

COMMUNICATION.

Mr. Howe.

In the "Federal Gazette" of the 9th inst. I have seen some observations under the signature of "A Looker-On," on a bill now depending before the Legislature of Maryland, entitled, "An act for quieting possessions, and securing and confirming the estates of purchasers." I do not know who your first "Looker-On" was; but I was also a "Looker-On," at the time the bill was discussed before the House of Representatives, and I add my testimony, that (in my opinion) the conduct of the House of Representatives was very precipitate indeed.—I enclose you a copy of the Bill, as reported to the House of Delegates, and by them adopted.—

"AN ACT"

For quieting possessions, and securing and confirming the estates of purchasers.

Whereas deeds for conveying lands, and other real estates, have been executed and acknowledged by femes-covert, and doubts are entertained whether they are effectual to convey the property therein contained, because the precise form of acknowledgment had not been pursued: And whereas doubts are also entertained whether deeds acknowledged under a power of attorney, in the name of the attorney, and not in the name of the principal, are valid: And whereas doubts are also entertained whether deeds acknowledged before two justices of the peace, who were not justices of the county court, are valid: And whereas also deeds of bargain and sale have been executed without having been indented under which deeds property has long been peaceably held, and if such deeds are adjudged to be void bona fide purchasers will be greatly injured, and creditors deprived of funds on which the credit was given, it having been obviously the meaning and intention of the parties to such deeds that the property should be conveyed as expressed therein; and sound policy and justice dictate, that all such defective deeds should be aided by law; therefore,

II. Be it enacted by the general assembly of Maryland, That all deeds heretofore made for conveying or passing any estate of inheritance or freehold, or declaring or limiting any use or uses, or for conveying any estates for above seven years, and all acknowledgments of a release or relinquishment of a right of dower in lands, tenements or hereditaments, which have been acknowledged by femes-coverts, in which acknowledgments the precise form prescribed by law has not been observed, and all deeds for conveying any estate as aforesaid, heretofore made and acknowledged in virtue of a power of attorney, in which the acknowledgment is made by the attorney in his own name, and not in the name of his principal; and all deeds for conveying any estate as aforesaid, heretofore made and acknowledged before two justices of the peace of any county in this state in which the acknowledgment is made and all deeds of bargain and sale for conveying any estate as aforesaid heretofore made, and not indented shall be, and the same are hereby declared to be, of the same effect and validity to pass the property and estate limited and expressed therein, as if such deeds had been, by such femes-covert, acknowledged in the precise form heretofore prescribed by law, as if such deeds had been acknowledged by the attorney in the name of the principal, as if such deeds had been acknowledged before a judge of the late general court, or before a judge of the county court, and as if such deeds had been duly indented; provided it shall appear by the acknowledgment of such femes-covert, that the same was made willingly, and out of the presence and hearing of the husband; and provided also, that in every other respect the aforesaid deeds have been executed, acknowledged and recorded, agreeably to the laws heretofore made on the subject.

III. And be it enacted, That any two justices of peace shall have the same power and authority to take the acknowledgments of deeds for conveying property as aforesaid as the judges of the county courts respectively have.

IV. And be it enacted, That all deeds heretofore made by any feme-covert for conveying property as aforesaid, and all acknowledgments of release or relinquishment of a right of dower, shall be good and effectual to pass the estate, or bar the said right of dower therein limited or expressed, provided it shall appear by the acknowledgment thereof, that she made the same voluntarily, and out of the presence and hearing of her husband, and that the said deeds shall be in all other respects executed, acknowledged and recorded, agreeably to the provisions of the law.

V. And be it enacted, That all deeds for the conveyance of property as aforesaid, which may be hereafter acknowledged by any attorney in fact in his own name, shall be as good and valid in law as if acknowledged by him in the name of his principal; provided, that in all other respects the said deeds shall be executed, acknowledged and recorded, agreeably to law.

VI. And be it enacted, That nothing in this act contained shall affect, or be construed to extend to, any case where a recovery has been actually had in opposition to any defective deed or deeds in any court of justice in this state.

