and second quality Ticklenburgs, Osnaburgs, Burlaps, Hessians and brown Rolls, and fine white Rolls.

And from New-York,

A quantity of light Canada pelted Beaver, and a parcel old Coat Beaver—and 19 chests Young Hyson Tea, latest importation.

The above articles for sale at moderate prices and liberal credit.

As also on hand,

Platillas, Brown Holland, Dowlas, Rouans, Russia Sheeting and Diaper of an excellent quality; Bohemia Window Glass, 10 by 12, 10 by 8 and 7 by 9.

Nov. 18. d8t

To be Rented,

And possession given immediately,

A four-story HOUSE on New-Jersey avenue, City of Washington, contiguous to the Capitol. It is in complete repair, and will be let on moderate terms to a good tenant. Apply to Mr. HENRY INGLE, opposite the premises, or to MATTHEW BROWN, in Baltimore. Nov. 16 d

Nathaniel F. Williams,

15, Bowly's wharf,

Has received per brig Harriot, from Boston,

3 boxes Flotant Indigo
1 bale Beerboom Gurrahs
130 boxes Mould Candles, 4, 5 & 6 to the pound.

In store,

100 barrels Herrings, in shipping order.

Nov. 26. d3t||

Joseph Marzoratti and Co.

26, *South-street,*

INFORM their friends and public, that they are selling off the Remains of their Elegant Stock of PICTURES and LOOKING GLASSES, at prime cost. The sale will positively close on the 28th of this month; those who wish to avail themselves of this opportunity will send in their orders, which will be thankfully received.

Profile Likenesses taken as usual.

Nov. 22. d28N

For Sale,

THE Time of a stout, healthy Negro MAN, of about 25 years of age, who has 8 years to serve. He has been used to house work, is a good waiter, and can take care of horses. Apply to the printers.

Nov. 21. d6t

Newton Pippins.

Will be landed on Monday next, the 25th instant

A small consignment in barrels of the first quality NEWTON PIPPINS, selected and picked over with the greatest care on the spot,

For sale wholesale or by the single barrel, by

GEO. HILL.

Nov. 23. d3t-eo8t

Just Landing

From on board the brig Sylvan, from New-Castle-upon-Tyne, & for sale by the subscribers,

20 sheets Milled Lead
20 casks Ingot Lead
32 casks Red Lead
20 casks Patent Shot, B. and BB.

HAZLEHURST, BROTHERS & CO

Nov. 15. d12t

To be Leased,

For 99 years, renewable forever,

A few LOTS, on the York Turnpike Road, within less than a quarter of a mile of Baltimore. The situation is high and remarkably healthy, with most excellent water. Enquire of

Dr. HENRY STEVENSON.

September 9. d

John Buffum,

84, *Bowly's wharf,*

HAS FOR SALE,

40 pipes Corsica
35 qr. casks Malaga } Wine
3 pipes Fayal
17 pipes Spanish Brandy
4 do. American Gin
12 puncheons Antigua Rum
35 boxes dipt Candles
450 do. Sweet Oil, 12 bottles each
180 cases do. 30 flasks each
3 do. black Florence Lutestrings
1 do. do. Bologna Crapes
50 bags heavy black Pepper
180 pieces Ravens Duck
170 do. Russia do.
10 do. Sheeting
60 do. Tar Cloth
400 do. Marble Tile
16 bales India Goods, consisting of fine Gogmary, Chandpoor and John Latty Sannas; Sologurry and Jalalpore Cossas.

Many of the above goods are entitled to drawback, which will be received in part payment. Nov. 21. d6t-eo6t

Castile Soap.

AN excellent parcel of CASTILE MARBLED SOAP, just received from Treiste, which will be sold low.

On hand,

London particular Madeira Wine in pipes hhds. and qr. casks
Do do. Teneriffe do. do.
Lisbon Wine in do. do.
Richmond manufactured Tobacco in kegs, & Patent Sheaves and Pins.

WILLIAM COLE,
4, South-street.

October 12. d

To Let,

THAT extensive ROPE-WALK at Cedar Point, some time since occupied by captain Dillon, and lately carried on under the direction of captain Mitchell, with such quantity of Land adjoining as may be agreed upon.

On the premises intended to be leased, are a comfortable Dwelling, Houses for workmen or quarters, and a large Warehouse on the river shore. Apply to

JOHN CALDWELL, Esquire,
Agent for the guardians of the children of John O'Donnell, deceased.

