

MARYLAND GAZETTE.

THURSDAY, JANUARY 5, 1797.

COUNCIL, JANUARY 2, 1797.

ORDERED, That the act to appoint an agent for the year one thousand seven hundred and ninety-seven, be published in the Maryland Gazette at Annapolis, the Federal Gazette at Baltimore, the Herald at Easton, and in one of the Georgetown and Frederick-town papers, once in each week for the term of six weeks.

By order,

NINIAN PINKNEY,

Clerk of the Council.

An ACT to appoint an agent for the year one thousand seven hundred and ninety-seven.

Section 1. *And be it enacted*, That William Marbury be agent of this state, to execute the trust and power reposed in him by virtue of this act, from the first day of January, one thousand seven hundred and ninety-seven, until the first day of January, one thousand seven hundred and ninety-eight.

Section 2. *And be it enacted*, That the said agent superintend the collection of all arrearages and balances due from the several collectors of the respective counties within this state, appointed since the first day of January, seventeen hundred and eighty-three; and the said agent is hereby authorized and required to call upon the treasurers of the respective shires for an accurate statement of all arrearages and balances due from such collectors, and such account shall be furnished by the said treasurers accordingly.

Section 3. *And be it enacted*, That the said agent be authorized to superintend the collection of all balances due to the state on the auditor's books, or on open account; and the said agent shall have power to require payment of, and if necessary sue for and recover the same; and the said agent, with the approbation of the governor and council, may make composition with any such debtors, and take bonds to the state, with sufficient security, and give time for payment, not exceeding two years from the first day of January, seventeen hundred and ninety-seven.

Section 4. *And be it enacted*, That the said agent be authorized to superintend the collection of all monies due to the state for naval duties, fines, penalties, forfeitures and amerciaments, and forfeited recognizances, and for ordinary, retailers and marriage licences, and to require payment, and if necessary sue for and recover the same; and the said agent may allow for insolventcies, and credit any money that the party is not chargeable with by law; and for his information of the law, he may take advice of the attorney-general in writing.

Section 5. *And be it enacted*, That whenever there shall be occasion to expose to public sale the property of any collector, or his securities, by virtue of any execution already issued, or to be directed for this purpose, the agent shall cause public notice to be given of such sale, and shall attend the same, and if it shall appear that there is danger of losing any part of the debt due to the state, and not otherwise, shall purchase any property so exposed to sale for the use of the state, in payment, or part payment, as the case may be, of the arrearages due by the collectors whose property may be so purchased, and that no purchase authorized by this act shall be considered as made on the part of the state, unless a public declaration to that effect be made by the said agent or his deputy immediately after such sale and purchase; and any property so purchased for the use of the state, the said agent may again expose to public auction, on the most advantageous terms, for the use of the state, and if the same be sold on credit, which shall in no case exceed the term of two years, the said agent shall take bond, with good and sufficient security, to be approved of by the treasurer of the western shire, from the purchasers of such property; and all bonds by him taken shall be deposited, with an accurate list thereof, subscribed by him, in the treasury of the western shire, and shall be a lien upon the real property of such purchasers, and their securities, from the respective dates, or so much thereof as is mentioned in the schedule thereto annexed.

Section 6. *And be it enacted*, That the said agent be hereby directed to dispose of at public sale all confiscated British property that remains unsold, giving at least thirty days notice thereof by public advertisement, and take bonds to the state, with sufficient security, and give time for payment, not exceeding two years from the first day of January, seventeen hundred and ninety-seven.

Section 7. *And be it enacted*, That the agent shall immediately call on and request the attorney-general to commence and prosecute to final determination as speedily as possible, the state's right to all confiscated property which hath been made known and discovered to the said agent; and the said agent shall report to the next session of assembly such suits as he or may be depending to recover the same, and also such as may then not be commenced, with the reasons assigned by the attorney-general why the same have not been com-

menced; and to cause immediate notice to be given in the public papers of this state to the discoverers of confiscated property, to produce to the agent the title papers of the lands by them respectively discovered, on or before the first day of August next, in order that the same may be laid before the attorney-general for his opinion thereon.