On Tuesday the first instant, upon motion made for that purpose, it was determined, that as this bill was a matter of great moment, perhaps it might be a retrospective law, and might be interfering with the judiciary system, which our Bill of Rights had declared should be forever distinct from, and independent of, the legislative department of government—that it should be made the order of the day for Thursday week en-

suing, which would have been the 10th inst. Within one hour afterwards, a memorial was presented to the General Assembly, drawn up by John Johnson, esq. the favorite leader of the democratic party in this state, who was the counsel of the memorialists, from which the following extracts are made.—[The whole of the memorial may be seen at the office of the Federal Gazette.]

Your memorialists understand, a bill to aid such deeds is now before the General Assembly, the second reading whereof is ordered for Thursday week. The effect of this motion will be, to prevent the deed from Mrs. H. being confirmed although in the opinion of your honors it ought to be made valid; for before the bill can be finally acted on, the opinion of the Court of Appeals in this case may be pronounced.

They respectfully pray a shorter day may be fixed on for reading the bill, and that they may be heard by counsel at the bar of the house.

I must be indulged in calling the attention of the learned to the style of the present Attorney-General, especially to what is in italics.

As your first "Looker-On" has observed, a very warm debate then ensued; it was stated to the house, that the bill was unconstitutional retrospective, and interfering with the judiciary. For to those who know not the fact, it is stated, that a suit was at this time depending in the Court of Appeals of Maryland, between the memorialists and Mrs. H. That the case had been argued by the most learned counsel in the state, and was then sub judice, under a curia advi-sare vult. "Now advert to the memorial."

I will conclude these observations, by observing, that before the bill was put on its passage, it was stated by learned members of the house, that the very memorial which had been read, shewed that there were then cases depending before the judiciary tribunals which ought not to be interfered with, and it was moved as an amendment to the last section of the bill, "That this act should not extend to any case, which then might be the subject of judicial consideration, or to any case where a valuable consideration had not been paid for the lands intended to be conveyed." But I must say it to the legislature and to the people, both of these amendments were rejected.

The bill is now before the senate.

ANOTHER LOOKER ON.

The Editors of other daily papers are requested to insert the above, for the benefit of their fellow-citizens.

THE COMMITTEE OF THE HANDELIAN CHARITABLE SOCIETY.

To the Public.

Deeply sensible of the importance of the object for the attainment of which the Handelian Charitable Society was formed, and anxiously desirous to accomplish it—the committee previous to another oratorio for the benefit of the poor, are solicitous that their views may be precisely understood, and that the benevolent, with the lovers of Harmony may be induced to contribute their aid; thereby fully justifying the expectations, and remunerating the exertions, of the society, by enabling them to mitigate the heart rending anxieties which attend the hiers of poverty. Hence the committee conceive it necessary to advert to the circumstances which produced the oratorio of last January, as some remarks have been made upon the conduct of those who directed that entertainment, which are by no means just, and which are not gratified either to their feelings or to those of the members of the Handelian Charitable Society. During last winter, several musical gentlemen discussed the propriety of attempting a charitable concert, and having duly considered the subject, it was decided in favor of the effort—all necessary aid was procured; the preparations were made; the audience was numerous; the music was heard with delight; and the large sum which was raised, evinced the correctness of the opinion which had been entertained, that the citizens would display their usual munificence. The notice of the Oratorio which was published, stated that the profits of the meeting would be immediately applied to the benefit of the distressed; in conformity with that promise the expenses of the meeting having been ascertained, and the bills having been paid, the proceeds were offered to the mayor, who declined to receive them, alleging that he had several hundred dollars which had been formerly collected for the poor, and which remained not appropriated: he referred, the committee who waited upon him, to some gentlemen whom he named, as the most proper to distribute money to the necessitous—they received the amount, which is at present at interest subject to future claims. The following is a copy of the receipt.

"Baltimore, 6th Feb. 1807.