November 15. d

By Virtue of a Decree

OF the honorable the Chancellor of Maryland, will be sold at public sale, to the highest bidder, at 11 o'clock, on Saturday the 14th of December next, at the burnt house Tavern, on the Reister's Town Turnpike, That TRACT OF LAND directed to be sold by the will of William Wright, deceased, lying in Baltimore county, containing 114 acres, being 11 miles from the city of Baltimore, and two miles from said Turnpike, and adjoining the farms of Messrs. Cornelius Howard, Robert Lyon, and Thomas Worthington. It has a small dwelling House, and a good Orchard of Apple trees, with 30 or 40 acres of wood, 8 acres in meadow, and 15 or 20 acres more, suitable for that purpose. The terms of sale are, pursuant to said decree; bond bearing interest, with approved security, payable within twelve months.

W. J. GOVANE, Trustee.

Nov. 21. dtds

Five Dollars Reward.

RAN away on the morning of the 25th inst, a Negro Man named PETER JOHNSTON, an apprentice to the ship carpenter's business; speaks French and English; about 19 years of age, and about 5 feet high; very black. Has lost all his toes off his right foot, and the first joints off the left. Had on a short round new blue jacket and trousers, blue check handkerchief round his neck, and new shoes and stockings. Whoever takes up said Runaway and delivers him to Mr. JOSEPH DESPAUX, 56, Queen-street, Fell's-Point, shall receive the above reward.

Nov. 26. d3t||

Translated for the Norfolk Ledger.

CONSERVATIVE SENATE.

Exposition of the reciprocal conduct of France and Austria, since the peace of Luneville: read by the minister of foreign affairs.

All Europe can testify that during the war, in the midst of the most decisive and signal successes, the emperor of the French has never ceased to manifest his desire for peace; that he offered it repeatedly to his enemies; that after reducing them to the necessity of receiving it as a favor, he granted it to them on terms such as they never dared to hope for; and which have rendered his moderation no less eminent than his victories. He feels the high value of glory acquired by conquest in a just and necessary war; but there exists a glory more dear and flattering to his heart; its first wish, the constant aim of his efforts, has ever been the tranquility of Europe, and the peace and happiness of its inhabitants.

This object was attained, this wish fulfilled by the treaty of Amiens. The emperor did all in his power to render it a lasting one. It would still have subsisted, but for the growing prosperity of France, which has limited its duration. At first it was made nugatory by the artful measures, and finally broken by the undissembled perfidy of the cabinet of St. James.

Peace, however, still reigned over the continent; the flimsy and counterfeit pretexts made by England in justification, were easily penetrated, and her real views exposed to Europe. England dreaded to see the French colonies, which had once been so flourishing, and which might again become so, rise from their ruins, and as it were, spring up out of their own ashes; her jealousy prompted her to stifle, or arrest at least in its progress the spirit of French industry, re-animated by the peace; she cherished the senseless design of interdicting the French flag in those seas, where it had appeared time immemorial with such eclat; or at least of reducing it to a state of debasement, incompatible with the rank which France holds among the nations of the world. But these were not the only motives which actuated England; she was moreover stimulated by her insatiable avidity to covet a monopoly of the commerce of the world, by that extravagant pride which persuades her to believe herself the sovereign of the seas, and which is the solitary foundation of the monstrous despotism she exercises upon the ocean. The cause then which France had to defend, was the cause of Europe, and it was natural to suppose that neither the intrigues of England, the gold with which she recompences the instruments of her ambition, nor that her fallacious promises would have engaged in her interest, one of the continental powers. Not one in reality appeared inclined to listen to her propositions or her entreaties.

Satisfied as to the intentions of the continent, the emperor turned his attention towards maritime warfare, in undertaking which he had every thing to create. Fleets were constructed, ports were made, camps were pitched on the shore of the channel; the emperor concentrated in one spot all the forces of his empire, and his troops forming themselves under his eyes to military operations altogether novel to them, prepared for new triumphs.

England saw the dangers which menaced her; she thought to avoid them by crimes: assassins were landed on the coast of France; the English ministers at the courts of neutral powers became the directors of a war, not less infamous than atrocious—a war of conspiracy and assassination. The emperor was apprized of these miserable plots: he despised them, and continued to offer peace on the same conditions, on which it had before been made. This excess of generosity seemed to encrease, rather than to calm the fury of the cabinet of St. James's.