Section 8. *And be it enacted*, That no payment in future by any officer or person indebted to the state shall be valid and effectual, unless made to the treasurer of the western or eastern shires, or to the agent for the said being, or unless made to the clerk and sheriff of the several counties, in the cases where the said clerk and sheriffs are by law authorized to receive the same.

Section 9. *And be it enacted*, That the right, title and interest, of any and every informant or discoverer of property liable to confiscation, shall cease, determine and be utterly null and void, unless the said papers to authenticate the state's right be produced and lodged with the agent by the informant or discoverer on or before the first day of August next.

Section 10. *And be it enacted*, That the agent shall have full power and authority, by and with the advice and approbation of the governor and council, in all cases of uninstalled debts, to take back any property heretofore purchased by any person and not yet paid for, in cases where the person so having purchased and his securities are not capable of paying for the same, and to compromise the same upon terms and principles of equity and justice, by and with the advice and consent aforesaid, and the agent is hereby required to lay a particular statement of his proceedings under this section before the next session of assembly.

Section 11. *And be it enacted*, That the agent, with the approbation and consent of the governor and council, be and he is hereby authorized and empowered to compromise any suit depending in chancery with any state debtor, upon any terms in their judgment calculated to promote the interest of the state, and obtain the speedy receipt of the sum due.

Section 12. *And be it enacted*, That if, under the terms of any compromise made as aforesaid, the property heretofore purchased should be taken back and revealed in the state, the same may be sold by the agent, and he is hereby authorized and empowered to sell the same at public sale, on a credit of three years, giving the notice herein before mentioned, payable one third of the principal, and the whole interest, annually, on the first day of December in each year; and the bonds, when taken, shall be returned to the treasurer of the western shire, and reported to the general assembly at their session next ensuing the taking of such bonds.

Section 13. *And be it enacted*, That all cases in chancery where no compromise under this act is effected, shall be placed under the direction of the agent, who is hereby authorized and required to call on the attorney-general to prosecute or defend the same to immediate final decision; and the governor and council are hereby authorized and empowered, at the request of the agent, in cases of difficulty, to call the attorney-general, by employing any person to attend to surveys where necessary, or otherwise to assist in the prosecution or defence of said suits, which person or persons are to be paid out of the contingent fund of five hundred pounds; and the names of the persons so employed, together with the sum allowed for their services, to be laid before the general assembly at their next session.

Section 14. *And be it enacted*, That if any bond debtor to the state for confiscated property purchased, or otherwise, shall neglect to make payment agreeably to the condition of his bond and sundry resolves of the general assembly, the said agent shall cause process to issue for the whole principal and interest then due, or shall proceed on any execution already issued and served and suspended, as occasion may require, or, under the direction and with the approbation of the governor and council, he is hereby authorized to delay any execution as long as they may think expedient and necessary.

Section 15. *And be it enacted*, That the said agent be authorized to superintend the collection on all balances due on bond, taken for taxes due before the first day of January, seventeen hundred and eighty-three; and the said agent shall also superintend the collection of all balances due on bonds installed, or otherwise, for the emission of paper money of seventeen hundred and sixty-nine, and seventeen hundred and seventy-three.

Section 16. *And be it enacted*, That no process shall issue against any of the public debtors, unless by the direction of the said agent.

Section 17. *And be it enacted*, That the said agent shall have power to fix such days for the sale of property, taken by *fiat facias*, at the suit of the state, as he may think proper, always taking care to give at least twenty days public notice thereof; and the said agent shall also have power to suspend the sale, from time to time, as he may think most to the advantage of the state.

Section 18. *And be it enacted*, That the said agent shall pay into the treasury, in specie, the amount of all specie

by him received in the discharge of the duties of this act.

