

Articles of Association

HAGERS-TOWN BANK

WE, the Subscribers, hereby associate and mutually agree to form a banking company, to be called and known by the name of THE HAGERS-TOWN BANK; and do hereby bind ourselves, and our legal representatives to the observance of the following articles, viz.

Art. 1. The capital stock of the said Bank shall be limited to five hundred thousand dollars, to consist of ten thousand shares, of fifty dollars each, one tenth part thereof, or one thousand shares, shall be reserved for the use and benefit of the state of Maryland, to be subscribed in such manner as the legislature may direct; provided, that the state shall not draw a dividend on a greater sum than shall be paid on such shares; and the remaining nine thousand shares to be subscribed agreeably to the allotment herein after mentioned, by opening subscriptions at the following places, under the direction of the following persons, viz.

At Hagers-Town, for 5000 shares, by Jacob Schenck, Matthias Shaffer, Martin Kerslner, Henry Shaffer and Jacob T. Townson.

At Baltimore, for 2000 shares, by Luke Tietman, James L. Hawkins, Christian Keller, William Matthews and Clement Brooke.

At Frederick-Town, for 1000 shares, by John Schley, George Baer, jun. Lawrence Brengle, Roger B. Tancy and George Creager, junior.

At Middletown, in Frederick county, for 500 shares, by Joseph Swearingen, Frederick Stemple, James Neale, Thomas Marlow and Thomas Hawkins.

At Cumberland, in Allegany county, for 500 shares, by Hanson Briscoe, James Scott, Benjamin Tomlinson, David Lynn and Thomas Beall.

Art. 2. It shall be the duty of the president and directors herein appointed, to have the articles of this association printed in the newspapers at Hagers-Town, in the Herald and Republican Advocates, in Frederick-Town, in the Federal Gazette and the American, in Baltimore, and in the papers Chambersburg, in Pennsylvania, and Martinsburg, in Virginia; also, to prepare and transmit to the commissioners aforesaid, a copy of the articles of this association.

Art. 3. The subscriptions shall be opened at the places before mentioned by the commissioners, or any two of them, on the first Monday in March next, and remain open for three days, from 10 to 5 o'clock, each day, unless the allotted number of shares are sooner subscribed; and if these shall be subscribed, on the first day of opening the subscriptions, at any of the aforesaid places, a greater number of shares than are allotted, the commissioners shall, in the first instance, reduce the highest subscriptions, but if such reduction shall not bring the subscriptions down to the number allotted, then they shall, by lot, determine whose subscriptions shall prevail, or to whom the shares shall belong; and it shall be the duty of the commissioners to return to the president and directors, a list of the subscribers by them taken, certified under their hands, together with all monies by them received on such subscriptions.

Art. 4. Every subscriber shall pay to the commissioner, at the time of subscribing, the sum of five dollars, on each share he or she may subscribe and the further sum of five dollars on each share, on the first Monday in May next; and the remaining forty dollars in eight equal instalments of five dollars each instalment, on each share subscribed to be paid at the said bank, as the board of directors may call for the same, giving two months notice in the news papers aforesaid of such calls, but which shall not be called for without the concurrence of two-thirds of the whole of the directors, and no such call, at any one time, shall exceed five dollars on each share subscribed.

Art. 5. If any stockholder shall fail to pay up his, her, or their instalments, of five dollars on each share, on the first Monday in May next, such stockholder shall forfeit, to the use of the company, all monies paid antecedently to such failure or default; but no such forfeitures shall take place, after ten dollars on each share shall have been paid up; and as it is requisite that means shall be taken to secure the regular payment of after calls, therefore if any stockholder shall fail to make regular payment of any instalment or call after ten dollars on each share shall have been paid, such stockholder's money in bank shall remain free from interest, and not entitled to dividend until such instalment or call shall be made good, and the dividend thereafter to be paid to such stockholder, (as well upon the monies regularly paid, as upon that paid after the default) shall be calculated only from the time when said instalment shall be made good.

Art. 6. No subscriber, or stockholder, or member of the said company, shall be answerable in his person or individual property for any contract or engagement of the said company, or for any losses, deficiencies, or failures of the capital stock of the said company, but the whole of the said capital stock, together with all property, rights and credits, belonging to the said institution, and nothing more shall, at all times, be answerable for the demands against the said company.

