him must inevitably fall victims to our economy. If we proceed no farther, it would seem incumbent on the honor of government in the event of peace, at least to place Hamet Bashaw in a situation as eligible as that from which he has been drawn, out of the power of an incensed and vindictive enemy. Probably Jussuff Bashaw would agree to establish him in the government of this province and Bengazi, and to restore to him his family. He may perhaps be made satisfied with such an accommodation, and the United States experience from it many of the advantages calculated to result from carrying the original plan into execution, and consistently with both our honor and interest. At all events, I am deeply impressed with the opinion, that the post we have secured here, should not be abandoned, nor terms of peace precipitately embraced; indeed it were to be wished that the effect of the success of a co-operation might be tried. It would very probably be a death blow to the Barbary system. Any accommodation savoring of relaxness would as probably be death to the navy, and a wound to the national honor. If it is determined either to proceed or hold a position here, further supplies of cash and provisions must immediately be sent to the coast.

From reasons which will suggest themselves from preceding observations, it would not be good policy in Hamet Bashaw to levy contributions during the contest with his brother, lest it should alienate his friends. On the contrary, he ought to be enabled to move with a liberal hand. Cash will do much with the inhabitants of this country; even those whom it will not engage to fight, will by it be engaged not to fight: with it, we can pass generally. But if here and there we find a walled town, or a garrison impervious to its influence, cannon balls and bayonets come in as irresistible agents.—The convention I have entered into with Hamet Bashaw may be useful in case he succeeds in getting repossession of his government, otherwise it can do no mischief even if ratified, as will appear by the precaution in the second article.

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Extract of a letter from commodore Samuel Barron to Tobias Lear, esq. dated

*Malta, 18th May, 1805.*

The recent dispatches from Mr. Eaton have been communicated to you. From their tenor, and the knowledge I have within a short time obtained of certain features in the character of Sidi Hamet bashaw, I must candidly own that I have no longer the same expectations which I once entertained of the success of the co-operation with him. His want of energy and military talents, his total deprivation of means and resources, the great expence already incurred, and the large sum which would be required according to Mr. Eaton's statement, for pursuing the object,—a sum far exceeding both the resources placed at my disposal, and the powers vested in me by my instructions, compel me to relinquish the plan. Indeed, on mature reflection, I am of opinion, that if the ex-bashaw, having received this impulse from our strength, and being put into possession of Derne, the province where his interest is supposed to be the strongest, has not in himself sufficient energy, address and courage, and cannot command sufficient means to move on with firm steps towards the usurper's residence, whilst we second his operations by sea, he must be considered no longer a fit subject for our support or co-operation. I am preparing to send provisions to the coast for the subsistence of the crews of the Argus brig and Nautilus sch'r, which remain there at Mr. Eaton's request, and by the sloop Hornet, which conveys them. I shall send such instructions to that gentleman, and the officers with him, as further reflection, and the nature of your determination on this letter, may dictate. Whatever may be the final result of this co-operation, I cannot reject the belief, that it has had a powerful effect upon the reigning bashaw; and it may be fairly presumed that the gallant conduct of our friends in the affair at Derne, and the capture of that place, will have their influence, and dispose him to moderate his pretensions and to think seriously of peace. The complaining condition of some of the ships of our squadron is not among the least important considerations of the present moment; three of the frigates are in such a state, as, in my opinion, and in that of the commanders, renders them unfit to encounter the severity of another winter's blockade, without undergoing considerable repairs.