Received from Messrs. Samuel Cole, Samuel Keyser and George Myers, six hundred and twenty four dollars, 84 cents, as a deposit; being the net proceeds of the Oratorio, to be appropriated under the direction of certain persons named in their letter, under date of 2d Feb. 1807.

"ISAAC BURNESTON."

624dols. 84cts. Encouraged by that very flattering expression of public approbation, several gentlemen assembled and formed the "Handelian Charitable Society," to render their labours in behalf of the indigent systematical and permanent. By the payment of five dollars each as the first annual subscription, aided by a few benevolent amateurs as honorary members, who are anxious for the prosperity of the institution; the committee have hitherto been enabled to pay the expenses of their regular weekly meetings, by providing music and other requisites. In consequence of which, the chief part of the debt that was incurred in providing the last Oratorio will be saved for the promotion of the object which the members proposed in the first establishment of the society. Having fulfilled the duties which they voluntarily en-

joined upon themselves, the society have resolved to afford those who feel disposed to assist in alleviating distress and misery, an opportunity to display their sympathetic benevolence, through the charms of a miscellaneous Oratorio of sacred music. Whilst the committee request and expect the most cordial and extensive co-operation of their fellow citizens, they deem it proper to state, that being impressed with the sense of the propriety of the inquiry, "how has the sum that was raised been expended, or in whose possession is the money?" they some time since applied to the gentlemen who hold the balance of the collection which was made at the last Oratorio, and to satisfy a laudable curiosity, they now present to the public a copy of the letter which they received from the committee with whom that money was deposited—as they feel it an incumbent duty which they owe to themselves, to the society whose affairs they are appointed to superintend, and to the gentlemen who received the profits of their exertions, to rectify some mistaken opinions, and to demonstrate the privity of the motives of those who have devoted their time and talents to excite and promote that august disposition of mind—christian charity.

"The Committee of the Baltimore Handelian Charitable Society: Baltimore, 28th Sept."

GENTLEMEN,

We have the pleasure to inform you that in the distribution through the last winter, the surplus money in the hands of the mayor met all the current and necessary demands of the deserving poor, after much search and attention of the committee with whom the money was deposited, and by them distributed.

The same committee were honored with your confidence in receiving under their care and subject to their appropriation, the amount of the Oratorio last winter, which amount is yet untouched and accumulating by interest.

The committee have determined and are making arrangement to prepare a plan for a permanent institution. These funds, the future products of your society, with donations from other humane sources, being funded, we trust, will in a short time from their annual products give efficient relief to the deserving poor of this city.

We cannot omit congratulating the widow and the orphan upon their having found in the Handelian Society the first movers of this benevolence, which will tend to mitigate their woes in affording that relief their indigence so justly claims.

You will please to receive in behalf of your benevolent society our warmest wishes for your collective and individual welfare, and that your latest posterity may always enjoy the choicest comforts of life.

With respect we are your friends,

LUKE TIERNAN, ISAAC BURNESTON, Acting for the Committee.

The committee have amply contemplated every subject which is connected with an Oratorio for the aid of the distressed—they have consulted the opinions of those who are friendly to the Society and its design—they have procured all that aid which will insure the mournful appeal of the music to the heart—and to complete the gratification of the public—they have prepared a choice selection of the most approved sacred music—part of which was never before performed in the United States—and therefore the society anticipate from their fellow-citizens their attendance, which is the only reward that the members desire; except the satisfaction which results from the conviction that they have not been deaf and inattentive to the plea of the widow, the petition of the fatherless, and the complaint of the orphan—and assisted to feed the hungry, to clothe the naked, and to cheer the child of want and pchury. By the committee.

HORACE H. HAYDEN, Sec'y.

N. B. The proposed Oratorio will be performed on Tuesday evening the 22d inst. the particulars of which will be made known in a few days.

BY THIS DAY'S MAILS.

NEW-YORK, Dec. 9.

The Commercial Insurance Company of this city, have declared a dividend of thirty per cent, for the last six months.