Section 19. *And be it enacted*, That in all cases where bonds shall be taken in virtue of this act, the bonds shall be a lien on all the real property of the obligors from the date thereof, or on so much of the said real property as the governor and council shall think sufficient; to be particularly mentioned in a schedule to be annexed to the said bond, in which case it shall be a lien on the property contained in such schedule, and no more, such bond and schedule to be lodged with the treasurer of the western shire.

Section 20. *And be it enacted*, That all bonds taken in virtue of this act shall express the county in which the obligors respectively reside; and the treasurer of the western shire shall, within one month after he receives them respectively, cause them, with the schedule annexed to them, to be recorded in the office of the clerk of the general court of the western shire, at the expense of the obligors; and a copy of the said record, certified under the hand and official seal of the said clerk, shall be as good evidence in any court of law or equity in this state as the original bond would be if it was produced; and if any of the obligors in any such bonds reside on the eastern shire, the said treasurer shall, within six months from the time he receives the same respectively, transmit to the clerk of the general court of the eastern shire, in the same manner as papers on public service are transmitted, a copy of such bonds and schedules, certified as aforesaid by the clerk of the general court of the western shire, to be recorded in the office of the clerk of the general court of the eastern shire; and in such case a copy of the said record, certified as aforesaid by the said clerk of the general court of the eastern shire, shall be good evidence as aforesaid.

Section 21. *And be it enacted*, That the said agent shall render to the treasurer of the western shire distinct quarterly accounts of his receipts of all money, certificates and bonds, in virtue of this act, and shall immediately thereupon pay and deliver the same to the said treasurer, who shall, in his annual report to the general assembly, state fully and particularly the money, certificates and bonds, by him received from the said agent, and the times when the same were received and accounted for.

Section 22. *And be it enacted*, That the said agent shall render a fair and full account of his several proceedings under the authority of this act to the general assembly at their next session, and within the first ten days after its commencement, in which account shall be specified, under distinct heads, his own receipts, and those of the treasurer, and of all transfers of stock upon which he may be entitled to commissions, and in which shall also be contained a particular estimate of his commissions, showing how and upon what the same were due.

Section 23. *And be it enacted*, That the said agent shall be allowed for his services the following commissions, to wit: For all payments made to either of the treasurers, on bonds for confiscated property, *and per cent.* for all bonds with security, taken by the said agent on sales of confiscated property, in virtue of this act, two and a half *per cent.* for all monies collected on open accounts, not including monies arising from fines, forfeitures and amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, which have become due since the first days of January, seventeen hundred and ninety-one, six *per cent.* and for all other monies by him actually received and paid into the treasury, three *per cent.* and for all other bonds taken in virtue of this act, one *per cent.* provided, that the said agent shall not be entitled to any commission upon the monies arising from fines, forfeitures, amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, unless in cases where the same shall not be paid by the sheriffs and clerks respectively to the treasurer within one month after the time prescribed by law, and unless the said agent shall thereafter receive the same from the said officers respectively, and the same pay to the said treasurer.

Section 24. *And be it enacted*, That hereafter it shall be the duty of the agent, and the treasurers of the eastern and western shires respectively, to receive as well the fifteen *per cent.* interest, if any shall have accrued, as all other the arrearages that are now or may hereafter become due from fines, forfeitures and amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, and the fifteen *per cent.* so collected shall be the only fund from which the agent shall draw his three *per cent.* on the same.

Section 25. *And be it enacted*, That the said agent, before he enters upon the execution of the duties of this act, shall give bond to the state, before the governor and council, in the penalty of fifty thousand dollars, with such security as the governor and council shall approve, for the faithful performance of the said duties, which bond shall be lodged with the treasurer of the western shire; and shall also take an oath before the chancellor, that he will well and faithfully discharge the duties of agent under the act, entitled, An act to

Clean
Office
Savings

appoint an agent for the year one thousand seven hundred and ninety seven, to the best of his skill and judgment, the certificate of which oath shall be annexed to, or endorsed on, the said bond.