These facts and considerations, for the due appreciation of which you, sir, are fitted by your talents and the length & particular line of your experience, seem to point out the present as auspicious beyond any former occasion, and indeed as the very moment for attempting a negociation; especially when we combine with these reflections the certainty that our force, respectable as it is, is yet greatly exaggerated at Tripoli, and consider the effect which such a view of the enemy, added to the movements of his brother, must have on the mind of Jussuf bashaw. Strongly persuaded that your conclusions upon these points have anticipated my own, I am induced to state to you my earnest wish that you may deem it expedient to meet the overture lately made thro' the Spanish consul, by his excellency, so far as to found on it the commencement of a negociation. I cannot entirely suppress another motive, which I confess weighs painfully on my mind. I trust I feel as becomes an American, and that I know what an American ought to suffer when the interests and honor of his country call on his fortitude. Were I deficient in these respects, or misled by unreflecting compassion, I am well assured that captain Bainbridge and his unfortunate comrades would be first in deprecating this deficiency. But I know the value of such a man as capt. Bainbridge, and of his officers; and I am persuaded that I speak the language of our country when I declare, that as they lost their liberty in her defence and her service, no reasonable and honorable occasion should be neglected which affords a prospect of releasing them from the bondage of a bigoted and unfeeling tyrant.

In communicating these sentiments, you, sir, will do me the justice to believe, that I discard the idea of any real point of national honor or advantage being sacrificed to the attainment of their emancipation, weighing that honor and advantage by the practice of powerful nations; but I must contend that the liberty and perhaps the lives of so many valuable & estimable Americans ought not to be sacrificed to points of honor, taken in the abstract. Should the event justify my hopes and expectations of your coincidence with me on this interesting subject, and you determine on going to Tripoli, captain Barron, commanding the Essex frigate, who is under sailing orders for the blockade, will be instructed to wait your arrangements and convey you thither.

I beg leave to add my assurances, that in case you determine on this step, sanguine as my expectations will be of the issue, I shall not relax in the smallest degree from hostile preparations, well aware that the best assistant which an able negociation can have, is an energetic display of force and means at the very moment, as if peace were despaired of.

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COPY.

*Tobias Lear to commodore Samuel Barron.*

MALTA, May 19, 1805.

I had the honor last evening to receive your letter of yesterday, on the subject of opening a nogociation with the bashaw of Tripoli. Most sincerely do I lament the long and severe illness you have suffered, and under the effects of which you still labor; and I am fully persuaded that no consideration would lead you to relinquish the command vested in you by the government of our country, but a thorough conviction that your retaining it when unable to perform the duties inseparable from the station, would be injurious to the cause in which we are engaged; and I am also persuaded that when such conviction arises, all personal considerations will yield to your patriotism. I have maturely considered the several points mentioned in your letter, relative to a negociation with the bashaw of Tripoli; and upon a view of my instructions from the government of the United States on that subject, I conceive it my duty to endeavor to open and bring to a happy issue a negociation for peace, consistent with the tenor of these instructions, whenever the commander of our naval force in this sea, shall judge that the occasion is proper and favorable; as it is presumed that the bashaw will be impressed by the aspect or operations of that force, and as this is in your opinion a proper occasion, I shall hold myself in readiness to proceed in a few days on that busines, with captain Barron, in the United States frigate Essex, which you are so good as to say will wait my arrangements.

I presume, as captain Rodgers, who is your second in command and who will of course take the command of the squadron, if your health, as you apprehend, should, compel you to relinguish it, is now off Tripoli and may be possessed of some information relative to our affairs with that regency, which has not reached you, that he will be fully advised of the motives which have induced this measure, and instructed to give it all the facility which his judgment may suggest.

Although I cannot, sir, agree with you in opinion, that any impression favorable to us has been made on the mind of the bashaw from our co-operation with his brother thus far, excepting what may arise from the undaunted bravery and perseverance of the force of our countrymen at Derne, which will be to him a further proof of what we can do alone against him; yet I am of opinion that as he has discovered a disposition to open a negociation, we should embrace it, to see if such terms can be made as are admissible on our part, and to release our unfortunate countrymen out of his power, whose fate ought not to depend on small punctilios.

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COPY.

*Commodore Barron to captain Hull, of the Argus.*

*Malta, May* 19, 1805.

Your several communications were received by the Hornet, which did not arrive here until the 16th, having met with head winds and heavy gales.