Art. 7. The affairs of the bank shall be managed by ten directors and a president, seven of whom, and the president, shall reside in Washington county; one in Baltimore county, one in Frederick county, and one in Allegany county; these directors shall be chosen by the stockholders in person or by proxy, in Hagers-town, on the first Monday in May, 1808, and on the first Monday in May in every year thereafter; and when the state acquires the right of choosing a director, the stockholders shall choose one director less in Washington county; and until the election for directors, as aforesaid, in order that this institution may go into operation as soon as conveniently may be, the affairs of the bank shall be conducted by Nathaniel Rochester, as president; and Elie Williams, Thomas Sprigg, William Fitzhugh, Charles Canoll, Jacob Zeller, Samuel Hughes, jun. William Heysler, Samuel Glaggett, (Baltimore) John McPherson, (Frederick-Town) and William McMahon, (Allegany) as directors, who shall have the power to appoint a cashier and such other officers as they shall deem necessary, and shall act in all other things relative to this institution, as fully as the president and directors, hereafter to be appointed by the stockholders, shall be authorized to do, except that the compensation to be allowed to the president of the bank shall be fixed and determined by the first directors to be chosen by the stockholders.

Art. 8. In choosing directors, the stockholders shall be entitled to vote as follows: For one share, and not exceeding two, one vote each; for every two shares above two, and not exceeding ten, one vote; for every four shares above ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote; and for every ten shares above one hundred, one vote; but no person, or body politic shall be entitled to a greater number of votes, and all votes at elections for directors shall be by ballot, delivered in person, or by proxy.

Art. 9. No person shall be admitted to take his seat as director, unless he shall be at the time a stockholder, and if he shall at any time cease to be a stockholder, he shall cease to be a director.

Art. 10. If the president shall be chosen hereafter out of the number of directors, his place shall be supplied by the directors from among the stockholders; if a vacancy shall at any time happen among the directors, by death, resignation or otherwise, the directors shall elect another to fill the vacancy for the remainder of the year, from among the stockholders, and in case of sickness, or necessary absence, of the president, he shall, in writing, appoint one of the board of directors to act as president pro tempore.

Art. 11. The board of directors shall have power to appoint a president and other officers and servants, for conducting the business of the company, and shall fix the compensation to be allowed them, which expenses shall be defrayed out of the funds of the company.

The board of directors shall also have power to purchase, lease or rent a proper building, in Hagers-Town, for the bank, at the expense of the company; they shall likewise have power to make, revise, alter or annul, rules, orders, by-laws & regulations for the government of the company, and that of their officers, servants, & affairs, as a majority of them shall deem expedient, provided, they are not contrary to law, or the constitution.

Art. 12. The company shall in no case be concerned in any article but notes, bills of exchange, mortgages, stock of the United States, or bullion, and insuring against losses by fire, except in the case of debts due to the bank, then they shall be fully justifiable in taking any kind of security they can obtain.

Art. 13. Ord. many discounts may be made by the president and any of the directors, but the president and five directors shall be necessary for the purpose of transacting the general business of the company.

Art. 14. Stock in the Hagers-Town bank may be transferred by the holder, in person, or by power of attorney, at the said bank, but all debts actually due to the company by a stockholder offering to transfer, must be discharged before such transfer shall be made.

Art. 15. Dividends of the profits of the company shall be made at the end of the first year, and half yearly thereafter, and at the end of every three years a dividend of surplus profit shall be made.

Art. 16. The books, papers, correspondence, funds, and every transaction of the company, shall at all times be freely open to the inspection of the directors.

Art. 17. A majority of the directors may, at any time, call a general meeting of the stockholders for objects relative to the interests of the company, they giving six weeks notice in the public prints, and expressing in such notice, the points or subjects to be deliberated upon at such meeting.

Art. 18. In case the whole of the shares (except those reserved for the state) shall not be subscribed, on the days for taking subscriptions as aforesaid, the board of directors may open the subscriptions again, at such time and place, or places as they or a majority of them may think proper, first giving six weeks notice of the same in the public prints.

Art. 19. Whenever the state shall become a stockholder to the amount of twenty thousand dollars, of the shares reserved, and shall have paid up that sum to the bank, she shall be entitled to appoint one director.

Art. 20. Before the president and directors shall act as such, they shall take an oath, or affirmation, "that they will faithfully, diligently and honestly, perform the duties of their station;" and the other officers of the bank, shall take a similar oath or affirmation, and shall give bond with security, to the satisfaction of the board of directors, for the faithful discharge of their duties in their several stations.

Art. 21. All notes offered for discount in the said bank, by any person or persons, shall, on the face thereof, be made negotiable at the Hagers-town bank, and when the drawer shall not reside in Hagers-town, such note shall be made payable at the house of some person in Hagers-town, and notice given by the proper servant of the bank at such house, that such note hath become due, shall be, to all intents and purposes held and considered to be as completely binding on the drawer and endorsers, as if notice had been personally served on each of them.