XXXI. And it is enacted, That if the said agent shall not accept his appointment, or if after acceptance he shall not give bond and take the oath aforesaid before the first day of February next, or shall die, the governor and council are hereby authorized and requested to appoint a fit and proper person in his place, who shall have and execute all the authorities and powers vested in the said William Marbury by this act, such person first giving security and taking the oaths aforesaid.

Notice to State Debtors.

NO process hath issued against the delinquent state debtors for their installments due on the first of December last, nor will any be directed till after the 15th of February next. The agent therefore expects (to prevent trouble and expense) they will come forward and discharge their debts by that time.

WILLIAM MARBURY, Agent.

Philadelphia, September 28th 1797.

WE have had nothing but anxiety and trouble for several days past. General Naudon's troops approached our city on the 24th, and obliged the French stationed here to leave their main army, to retreat. On the 25th and 26th, on account of the desperate resistance which the French made from the walls of this city with howitzers, grenades, &c. we were thrown into the utmost alarm. At night we suffered a bombardment from the Austrians, by which the middle town, on the side of the Danube, would have been converted into a heap of ruins. We had not taken the most active measures to prevent it, but the night watches were burnt, and the district of Fischen has suffered considerably. But yesterday our sorrowful situation experienced a change. About three o'clock during a heavy rain, the French retreated with the utmost silence toward Leopoldsdorf.

CARLSRUHE, September 20.

On the 18th inst. at four in the morning, the Austrians attacked the French intrenchments near Kehl, and two battalions of the archduke Ferdinand charged the enemy with the bayonet about seven o'clock they were masters of the intrenchments and the fort; they had made 800 of the French prisoners, and killed or wounded 1200; the French general Scherb was among the slain. All the baggage, cannon and ammunition of the French, fell into the hands of the Austrians; but the latter having neglected to destroy the bridge near the Rhine, and a part of the soldiers being employed in dividing the booty, the French about noon, having received a reinforcement of 3000 men, and being covered by a numerous artillery from the left bank of the Rhine, retook the fort, the possession of which is so important in a campaign in Suabia.

The Austrians lost about 400 men, killed and wounded, and retired to Bischofsheim, where the head quarters of general Petrasch now are. A number of Austrian prisoners, and wounded have been brought into Straßburg; 6000 national guards have marched from that city, but London, the garrison of which place has taken the field under general Marsicot. A number of French troops met on their march from Straßburg for Suabia. As the Austrians have not destroyed the bridge between Kehl and Straßburg, the French will always be able easily to send reinforcements into Suabia.

G. L. S. G. W., October 20.

The first and third of the four Hamburg mails due, arrived on Sunday and Monday last. No engagement has taken place between the archduke and the army of the Sambre and Meuse since the 16th ult. The army of the Rhine and Moselle, still severely harassed in its retreat, has lost, according to the German accounts, 16,000 men. Wurmsler, it is said, has obtained some advantages over Buonaparte, who, it is added, is taken prisoner. The Austrians have made another unsuccessful attack upon Kehl.

LONDON, October 17.

Late on Saturday night three messengers arrived from the continent, viz. Mr. Corvior from Vienna, one from Petersburg, and one from Venice. The first of the Hamburg mails, which have been so long due, arrived at the same time.

Of the probable fate of Morozov's army we are happy we are enabled to speak in more positive terms. By an article from Stuttgart, of the 22d, we learn, that the Austrians had made themselves masters of the grand powder magazine of Morozov's army at Ellingen, containing 3000 barrels of powder, which is represented to have been of more consequence to Morozov than the loss of a battle. His army was left almost without ammunition.

Accounts from Ulm, of the 24th, state Morozov to be retreating with precipitation in three columns, but at the same time he had in his flank and rear by general Latour and Naudon. General Petrasch had notified several of the strong positions of Knalbis and the Black Forest, which would cut off the retreat of Morozov's army from Kehl.