Your various information is under my particular attention. The state of my health and my anxiety to dispatch the sloop without loss of time, does not allow me to enter into lenghty observations. Nor is it indeed necessary. The letter I have written to Mr. Eaton, by this conveyance and which he will communicate to you, will no doubt, determine him and the officers to leave the coast, as a measure rendered necessary by existing circumstances, and especially by the intention of the consul general to open a negociation with Jussuf, reigning bashaw of Tripoli. You will, therefore, as soon as the requisite arrangements are made, return with the vessels under your command to Syracuse, to which place it is contemplated to transfer head quarters, in the course of a few days. Lieut. Evans is instructed to deliver the stores which have been laden in the sloop, to you, to be distributed according to your discretion. You will understand those stores are intended for the use of the crews of the United States vessels, and the christians under the command of Mr. Eaton.

Nothing material has occurred in our affairs since your departure. Mr. Evans will be able to inform you of every thing worthy of notice. I have likewise sent with Mr. Evans 2000 dollars, (Spanish) in specie, which will serve to extinguish any individual engagements that you or Mr. Eaton may have contracted at Derne.

I look anxiously for further intelligence from Derne.

[*To be continued.*]

*Extracts from the Proceedings of the House of Delegates of the State of Maryland.*

*Wednesday, January* 15.

The bill to establish permanent salaries for the judges, and the message relative thereto, the supplement to the act for the relief of sundry insolvent debtors, passed at November session, 1803, the bill to provide for the erection of a new court-house for Baltimore county, were sent to the senate.

Mr. Lloyd delivers a report on the memorial of the president and directors of the Chesapeake and Delaware canal company, in their favor; which was read.

The clerk of the senate delivers the bill to incorporate a company to make a turnpike road from the line of the district of Columbia, &c. the bill to establish permanent salaries for the judges, and the bill to withdraw the funds from Washington and St. John's colleges, severally endorsed, "will pass." Ordered to be engrossed.

Mr. Ellicott delivers a bill, entitled, An additional supplement to an act, entitled, An act to erect Baltimore-town, in Baltimore county, into a city, and to incorporate the inhabitants thereof; which was read.

Mr. Ogden delivers a bill, entitled, An act to authorise the trustees of the poor of Baltimore county to dispose of, in lots, the alms-house property of said county, and for other purposes; which was read.

The bill to enlarge the powers of the levy court of Baltimore county, and for other purposes, was read the second time and passed.

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*Thursday, January* 16.

The house proceeded to the second reading of the bill to reduce into one the several acts of assembly respecting elections, and to regulate said elections, and the bill being read throughout, and amended, the question was put, shall the said bill pass? Resolved in the affirmative.

The clerk of the senate delivers the further supplement to the act to incorporate companies to make several turnpike roads through Baltimore county, the bill authorising the drawing of a lottery for the benefit of St. Mary's college, in Baltimore county, severally endorsed "will pass with the proposed amendments," which amendments were read, agreed to, and the bill ordered to be engrossed; the bill to authorise the drawing of a lottery within the city of Baltimore for the purpose therein mentioned, endorsed, "will pass." Ordered to be engrossed.

The bill to enlarge the powers of the levy court of Baltimore county, and for other purposes, the bill to restrain the evil practices of certain persons within this state, & the bill to reduce into one the several acts of assembly respecting elections, were sent to the senate.

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*Friday, January* 17.

On motion, ordered, that the additional supplement to the act, for the relief of creditors, and to prevent frauds and deceits occasioned by secret sales, and mortgages & gifts of goods and chattels, be recommitted for amendment.

According to order, the house proceeded to the second reading of the bill authorising the extension of the Falls turnpike to the Pennsylvania line, and after making an amendment thereto, the question was put that the further consideration of the said bill be referred to the 1st day of June next? Resolved in the affirmative—yeas 37, nays 20.