Arrived the brig Emeline, Stowell, 18 days from Martinique, and 14 from Antigua, where she was carried in and released. Left, brig Brutus, Michales, from Philadelphia for Martinique, sent in; brig Sussex, Lee from Martinique for New-York, cleared; brig Swift, from do. for Portland, waiting trial; a ship from Guadaloupe for N. York, do. and others at Martinique, brig Emily Richards, for New-York in 5 days; brig Mary Ann, for do. in 5; brig Jane and Celia, both of New-York.

Sch. William Hill, Duncan, 9 days from N. Carolina, naval stores.

Sch. John, Hand, of Hudson, 35 days from Turks Island, salt.

Sch. Philip, Williams, 8 days from Charleston, cotton and Logwood. Nov. 27, off Charleston, spoke U. S. brig Hornet, from Washington for Charleston. Nov. 24, spoke sch. Delaware, Gordon, from St. Kitts for Baltimore, with loss of foremast, &c.

Sch. Feronia, Block, Richmond, 9—Richmond, Seaman, do. 9—Emily, Fitchet, Fredericksburg, 12; William Wallace, do.—John, Wallace, do.—sloop Chancellor, Story, Richmond, 9.

Still below the brig Anna, from Guadaloupe. Wind NE.

Cleared, ship Oliver Elsworth, Sketchley, Liverpool; William, Marshall, Newry; Alkmonac, Halstead, Bourdeaux; American, Reid, Londonderry; sch. General Hamilton, Richards, Vera Cruz.

GOOD NEWS.

London, October 30.—Admiralty court. The case of the Orion, American ship and cargo, bound from the Baltic for New-York, detained by a Plymouth privateer, was argued on Wednesday. The judge expressed

his indignation at the conduct of the captain of the privateer, in bringing in the vessel without the least shadow of ground for seizure, and took the opportunity of animadverting severely upon the conduct lately proceeded upon by the privateers. The captor was east in cost and damages.

From the London Gazette, October 17. BY THE KING.

A PROCLAMATION,

For recalling and prohibiting seamen from serving Foreign Princes and States.

Whereas it hath been represented unto us, that great numbers of mariners and seafaring men, our natural born subjects, have been enticed to enter into the service of foreign states, and are now actually serving as well on board the ships of war belonging to the said foreign states, as on board the merchant vessels belonging to their subjects notwithstanding our former proclamation recalling them, contrary to the duty and allegiance which our said subjects owe unto us, and to the great disservice of their native country; we have therefore thought it necessary at the present moment, when our kingdom is menaced and endangered, and when the maritime rights on which its power and greatness do mainly depend, are disputed and called in question, to publish, by and with the advice of our privy council, this our Royal Proclamation: We do hereby strictly charge and command all masters of vessels, pilots, mariners, shipwrights, and other seafaring men, being our natural born subjects, who may have been enticed into the pay or service of any foreign state, or do serve in any foreign ship or vessel, that forthwith they and every one of them do (according to their bounden duty and allegiance, and in consideration that their native country hath need of all their services) withdraw themselves, and depart from, and quit such foreign service, and do return home to their native country; or do enter on board such of our ships of war as they may chance to fall in with, either on the high seas, or in any rivers, waters, havens, roads, ports or places whatsoever or wheresoever.

And, for the better execution of the purposes of this our Royal Proclamation, we do authorize and command all captains, masters and others commanding our ships and vessels of war, to stop and make stay of all and every such person or persons (being our natural born subjects) as shall endeavor to transport or enter themselves into the service of any foreign state, contrary to the intent and command of this our Royal Proclamation, and to seize upon, take, and bring away all such persons as aforesaid, who shall be found to be employed or serving in any foreign merchant ship or vessel as aforesaid; but we do strictly enjoin all such our captains, masters, and others, that they do permit no man to go on board such ship, and vessels belonging to states at amity with us, for the purpose of so seizing upon, taking and bringing away such persons as aforesaid, for whose discreet and orderly demeanor the said captains cannot answer; and that they do take especial care that no unnecessary violence be done or offered to the vessel, or to the remainder of the crew, from out of which such persons shall be taken.