Art. 22. And as the agricultural, manufacturing and commercial interests of Washington, and the adjoining counties, will be greatly benefited by this institution, it is believed & expected, that the legislature will (as they have heretofore done in similar cases) grant a charter for incorporating the said company, & confirming, making legal and binding the several articles and regulations before-mentioned, with such other provisions, as to the legislature may seem proper, provided they shall not be inconsistent with the articles of this agreement. The board of directors are hereby directed to present a petition to the legislature for this purpose, with a draught of an act of incorporation, agreeably to the principles here- in laid down; they are hereby directed also, to petition for, and endeavor to obtain in the charter or act of incorporation, a power for the said company to insure against losses by fire.

Given under our hands, this day of N. B. It is believed, that not more than 10 or 15 dollars a share will be wanted to constitute a sufficient capital for the first year; & if the shares are all subscribed, it is presumed that not more than 20 or 25 dollars a share, will ever be wanted or called for.

The editors of the Frederick-town Herald and Republican Advocate, at Frederick-town; of the Federal Gazette and the American at Baltimore; of the Franklin Repository at Chambersburg; and of the Berkeley and Jefferson Intelligencer at Martinsburg, are desired to publish the above articles of association, once a week, until the 1st Monday in March next, in their respective papers, and transmit their accounts to the president of the Hagers-town bank, at Hagers-town, for payment.

Further proceedings relative to the Conspiracy.

WASHINGTON, January 23.

Deposition of James L. Donaldson.

In open court personally appears Jas. Lowry Donaldson, who being duly sworn, deposes and saith, that he was in the city of N. Orleans, in the Orleans territory, & the environs of said city, from the 12th of October to the 10th day of December, 1806; that during the latter part of this time he

was frequently in the company of gen. Jas. Wilkinson, and visited the general the day after his arrival at N. Orleans. On this occasion, this deponent received in confidence from general Wilkinson, information to the following purport: That the general had undoubted and indisputable evidence of a treasonable design formed by Aaron Burr & others to dismember the union, by a separation of the western states and territories from the Atlantic states—that New-Orleans was in immediate danger, and that he had concluded a hasty compromise with the Spaniards, so as to be able to withdraw his troops instantly to this the immediate object of attack & great vulnerable point—that he had received a letter from Burr holding forth great inducements to him to become a party, of which he showed him the original in cypher, and another written paper purporting to be a deciphered copy of the letter. He expressed great indignation at the plot and surprise that one so well acquainted with him as Burr should dare to make to him so degrading a proposal, and declared his determination of defeating the enterprise, or perishing in the attempt. He observed in addition that there were many agents of Mr. Burr then in the town, who had already been assiduous in their visits, and towards whom he was determined to act with cautious ambiguity, so as at the same time to become possessed of the whole extent of the plan, the persons engaged, and the time of its execution, and also to prevent any attempt on his person, of which he declared he had serious apprehensions. Of the number of these agents he was not aware, but mentioned the names of two, of whom he was certain, Messrs. Bollman and Alexander. From time to time, as this deponent had interviews with general Wilkinson, he informed this deponent that he had received additional information respecting the movements and designs of Burr by means of these agents, of whom he considered Bollman as the principal. In the course of these transactions, this deponent was employed by general Wilkinson in the copying of certain papers and documents, and preparing certain dispatches for the general government, which the general intended to forward by the brig Thetis.

While thus employed at the general's lodgings, this deponent has remained upon two different occasions, a person knock for admittance at a door with a window in it, opposite the table where this deponent was sitting, upon which this deponent was informed by general Wilkinson was Dr. Bollman. Upon these occasions the general has suddenly risen from his seat, and accompanied this person in a number of turns up and down a balcony in the front of the house, apparently engaged in deep conversation. Upon the latter of these occasions the general on his return into the chamber said to this deponent, "that is Dr. Bollman, his infatuation is truly extraordinary, he persists in his belief that I am with Burr, and has this moment shown me a letter from the latter, in which he says that he is to be at Natchez on the 20th December, with two thousand men, that 4000 will follow in the course of a few days, and that he could with the same ease, have procured double that number." General Wilkinson then observed, that he had obtained all the information he wanted, and that the affair would not be kept much longer a secret from the public.

When this deponent left the city of N. Orleans, the inhabitants of that city were in a state of great alarm and apprehended a serious attack from Mr. Burr and his confederates, this deponent understood that mercantile business was much embarrassed & great fears were entertained of considerable commercial failures in consequence of the embargo which had been imposed—that general Wilkinson was taking strong measures of defence, and that four hundred persons were then actually engaged in the fortifications of the city.