The bill to ascertain the mode of completing the title to purchasers of certain confiscated British property, and for other purposes, was read the second time and passed.

The clerk of the senate delivers the bill compelling the proprietors of lots binding on the water at the west end of the bason in the city of Baltimore, to extend & improve the same; and the bill to provide for the erection of a new court-house for Baltimore connty, severally endorsed, "will pass."—Ordered to be engrossed.

Ordered, That the supplement to an act to establish a bank, and to incorporate a company under the name of the Farmers Bank of Maryland, have a second reading tomorrow.

Ordered, That the supplement to an act, entitled, an act to erect Baltimore-town in Baltimore county, into a city, and to incorporate the inhabitants thereof, have a second reading on Tuesday the 21st inst.

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*Saturday, January* 18.

The house proceeded to the second reading of the bill to authorise the trustees of the poor of Baltimore county to dispose of, in lots, the alms-house property of said county, and for other purposes, and after amending the same, the question was put, that the further consideration of said bill be referred to the next general assembly? Resolved in the affirmative.

The committee appointed to bring in a bill, to be entitled, an act to regulate and discipline the militia of this state, beg leave to submit the following resolution:

Resolved, that the governor and council be and they are hereby requested to lay before this house the books and papers belonging to the adjutant-general's office, now in the council-chamber containing the enrolment of the militia, together with a statement of the cost of the same, and the rostor of the officers that have been and are now commissioned therein.

According to order, the house proceeded to the second reading of the supplement to the act to establish a bank, and to incorporate a company under the name of the Farmers Bank of Maryland, and for other purposes, which being read throughout, the question was put, shall the said bill pass? Resolved in the affirmative—yeas 51—nays 8. The said bill was sent to the senate.

The following resolution was asssented to: Resolved, that the communications received during this session, relative to the stock belonging to this state in the bank of England, and the sale thereof, shall no longer be considered as secret and confidential.

Resolved, That each member and officer of this house wear a scarf and band during the remainder of the session, in respect of the memory of the honorable Alexander Contee Hanson, late chancellor; and that the expence of procuring the same be placed to the journal of accounts, and paid by the treasurer of the western shore.

The clerk of the council delivers the papers required, by the resolution of this day. Ordered, that the same be referred to the committee appointed to bring in a bill to regulate and discipline the militia of this state.

The clerk of the senate delivers the supplement to the act for the relief of sundry insolvent debtors, passed at November session, 1803, endorsed, "will pass." Ordered to be engrossed.

Resolved, that the members of this house will convene in the chamber of the house of delegates at 11 o'clock to-morrow morning, for the purpose of attending the funeral of the hon. Alexander Contee Hanson, late chancellor of Maryland.

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*Monday, January* 20.

The house proceeded to the second reading of the additional supplement to the act to erect Baltimore town, in Baltimore county, into a city, and to incorporate the inhabitants thereof, and after making amendments thereto, the question was put, shall the said bill pass? Resolved in the affirmative—Yeas 35—Nays 15.

The clerk of the senate delivers the bill to enlarge the powers of the levy court of Baltimore county, and for other purposes, endorsed, "will pass." Ordered to be engrossed.

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STUTGARD, October 26.

Our court has just published an exposition of its conduct in the present conjuncture. This exposition states in substance what follows:

In the last war, the elector of Wirtemberg fulfilled his duties as a state of the empire with the most scrupulous exactness; he has even fulfilled to the last moments the obligations he had contracted towards the house of Austria. He had then ground to expect that the court of Vienna would powerfully interfere in his favor, at the negociations concerning the indemnities; but his hope was completely frustrated. During the short continuance of the peace, the proceedings of the Austrian authorities towards the court of Wirtemberg proved that the sacrifices this court had made for the house of Austria, were no longer thought of, and an indemnity was refused for the provisions furnished during the war to the Austrian troops, for which a payment has been formerly promised in specie, the artillery taken during the war, were refused to be restored; the house of Wirtemberg was openly attacked at the last Suabian diet; the Austrian envoy held on that occasion, a language both indecent and violating on the rights of the directory of the circle; in short the Aulict council of the empire, decided completely against the court of Wirtemberg in the differences relative to the immediate nobility of the empire.