And in case of their receiving information of any such person or persons being employed, or serving on board of any ships of war, belonging to such foreign state at amity with us, we do authorize and command our captains, masters, and others commanding our ships of war, to require of the captain or commander of such foreign ship of war, that he do forthwith release and discharge such person or persons being our natural born subject or subjects and if such release and discharge shall be refused, then, to transmit information of such refusal to the commander in chief of the squadron under whose orders such captain or commander shall be then serving; which information the said commander in chief is hereby strictly directed and enjoined to transmit, with the least possible delay, to our minister residing at the seat of government of that state to which the said foreign ship of war shall belong, or to our Lord High Admiral, or Lords Commissioners of the Admiralty for the time being in order that we, being apprized of such proceedings may forthwith direct the necessary steps to be taken for obtaining redress from the government to which such foreign ship of war shall belong, for the injury done to us by the unwarranted detention of our natural born subjects in the service of a foreign state.

And whereas it has been further represented unto us, that divers mariners and seafaring men, our natural born subjects, have been induced to accept of letters of naturalization, or certificates of citizenship from foreign states, and have been taught to believe that, by such letters or certificates, they are discharged from that duty of allegiance, which as our natural born subjects, they owe to us; now we do hereby warn all such mariners, sea-faring men and others, our natural born subjects, that no such letters of naturalization, or certificates of citizenship, do, or can, in any manner, divest our natural born subjects of the allegiance or in any degree alter the duty which they owe to us their lawful sovereign. But in consideration of the error into which such mariners and seafaring men as aforesaid may have been led, we do hereby publish and declare our free pardon to all such our subjects, who, repenting of the delusion under which they have acted, shall immediately, upon knowledge of this our royal proclamation, withdraw themselves from foreign service, and return to their allegiance to us; and we do declare that all such our subjects, who shall continue in the service of foreign states, in disregard and contempt of this our royal proclamation, will not only incur our just displeasure, but are liable to be proceeded against for such contempt, and shall be proceeded against accordingly; and we do hereby declare that if any such masters of ships, pilots, mariners, seamen, shipwrights or other seafaring men (being our natural born subjects) shall be taken in any foreign service by the Algerines, or other Barbary Powers, and carried into slavery, they shall not be reclaimed by us as subjects of Great-Britain.

And we do hereby notify, that all such our subjects aforesaid, who have voluntarily entered, or shall enter, or voluntarily continue to serve on board of any foreign ships of war, belonging to any foreign state at enmity with us, are & will be guilty of high treason: and we do by this our royal proclamation declare, that they shall be punished with the utmost severity of the law.

Given at our court at the Queen's Palace, the sixteenth day of October, one thousand eight hundred and seven, and in the forty seventh year of our reign.

The Sun says, "The value of English property confiscated by the French at Leghorn, and other parts of Tuscany, amount to ten millions of dollars."

A late London paper says "the sensible part of the Americans it is said, are averse to a war with Great Britain, and the same we believe, may be said of the sensible part of the British; but these parts in both nations are seldom attended to on such occasions."

It is said Gen. Terreau has entered a formal protest against any pacification between the U. States and Great Britain.

We learn by Capt. Block, in 36 hours from Norfolk, that the French ship Patriot, of 74 guns, had dropped down to Hampton roads. Two British ships of war were in Lynhaven Bay.

A London paper of Oct. 26, announces the receipt of Virginia papers by the Charles Carter.

Portsmouth, Oct. 26.—Arrived the Diana from La Vera Cruz, with 300,000 sterling in dollars.

PHILADELPHIA, December 10. Arrived ship Minerva Newcomb, Laguna, 35 days. coffee, cocoa, &c.; brig Globe, Williams, Batavia, 106, coffee & sugar; Sea Nymph, Whelan, Bermuda, 25, ballast—sch'r 5 Sisters, Acton, Kingston, 35, woods; Emily, Davis, Guadaloupe, 28, coffee and Sugar.