And further this deponent saith not.

JAMES L. DONALDSON. Sworn to in open court.

WM. BRENT, Clerk. January 26, 1807.

Deposition of Lieutenant W. Wilson.

I left New-Orleans on my way to this city, on the 15th of December last: at that time, and for some time preceding, the strongest apprehensions and belief universally prevailed among the inhabitants of that city, that Aaron Burr and his confederates had prepared an armed force, and were advancing to attack and plunder the city; in consequence of which the greatest alarms prevailed, a general stagnation of business ensued, and the danger was credited there as a matter of public notoriety: That brigadier-general Wilkinson, with the army of the United States, was at New-Orleans, occupied in the most active military preparations for the defence of the place; repairing the forts, mounting cannon, collecting ammunition, &c. All under the firm persuasion and belief that such an attack was meditated, and about very speedily to take place, by the said Burr and his confederates—this deponent knows that the general was decidedly of opinion, from the most satisfactory information, that the said Burr and his confederates were advancing with an armed force against the place—and further this deponent saith not.

WILLIAM WILSON. Sworn to in open court, this 27th day of Jan. 1807.

WILLIAM BRENT, Clk.

The deposition of ensign W. C. Mead, is precisely similar to that of Lieut. Wilson, except that the former states that he left New-Orleans, on the 19th of December.

By COWLES MEAD, Executing the powers and performing the duties of governor of the Mississippi territory.

PROCLAMATION. Whereas information from various sources, as well by affidavits, as otherwise; has been communicated to me of the designs of an association, whose object is the dismemberment of this and the neighboring countries from the government of the United States—and whereas every attempt of this kind must be ruinous and destructive of the numerous blessings which we now enjoy,

under the auspices of a government founded on the grand principles of political equality and indiscriminate justice:—And whereas this conspiracy is directed by men of secret and profound intrigue, for the aggrandizement of themselves and their minions, to the oppression of the great mass of the people whom they are endeavoring to dupe and inveigle—from the forgoing causes, I have thought proper to issue this my proclamation, for the purpose of guarding the good people of this territory against the agents of this diabolical plot, and warn them of their danger from that quarter—and I do hereby solemnly call on and enjoin the officers, both civil and military, and the citizens of this territory to perform their sacred duties to their country, by aiding and abetting in the detection of any agents employed in this country, and if found to be brought without delay before the proper tribunals of the country, that they may receive their trials for such high offences against the peace and happiness of the Mississippi territory, and dignity and sovereignty of the United States. And I do further enjoin and require the officers and citizens of the territory to be on the alert and prove their patriotism by giving such assistance for the development of this traitorous project as their respective situations will afford.

And whereas I am aware of the influence of intrigue and misrepresentation, and that men of pure intentions may sometimes be deluded; I do therefore invite all of this description to return to the bosom of their country and the confidence of their government.

And whereas I have reasons to believe that many of the officers of this government have not taken the oaths required by the ordinance of congress and the statutes of this territory, I do in consequence thereof, require all officers who have not taken the said oaths, to come forward and take the same in the course of fifteen days from the date of this proclamation; and in default thereof I do hereby revoke all the powers civil or military which they possess, and their commissions are hereby vacated and annulled.

Given under my hand and the seal of the Mississippi territory at the town of Washington, this 23d (L. S.) day of December, 1806, and of the independence of the United States the thirty-first.

COWLES MEAD.

MISSISSIPPI TERRITORY. Head Quarters, Town of Washington, December 25, 1806.

GENERAL ORDERS. Having received information from various and correct sources, of the existence of a traitorous connection of individuals, who have formed themselves into an association for the purpose of executing designs inimical to the peace, happiness and union of our common country; and being willing & anxious, as the representative of the government of the United States, to pursue such measures as may best subserve its true interests and the interests of this territory, I have deemed it essential at this crisis to issue these my general orders, for the more complete organization of the military of the territory.

The 1st regiment will muster at the town of Washington, on Tuesday the 20th of January, at 11 o'clock.

The 2d regiment on Saturday the 10th of January, at Greenville, at 11 o'clock.

The 4th regiment on Monday the 12 of January, at Gibson-Port, at 11 o'clock.

The 5th regiment on Saturday the 17th of January, at Piercy's plantation at 11 o'clock.

Every commissioned officer, non-commissioned officer, and private, will appear on parade equipped according to law, or suffer the penalties therein prescribed.

By order of the commander in chief, W. B. SHIELDS, Aid-de-Camp.

Natchez, Dec. 25, 1806. REGIMENTAL ORDERS.