Nevertheless the friendly conduct of the elector towards the court of Vienna underwent no change: and in the differences concerning the possession of Heiligkreuzthal, as well as with regard to the pretended right of sequestration and of escheat, he displayed great condescension towards Austria.—The elector then had no reason to believe that his country would be the theatre of war and of a war which in no manner regarded him. His first care was to obtain the guarantee necessary for the neutrality of his states. He addressed himself on this head to the court of Berlin and opened confidential communications with the electoral courts of Bavaria, Baden, Hesse, and with the court of Hesse Darmstadt, in order to preserve to the southern circles of the empire, the enjoyment of neutrality. But the reply of the court of Berlin contained a refusal and the diversity of the position of the other courts above-mentioned hindered the proposed measures; in the mean while, the Austrian envoy communicated the note which his court had presented to the imperial courts of Paris & Petersburg; this overture was followed up by no other communication. The envoy, (Mr. Schrandt) kept a profound silence; he then suddenly put to the minister of foreign affairs the question: "whether France had demanded that the court of Wirtemberg should place its troops, artillery and ammunition at her disposal." The indecency of such a demand was presented to the said minister; he was informed nevertheless that no such proposal had been made on the part of France. Such was the state of things when Mr. Bacher delivered to the diet the well known declaration concerning the hostile preparations of Austria. The electoral minister hastened to demand some overtures on this head of Mr. Schrandt, and the same demand was made of the imperial commissary at the diet, but no other reply was received than "that the Austrian ministers had no instructions on this head." In fine the Austrian army, in contempt of the rights of persons, and of the constitution of the empire, inundated the Bavarian states, and spread themselves over upper Swabia, and a part of the possession of Wirtembergh.

The entrance of these troops was accompanied with notes which could only be looked on as hostilities. The elector's subjects were forced to lodge and subsist the Austrians; they were put in requisition for the labours and entrenchments at the fortifications; they were forced to furnish excessive contingents in bread, hay, oats and meat; their oxen, shoes and cloaks were taken; threats were held out that the country should be laid under military law, that the public functionaries should be conveyed into Austria as prisoners of war; and the civil commissary of the Austrian army laid on requisitions, which if not complied with, he said, the whole country should be given up to pillage. His highness's subjects were thus exposed to outrages aud misery.—The wants of the army and even of the individuals composing it were acquitted in paper money; endeavors were even made to exchange this paper for the money in the electoral chests. Every representation made to the Austrian envoy was useless. When in short the French army, provoked by the hostile conduct of the court of Vienna, crossed the Rhine and entered the state of Wirtemberg, an Austrian commissary presented himself at Stutgard, and declared that his monarch was sorry to see that the elector had been placed in a disagreeable position, and that he was unable to protect him, but that success might change the face of things, and that H. H. was at liberty to take such measures as were consistent with the welfare of his country. Even the commissary to whom this mission was entrusted was very ill-chosen. It was the same Mr. Steinherr, who in the preceding disputes had always given proofs of a rooted dislike to the government of Wirtemberg, and had drawn on himself the discontent of the elector.—Such a declaratton at the moment when the town of Wirtemburg was occupied by the French troops, must necessarily appear very much misplaced, there was then no other means left, even for the safety of Mr. Steinherr, than to send him off as quick as possible.

Such was the state of things when H. M. the emperor of the French, arrived with his head-quarters at Louisburg.

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## BY THIS DAY's MAILS.

NEW-YORK, January 27.

A bake-house and stable in Thomas-street, were on Saturday evening consumed by fire.