Its reply evidently proves that it thought of peace only after it had lost the hope of desolating the continent with blood and carnage. But it was sensible that to accomplish such a design it was not sufficient only to associate in its views a power almost as remote by its position to the continent as England itself; that having nothing to hope on the part of Prussia, whose sentiments were well known, its expectations would be vain as long as Austria continued faithful to her neutrality,

Austria, who had experienced twice on the conclusion of two unsuccessful wars, at the periods of the treaties of Campo Formio and Luneville, to what excess France gloried in evincing generosity to a vanquished foe, had not adhered to those treaties with the same religious fidelity which distinguished France in her observance of them: notwithstanding the formal obligations which they had entered into, the debt of Venice remained unpaid—it was even declared to be annihilated. The emperor knew that his subjects of Milan and Mantua were denied justice, and that the court of Vienna did not pay a single debt of this nature, in contempt of the solemn engagements by which she was bound. He knew likewise that the existing commercial regulations of his kingdom of Italy, and the hereditary estates were greatly fettered, and that both his French and Italian subjects met with a reception in Austria very different from what, from the existence of peace between the countries, they had a right to expect.

In the partition of indemnities in Germany, Austria had been treated with a favor surpassing her desires and exceeding her hopes. Notwithstanding this, the nature of her proceedings discovered that her ambition was still unsatisfied; she employed alternately flattery and threats to induce the petty princes to cede to her such of their possessions as suited her. It is in this manner she has acquired Lindau on the lake of Constance, and in the same lake the island of Menau, which puts into her hands one of the keys of Switzerland. She compelled the Teutonic order to yield up Althausen, which made her mistress of that important post, the post of the Ripinau. She had added to her territory by an accumulation of other acquisitions: she even meditated others.

She did not fear to employ palpable usurpation, as the means of aggrandisement, which she shught to disguise under the formalities of law.

Thus it is, that under the pretence of a right, which she had expressly renounced by treaty—the exercise of which was prohibited by a decree of the Germanic empire—she appropriated to herself possessions which she feigned to believe were without heirs, or legitimate proprietors, although the decree formerly provided that they should serve as indemnities.

In this manner she disappointed several of the princes of those indemnities, which had justly been assigned them, under pretext too of this very right of escheat which, relatively to the Swiss she called the right *D'incameration*, she wrested from Helvetia several considerable towns. In Bohemia, she sequestrated the territories of a neighboring prince, under the plea of exacting the compensation due to the elector Salzbourg, and in which office (contrary to all right) she constituted herself sole umpire: she insisted, with threats, on the right of retaining and recruiting officers in the Bavarian provinces, in Franconia and Swabia, while she obstructed by every method in her power the conscription for the electoral army. Abusing in this manner prerogatives formerly granted to the chief of the Germanic empire, for the common benefit of the states composing it, but since fallen into disuse; she caused them to be revived, to disturb the neighboring princes in the exercise of their sovereignty over the possessions which had fallen to their lot, and thus to deprive them of that additional influence in the Diet, which arose out of their new possessions.

The decree of the empire, founded on the previous provision of the treaty of Luneville, had, for its object, independently of the reparation by indemnities, the establishing by this very reparation in the south of Germany, a balance of power, which should secure its independence, and prevent all possible causes of misunderstanding, which the contiguity of the territories of France and Austria might frequently give rise to. Such was the wish of the mediators and of the Germanic empire—it was the wish of justice, of reason, of political sagacity and strictly conformable to the true interests of Austria herself.

Austria defeated then, what had been so wisely guarded against by the treaty, when by her acquisitions in Swabia, she weakened the barrier which was designed to separate her from France, when she extended her pretentions to interposing between France and the principal states in the south of Germany, and when by a system combined of sequestration, claims, carresses and threats, she unremittingly endeavored to acquire an arbitrary, universal and exclusive influence over that part of the German empire; by these measures she violated evidently the treaties, and each of them may be considered as an infraction of the peace.

Since the rupture of the treaty of Amiens, Austria has more than once proved her partiality to the cause of England; she recognized in fact, that pretended right of blockade, which the cabinet of St. James' has arrogated to itself, and agreeably to which a simple declaration of the British admiralty is sufficient to put the whole seaboard of a country in blockade.

She had submitted without reclamation or complaint to the repeated violation of the neutrality of her flag, greatly to the injury of France, against whom all violences offered to neutrals, were evidently directed.

These several facts were well known to the emperor, many of them excited his solicitude, they were evident wrongs; and might have served as just grounds for war, but the emperor from a love of peace, not only abstained from complaint, but gave the court of Vienna fresh testimonies of his respect.

He had made it a point with himself to avoid giving to Austria the slightest cause of umbrage.

When called by the wishes of his people to Italy, he repaired to Milan, troops were assembled and camps formed with the view simply of mingling military pageantry with religious and political solemnities, in order that the sovereign majesty might appear surrounded with a magnificent retinue so pleasing to the people. The emperour confesses, moreover, that he was sensible of the pleasure of seeing his companions in arms assembled together in a country consecrated by victory, but wishing to obviate the inquietudes of the court of Vienna, if it were possible for her to have conceived any, he caused her to be satisfied of his pacific intentions in declaring that the camps which had been formed should in a few days be broken up, and this promise was faithfully fulfilled.