The commander in chief having issued his general orders, directing that the 1st regiment muster at the town of Washington, on Tuesday the 20th of January, at 11 o'clock; and having stated the certainty of an association of designing and lawless individuals, who menace the peace and interest of our country;—I do hereby enjoin and require the punctual attendance of the regiment on the day, and at the place ordered; and at this very critical period, I solicit the officers commanding companies, carefully to enrol every man in their respective districts capable of bearing arms.

It is expected that more than ordinary attention will be observed, in bringing the companies to the field of muster, equipped agreeably to law.

FERDINAND L. CLAIBORNE, Lieut. col. commandant.

Forensic Society. BALTIMORE, Jan. 24, 1807.

The Society met, agreeably to appointment at the PANTHEON, and discussed the subject in a learned, facetious and interesting manner, honoured with the presence of a number of respectable ladies and gentlemen; on deciding the question—Ought Bachelors to be taxed? in the negative—they adjourned to meet in the same place on Saturday evening next, at half past six o'clock, in order to discuss the following question:—If self Love the motive of all human actions? The debate to commence at 7 o'clock.

Tickets of admission, 12 1-2 cents—to be had at the door.

N. B. Should the Money received at the door exceed the necessary expenses, the overplus will be appropriated to a charitable purpose.

January 26.

BY THIS DAY'S MAILS.

NEW-YORK, January 28. POSTSCRIPT.

Last evening the ship Cato, captain Coit, arrived at this port in 20 days from Liverpool. This arrival furnishes us with news nearly a month later than before received. To captain Coit we are indebted for London papers to December 6, inclusive. We have only time to give the leading articles, which, with the marine intelligence from Lloyd's List, &c. makes this day's Gazette highly interesting.

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

The duke of Brunswick died of his wound.

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

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

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

On the 13th the Dutchy of Oldenburg was taken possession of for the king of Holland, by Batavian troops.

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

The ships of war at Cadix had hauled further up the harbor, and no prospect of their going out.

The expedition so long detained, sailed from England on the 14th November. It consists of five regiments of infantry, two of cavalry, and three companies of artillery—about 5,500 men—under convoy of the Spencer, Ganges, Theseus, and Captains each of 74 guns, and 2 frigates.

The official account of the capture of Hamburg by the French, was communicated to the lord mayor of London by viscount Howick, on the 29th of Nov. By this, they entered with a corps under gen. Mortier on the 19th of November. All English property was confiscated; and the Englishmen held till disposed of by Bonaparte. Great uneasiness in England; stocks fell.

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

LONDON, December 6. Mr. Thornton, our late minister at Hamburg, arrived this morning. He has brought the intelligence of all the British merchants in Hamburg having been declared by Bonaparte prisoners of war!

Extract of a letter from Yarmouth dated December 5.

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

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

"We left Altona at half past 3 o'clock on the 26th ult. Four or five thousand French left Hamburg the day before; they went through the Stein gate (the road to Lubeck) their destination was not known."

"The British factory had been arrested, but was afterwards liberated on parole; and it was to be hoped, would effect a compromise with the French."

It is reported that the merchants & others made prisoners at Hamburg, have been arrested, and marched prisoners to Verdun."

GOTTESBURGH, Nov. 30. A Russian courier has just arrived in 10 days from St. Petersburg; he reports that there had been an action between the French & Russians, in which the latter were completely victorious; he could not learn any particulars.

December 1. A captain of a ship just arrived from Elsinore, reports, that when he left it, accounts were received that an action had taken place between the Russians and French in the neighborhood of Posen, in which the latter were defeated with great slaughter. The Russian army consisted of 140,000 men, the French but of 60,000. A ship had arrived at Elsinore, in 3 days from Stettin, the captain of which saw 19 waggons full of wounded French enter Stettin.

The details of the progress and termination to the late negotiation with France have been published under the sanction of ministers. Whether this pamphlet and that most reprehensible publication which the Foxites sent forth upon their coming into power, have proceeded from the same pen, we know not—we think not—but there is a similarity between the sentiments: both represent the new ministers as having succeeded to a wasted estate, a lavished inheritance; from which wasted estate, however be it remarked, they have contrived to raise tolerable large sums to negotiate a loan of 20 millions upon less than five per cent interest, and to add nearly eight millions to the taxes already existing. To the pamphlet is prefixed the following portentous advertisement—it furnishes abundant matter for reflection and conjecture:—

To the People of England. It is now that the real conflict, the Pelium ad intercolumnium begins. The errors or misfortunes of our allies have lost all the outworks—The war is now at the foot of our walls—Your national resources are equal to the peril of your situation, if you