Arrived, ship Flora, from Leghorn. October 6, passed by the rock of Gibraltar, saw several cruizers, but was not boarded by any of them. October 9, in lat. 35, 5, N. long. 12, 30, W. was boarded by one of his Britannic majesty's ships of war and treated politely. Nov. 25, lat. 37, 40, N. long. 52, 50, W. spoke ship Susan and Sarah, capt. Mariner, of New-York, from Norfolk, bound to Bordeaux, out 8 days all well. December 17, lat. 38, 40. N. long. 63, 30, W. ship Olive Branch Bennet, from Charleston, bound to Glasgow, out 8 days, all well. 24th, lat. 38, 27, N. long. 68, 30, W. ship Thetis, from Philadelphia, bound to Bordeaux. Jan. 20, schr. Maria, Stoddart, from Alexandria, for Boston, out 16 days. Captain Lee died on the 16th instant, with the cramp in his stomach. The Flora experienced very severe gales on the coast, and was blown off several times.

The Temperance of Sag Harbor, from Guadaloupe. Left there, December 31, *brig Brilliant, Montserrat, of and for Baltimore*, to sail 12th or 15th January; schooner Eliza, Selby, of and for New-York, in 12; brig Hetty, Tilford, of and for Philadelphia, do; brig Ceres, Foster, of and for New-York in 12, *schr. Nymph, Gover, of and for Baltimore*, in 15; schr Cambridge, Long, Charleston, in 12; brig Mars, Pemberton, St. Thomas, in 8; schooner Dolphin, Dove, of and for Philadelphia, in 10; schooner Lucy, Parker, of and for New-York, in 40. January 11, in lat, 34, long. 70, 30, spoke brig Cyrus, Santon, from Philadelphia, bound to Havana, 3 days out.

Cleared ship Neptune, Stanton, Liverpool; brigs Hope, Young, St. Thomas; Eliza, Bray, City of St. Domingo; Jane-Maria, Marschalk, West-Indies; schrs. Nimrod, Manning, St. Thomas; Ariadne, Jeffery, Jamaica; Atlantic, Bevans, St. Croix; Indiana, Folger, Alexandria; Hope, Taylor, Martinique; Jenny, Huxford, Halifax; Connecticut, Morehouse, Charleston; sloop Rainbow, Merritt, Martinique; Alert, Fales, Norfolk; Sally, Davis, Charleston.

The schr. Topsham, M'Donald, from Jamaica, is ashore about 20 miles to the southward of Sandy-Hook. The Topsham has bilged.

The schr. Betsy, Rogers, of Bristol, R. Island, from Cuba, and 19 days from Havana, went asore on Wednesday last at Squan Beach, about two miles from Cramberry Inlet—vessel bilged, and most of the cargo lost. The brig Rufus King, Coster, (former captain dead) of Bath, to sail next day for Boston. Captain R. informs that the brig Paisley, has gone to pieces, but most of the cargo was saved. There are three other vessels ashore, about 7 miles to the southward of the above place.

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PHILADELPHIA, January 28.

Arrived, schooner Thetis, Graisbury, St. Jago-de-Cuba.

Ship Active, Morris, of this port, from Antwerp, to Canton, passed the Straits of Sunda, 14th September, 119 days from Plymouth.

Ship Montezuma, Anesley, hence, at Batavia, in 112 days.

The schooner Hazard, of this port, arrived at Leghorn, 16th Nov. in 20 days passage from Smyrna.

Brig Sylph, Clark, hence, at Smyrna, in 50 days, the Sylph made Malta, in 34 days.

Brig Hibernia, hence, at Smyrna.

Brig Franklin, Nason, of Boston, from Malaga, for this port, with a cargo of wine and fruit, is ashore on Cape Henlopen.

By the brig Traveller, capt. Tubbs, we have received the following list of vessels at St. Pierres, Martinique: Brig Polly, Robertson, from St. Vincents; brig Wealthy-Ann, Saddleman, New-York; brig Jane, Hooper, Boston; brig Franklin, Herbert, New-York; brig Edward, Jordon, Port-