Austria replied by protestations equally amicable and pacific, and the emperor quitted Italy under the pleasing persuasion that peace would be maintained on the continent.

What was his astonishment, when scarcely returned to France, being at Boulogne, hastening the preparation of an expedition just on the eve of execution, he received on all sides intelligence that the Austrian government had ordered all its forces to move, that they were advancing by forced marches towards the Adige, in the Tyrol, and the banks of the Inn, that the reapers were called in, that magazines were forming, arms manufacturing, and horses levied; that the passes of the Tyrol, were fortifying, Venice fortifying, and in short, all their preparations announced an approaching war.

[*To be continued.*]

Massachusett's District.

SPECIAL DISTRICT COURT.

October 16, 1805.

Ebenezer Breed and John Breed, libellants.

vs.

Ship *Venus*, STEPHEN CHIPMAN, *master*, SAMUEL OAKUM, *owner of said ship, respondent.*

This libel is to recover the amount of a Bottomry bond, executed by the master at Kinsale in Ireland, on the 28th May last, binding the said ship, her cargo and freight, for the payment to the libellants of the sum of 1344*£*. British sterling, within three days after the arrival of the said ship at Boston, or as soon after as the same should be required, with 20 per cent. premium.

The ship was chartered by the respondent to the libellants for a voyage to Bristol, and back to Boston, for 2100 dollars. The charterparty is in common form, and bears date, December 6, 1804. The bond recites, and it appears from other evidence in the case, that the ship in prosecution of her voyage from Bristol, laden with hardware, glass bottles and other merchandize, met with severe weather, and proving leaky, the master was compelled to deviate from his course, and put into Kinsale; Proper surveys were there made, considerable repairs on said ship were found to be necessary; the ship was unladen and repaired, and then laden again; and the sum above mentioned, is the whole amount of the expences, funds for the payment of which were provided by Richard F. Breed, on account of the libellants, said Breed being then in Europe, and connected in business with the libellants.

On this instrument two questions are made and submitted:

1st. As to its validity.

2d. As to its extent.

It is objected that such is the relation between the parties, by their original contract (the charterparty) and such the situation of the master, being appointed by the libellants, that he had no legal authority to make the contract in question with the libellants; that they had full and adequate remedy by their charterparty for any money advanced for the repairs of the vessel, which the owners ought to sustain, and that the libellants incurred no such risk as to be a foundation for usual marine interest; for, if the ship had been lost on her way from Kinsale to Boston, it is contended that the libellants would have recovered on the covenant in the charterparty, for any monies expended for the repair and preservation of the ship.

The power of hypothecation given to the master of a ship, abroad, arises from the necessity of the case; without such power, instances might frequently occur in which ships would be lost, or voyages defeated. And I do not find authority either from decided cases, or from general principles, to introduce the limitations which are insisted on in this case. The expences incurred appear to have been necessary, to enable the ship to proceed on her destined voyage. The master, though appointed by the libellants, must be considered as being approved and confirmed by the owners; and he has, in my opinion, all the legal authority relative to the ship that he would have had if exclusively appointed by the owner. The libellants might indeed have advanced the money that was necessary and have relied on their covenant to compel reimbursement. But they were not bound to do it. By entering into the bottomry contract, they waved their remedy on the charterparty for such advance, and had no security therefor, but the bond alone.

It appears in evidence that the money that was necessary could not be obtained at a lower premium, and it is my opinion that the master had legal authority to make the contract in question, and that the libellants must secover by virtue of it such sums as the owner ought to pay towards the expences incurred in Ireland with the stipulated premium thereon.

2. As to the extent of the contract, it appears to include all the expences incurred relative to the ship and dargo, after putting in at Kinsale. But the respondent contends that a portion of those expences are the proper subject of general average, for which there should be contribution by all concerned, viz. the owners of the ship, cargo and freight, in proportion to the amount of their respective interests at risque. The libellants contend that all the expences were incidental to the repairs, and ought to be sustained by the owner, who was bound to keep the ship in repair.

In consulting authorities on this question, we find some diversities of opinion.

By the Rhodian law, if by violence of a storm, or any other accident, the masts and rigging of a vessel be damaged or destroyed, and the captain put into port to refit, no contribution can be required for any part of the expence. "Our law," says Emerigon, "is different; the whole expence of lading and unlading, in such case, the wages and support of the crew, are subjects of general average; but the repairs themselves, the costs of masts, rigging, and other equipments of the ship, are not to be included." The like law, it appears by his quotation, prevails in Holland. Abbot, in his treatise on the law of shipping, while