By the accounts brought by the messenger from Vienna, we learn, that the Austrians had called two hundred thousand additional troops, that were marching to the reinforcement of his different armies. In his capital alone he raised seventeen thousand men in one week—such was the noble ardour of patriotism that prevailed the Austrian states.

This morning arrived the Hamburg mail due on Wednesday. The details which it brings are highly satisfactory. The boasted advantages of Buonaparte before Mantua, appear much less formidable than they did in his representation of them. Field-marshal Wurmsler was, it is true, shut up in Mantua, but this seems to be a voluntary step, for the purpose, no doubt, of reinforcing the garrison, and taking upon himself the command of that important post.

PRIVATE CORRESPONDENCE.

BREMEN, October 7.

The enemy's daring plan of uniting in Germany their three debulating armies, has met with the fate which its temerity deserved, and, for the welfare of society, is totally defeated. Buonaparte completely routed his late army, consisting of twenty, and still pursued by the honest peasantry of Germany—Moreau retreating in the utmost disorder every day, altering his route, but now said to be attempting to march towards Brigau—Buonaparte, necessitated to abandon his darling project of penetrating into Tyrol, where every man, nay where every woman and child is under arms, instead of passing Trent, has retrograded beyond Verona. The Austrians are in full possession of the city of Ulm, since the 24th ult. The French garrison of 800 men become prisoners of war.

The king of Prussia has thought proper, modestly, to withdraw his garrison from Nußemburg—he did not think the moment an opportune one to add that to his other political robberies.

The French, through absolute want of provisions, mean to march to the Harz, leaving only two divisions behind them. The emperor, not being able to cope with the brave Austrians, are now trying in the environs of Duffell, to effect a junction among themselves—scarcely a day passes without some bloody encounter, and lately—as a letter before my eyes—five hundred of them were killed.

S. A. L. B. M., December 20.

A gentleman of this town has received a letter from his friend at Liverpool, Nova Scotia, wherein he mentioned the arrival at Halifax of a packet from England, which brings account of the difficulties with Spain being accommodated, and a happy prospect of the negotiation with France being favourably terminated. The letter is dated the 22d ult. The passage of the packet is not mentioned.

The above letter mentions, that a division of Richery's fleet destroyed property on the Esbradoré shore to the amount of 25,000 sterling belonging to one Wolfe, and burnt a 20 gun ship, loaded entirely with fish. The destruction on the whole coast by the French fleet under admiral Richery has been very great, and must be severely felt by the lower class of citizens—the property destroyed consisting of fish, provisions, and articles of the first necessity.

By the brig Mary, captain Joseph Lindsey, who arrived at Marblehead on Saturday last, in 37 days from Cadix, we have a positive confirmation of the declaration of war by Spain against England. It was proclaimed by the heralds of state, at the corner of every street in Cadix, the day before captain L. sailed—and the day was celebrated with the most enthusiastic joy. The inhabitants appeared to have adopted the French manner entirely—the tri-coloured cockade was worn, and the French national songs were sung withapture. Prizes were brought in every day, and the spirit of privateering pervaded all ranks of citizens. Five very large and rich Portuguese ships from the Brazils had been captured by the French, two of which had arrived at Cadix; the remainder were ordered for other ports. It was rumoured, that 10000 Frenchmen were to attack Gibraltar in the spring. The sale of the capture of admiral Jervis's fleet, (so many times confirmed, but never by captain Pedrich) turned out in the loss only of one hospital ship; the crew of which captain L. was landed in Cadix. Admiral Jervis's escape was attributed to a want of vigilance in the combined fleet, and to superior manœuvring. They were chased about 48 hours, and had safely arrived at Gibraltar.

Price of American produce when captain Lindsey sailed—Pith, from 7 to 8 dollars—Rice, 6 to 7—Bread, 2 to 4—Pork, 25.