Cleared, Brig St. Croix Packet, Mayne, St. Croix; Schuykill, Tuttle, Oporto—sch'r Sally, Lopez, Havana; Rover, Gardner, Charleston; Rising Sun, Borden Richmond.

Capt. Williams left at Batavia, the ships Orion, Bell, supercargo and first mate dead, for Philadelphia in a few days; Leda, Spears, for Baltimore in 12 days; Chesapeake, Mann, do. captain sick; Manhattan, Brown, for N. York, uncertain; Millwood, Nibbets, for do. do; Huntress, Peck, for do. do; Sidney Davy, for Baltimore do; Orizimbo, Gardner, from Baltimore, for Manilla in 8 days; brig Cora, Van Allen, for N. York, uncertain.

The ship Sally, of New York, had sailed for the Eastward; ship John Bailely, Love, of Philadelphia, sailed for Saussaus; ship Mount Vernon, Davidson, of Philadelphia, had sailed for Japan; ship Rebecca, (capt. dead) sailed for Providence, R. I. 9th August; ship Bayard, (captain and supercargo dead) sailed for Providence 4th August; ship Adamant, of Baltimore, (Beaty, captain dead) sailed for Europe 1st August.

The following ships passed Anger Point. Ships Mercury, Arnold, from Philadelphia for Canton, 5th August; South Carolina, Annesley, from Philadelphia for do. 7th August; Jane, Pender, of Baltimore, from Isle of France, for Canton, August 6th; Trident, Blakeman, from New York for Canton, 14th August; Bellisarius Wilds, from Boston for Batavia, 19th do. Fair Trader, Cooper, of Philadelphia, from Isle of France, for Canton, August 19th; John & James, Briggs, of Nantucket, from Isle of France for Canton, August 19th.

Capt. Williams spoke the following vessels:

Nov. 10, inlat. 18. 43, N. long. 54, West; brig Diana, Young, from Portsmouth, (N. Hamp.) for Demarara out 28 days.—Nov. 23d, in lat. 32, 20, N. long. 64, W. schooner Experiment, Rodgers, from St. Bartholomews, for Baltimore, out 37 days in great distress, the vessel very much damaged in her hull and rigging, was then standing for Bermuda, expected to make the island next day. November 26, sch. William and David, 5 days from Boston for Jamaica, in lat. 34, 30, long. 63, 30—November 27th, in lat. 37, 20, long. 70, W. sch. Dorothy, 12 days from N. York, bound to Richmond. December 3d, in lat. 38, 05, long. 72, W. ship Pomona, 2 days from N. York, for Guadaloupe.

Brig Sea Nymph, Whelan, from Bermuda. Left there the 29th ult. ship Columbian Packet, of Philadelphia, under trial; ship Destiny, of New-York, condemned; brig Maria, of New-York, for Jamaica, in 4 days; and brig Susannah, Hamilton, for Turk's Island, in 4 days.

Ship Minerva, Newcomb, from Laguna, Nov. 1, was boarded by the British frigate Arethusa, and treated politely. November 6, in the Mona Passage, was boarded by two British sloops of war, examined and dismissed. December 2, spoke barque Harper, Foster, from Salem, for Baltimore, who supplied us with a barrel of bread.

Ship Louisiana, Brevoort, from BORDEAUX. Left there the same vessels reported by the Calypso, arrived at New-York. Sailed from the Cordovan, October 17th. Coming out spoke the ship Portiana, Callender, of Philadelphia, from Charleston, bound up. The Louisiana was overtaken in the river by an express from her consignee, ordering her to sea without delay, in consequence of dispatches received by the American consul from the minister at Paris. Capt. Brevoort was informed that orders had been received to detain the ship George Washington, Hidelius, of Philadelphia, but she had sailed two days before for St. Sebastians. The Louisiana was boarded off the Cordovan, by two British frigates and treated politely.

CHARLESTON, Nov. 27.

The sloop Harriet, captain Pettit, from Charleston bound to St. Augustine, on the 10th October, in lat. 27, 12, long. 81, 16, after encountering a severe gale for several