BOSTON, December 20.

From SWEDEN. Captain Pike from Gottenburg informs, that the heir to the throne of Sweden was to be crowned in November, and was to marry a relation to the emperor of Russia. In consequence of this connexion between Charles and Catharine, there was some rumour that the Swedes would be engaged in the war against France, unless a general pacification should soon take place. Captain Rogers from Cape Francois, informs, that the usual mode of transacting business still prevails there. Government takes cargo—and pays in promises only. Americans bound to British ports in St. Domingo are carried in.

NEW YORK, December 25.

A late Charleston paper says, "There is a letter in town from Georgia, which says that it is confidently asserted in the Floridas, that the King of Spain has ceded those provinces, and Louisiana, to the republic of France."

PHILADELPHIA, December 28.

The late transactions in the bank of Pennsylvania, which for the moment excited some alarm, had given rise to sundry new paper paragraphs, have been

brought, by the vigilance and activity of the directors to a happy termination.

The following is an extract from the report of a committee of the senate of Pennsylvania, appointed to receive from the directors any communications they may make relating to that institution.

Upon the whole, your committee are of opinion, that the loss which the stockholders of the bank of Pennsylvania may sustain, by the disgraceable transactions above specified, will amount to a very considerable sum, being in the estimation of the directors, less than fifteen thousand dollars, from every cause, since the commencement of the institution.

Your committee think it proper to state, for information of the senate, that the whole amount of over draughts was about two hundred thousand dollars. They, with pleasure, add, that the conduct of the directors on the part of the state, throughout this business, merits the approbation of all who are interested in the welfare of that institution; and that they have reason to believe, the bank is in a situation perfectly safe, and, therefore, deserving the confidence of the public in general.

NOVA SCOTIA, December 17.

Extract of a letter from Portsmouth, (England) dated October 2, to a gentleman in this town.

A small American ship having made several trips to and from this port, her frequent sailing, and so soon returning, excited some suspicion, that she might be the conveyance of improper intelligence from hence to France; and one of their crew having made a deposition of their frequent trips from hence to France, and that a person was daily expected on board who always went and returned with the vessel, a proper officer was appointed to watch her motions, and observe who went on board her. A general dressed man was this morning seen to go on board her, and the vessel immediately got under weigh; and the man making his report of what he had observed, the Custom House officers took board, and boarded the ship, just as she was clearing the mouth of the harbour, and going into the bay, and the person who had just gone on board, and who, from his appearance, seemed to be just come from France, in a small trunk by him, which on opening, was found full of papers; these it is said, from those which have been opened, are of a very important nature; and that there is no doubt of his being a spy to the French; as the ship has been so and from this port no less than fifteen times in the course of about three months; with only an interval of about six days each time. It is said on his being apprehended, he attempted to tear some papers from him, but was prevented; he was brought on shore about 12 o'clock, and immediately sent off for London with the two officers who had boarded him.

BALTIMORE, January 2, 1797.

Extract of a letter from a gentleman of respectability in Paris, to his friend in New York, dated 20th September, 4th year.

The likeness of General Buonaparte being just come out, I send you two copies, one for yourself, the other for my friend R... I am sure it will please you so much the more, as a singular discovery has lately been made respecting the place of his origin. He happens to be a countryman of yours, and even one of your friends, instead of being a Corsican, as first reported. Buonaparte is an assumed name; his family name is SPALANCA, he is from Middletown in Connecticut. You will, no doubt, be able to judge of the truth directly; and not fail to ascertain the fact in case the people of America may have any doubts about it. I expect they will rejoice at an event which has afforded me pleasure, and procures me the advantage of receiving from him at this very moment every mark of friendship, in consequence of our former acquaintance in America.

Salut and Fraternity.

C.....

Annapolis, January 5.

On Saturday last the general assembly of this state adjourned to the 2d Monday in November next, after having passed the following laws:

1. An ACT to settle and ascertain the salary of members of the council for the ensuing year.
2. An ACT to incorporate the Charitable Marine Society of Baltimore.
3. An ACT for the relief of Lucy Jennings, widow and deceased Richard Jennings, late of Frederick county, deceased.
4. An ACT for the relief of Christian Weaver.
5. An ACT to confirm certain proceedings of the levy court of Cecil county, and to enable said court to say further than for the support of the poor of said county.
6. A Supplement to an act, entitled, An act relative to the proceedings in the court of chancery, and in the land office.
7. An ACT making void the title of Matthew Ryan to several lots, parcels of land therein mentioned.
8. An ACT for the more effectual collection of the county charges in Allegany county.
9. An ACT to pay the civil list, and other expenses of civil government.
10. An ACT for the relief of Annie Dent and Theodore Dent, administrators of Peter Dent, late of Casse county, deceased.
11. An ACT for erecting a new bridge over Dividing Creek between the counties of Somerset and Worcester.

12. An ACT to settle and ascertain the salary of the agent for the state.
13. An ACT for the relief of Edw. Moore county.
14. An ACT to enable the commissioners to survey certain lands therein mentioned.
15. An ACT for the relief of Peter Shuman.
16. An ACT to alter the balance due to the collector of Queen Anne's county.
17. An ACT for the relief of the heirs of the late John Moore.
18. A Supplement to an act, entitled, An act to erect a town in Queen Anne's county.
19. An ACT to alter the balance due to the collector of Queen Anne's county.
20. A Further supplement to an act, entitled, An act to erect a town in Queen Anne's county.
21. An ACT to pre-emptible, and improve the port of Havre-de-Grace.
22. An ACT for the relief of the heirs of the late John Moore.
23. An ACT to divide the county, and to alter the counties mentioned.
24. An ACT for the relief of the heirs of the late John Moore.
25. An ACT to settle and ascertain the salary of the agent for the state.
26. A Supplement to an act, entitled, An act to improve and repair the Frederick county, and to alter the counties mentioned.
27. An ACT to settle and ascertain the salary of the agent for the state.
28. An ACT to settle and ascertain the salary of the agent for the state.
29. An ACT to settle and ascertain the salary of the agent for the state.
30. An ACT to settle and ascertain the salary of the agent for the state.
31. A Supplement to an act, entitled, An act to improve and repair the Frederick county, and to alter the counties mentioned.
32. An ACT to settle and ascertain the salary of the agent for the state.
33. An ACT to settle and ascertain the salary of the agent for the state.
34. A Supplement to an act, entitled, An act to improve and repair the Frederick county, and to alter the counties mentioned.
35. An ACT to settle and ascertain the salary of the agent for the state.
36. An ACT to settle and ascertain the salary of the agent for the state.
37. An addition to an act, entitled, An act to improve and repair the Frederick county, and to alter the counties mentioned.
38. An ACT to settle and ascertain the salary of the agent for the state.
39. An ACT to settle and ascertain the salary of the agent for the state.
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50. An ACT to settle and ascertain the salary of the agent for the state.

John Hamm against John German Thomas. The complainant applies for a decree to record a deed, executed on the 8th day of March, 1765, by John German Thomas, for conveying to him, the said John Hamm, and his heirs or assigns, all his tide, &c. of 16, and unto 20 acres of land due to him the said Thomas, for services as a soldier; the bill states, that the said Thomas hath since the execution of the said deed, removed from the State; it is thereupon adjudged and ordered, that the complainant cause a copy of this order to be inserted in the Maryland Gazette, at least three weeks before the first day of February next, to the intent that the said John German Thomas, or his heirs, devisees, or representatives, or any other person that may conceive himself interested, may have notice of the complainant's application, and may be warned to appear here on the first Tuesday of June next, to show cause, if any there be, wherefore a decree should not pass agreeably to the prayer of the complainant.

Tell. SAMUEL HARVEY HOWARD, Reg. Cur. Can.

FROM the many trespasses (almost daily committed) on Primrose Hill, and the subscriber's plantation over Severn, he is obliged to forewarn all persons from hunting with dog or gun, on either place, as he is determined to put the law in force against any one so offending.

JOHN HESSELIUS, Primrose Hill, near Annapolis, January 2, 1797.

STOLEN from the subscriber, living within two miles of Upper Marlborough, Prince George's county, on the fourth of November last, a likely bay GELDING, eight or nine years old, I suppose him to be fourteen hands high and upwards; drab, paces and gallops, shod before, no perceivable brand, has a blaze face or star, and blaze, which I don't recollect, two white feet above his fetlocks; to the best of my recollection it is his left fore foot and leg, and right hind foot and leg, that is marked with white; upon a close examination he may be discovered to be full of white hairs, more so at the root of his tail. Any person delivering said horse to the subscriber, or giving information so that I get him again, shall receive FOUR DOLLARS REWARD, and for apprehending the thief, so that he be convicted of the felony, TWENTY DOLLARS REWARD, paid by

ZADOCK DUVAL.

TAKEN up as a stray by the subscriber, living in Prince George's county, within two miles of Upper Marlborough, a small black HORSE, about thirteen hands and a half high, seven years old, fore back, hind before, no perceivable brand, has the appearance of being worked. The owner is requested to prove his property, pay charges, and take him away.

ZADOCK DUVAL.

ALL persons having any just claims against the estate of THOMAS JENINGS, late of the city of Annapolis, deceased, are desired to exhibit them, properly authenticated, to the subscriber, who is duly authorized to administer on said deceased's estate, and all those indebted to said estate are requested to make immediate payment to

THOMAS JENINGS, Administrator.

TAKEN up as a stray, a bright bay HORSE, about 13 hands high, he appears to be 9 or 10 years old, has no perceivable brand, his left hind foot white, a star in his forehead, and a slip on his nose, blind in his right eye, and has a small saddle spot on his right side. The owner may have the above horse, by proving property and paying charges.

RICHARD SIMMONS, sen. October 12, 1796.

THIS is to give notice to all whom it may concern, that I intend to apply to the next county court of Calvert county, for a commission to mark and bound the lines of a tract of land called BASSINLOR'S QUARTER, lying in the county aforesaid.

JOSEPH SPRIGG, December 30, 1796.

CASH given for Clean Linen and Cotton RAGS, At the Printing-Office.

THIS is to request that all persons indebted to the estate of RICHARD BEARD, late of Anne Arundel county, deceased, will make immediate payment, or suits will be commenced against all delinquents to the next court, and all those having claims against said deceased are requested to bring them in, legally authenticated, that they may be settled and paid, on or about the first day of December next, at which time we expect to be prepared for that purpose.

MARY BEARD, Administratrix, JOHN BEARD, Administrator.

P. S. And on the first day of December aforesaid, will be offered for sale, on credit till the first day of March next, on bond with approved security, a large crop of Indian corn, and corn fodder, also some hay, a quantity of excellent cider, and a parcel of stock, household and kitchen furniture, &c. which remained unsold at the last sale.

Beard's Habitation, October 23, 1796.

18. An ACT to ratify and make valid the sales of land made by Daniel of Saint Thomas Jenifer while agent for the State.

19. An ACT for the relief of Benjamin Moscov, of Baltimore county.

20. An ACT to enable the vestry of Christ church parish in Calvert county, to sell and dispose of certain lands therein mentioned.

21. An ACT for the benefit of Eleanor Shuman, widow of Peter Shuman, and her children.

22. An ACT to allow further time for collecting the balance due to Thomas O'Bryon, late sheriff and collector of Queen Anne's county, deceased.

23. An ACT for establishing a company for opening and extending the navigation of the river Pocomoke.

24. A Supplement to the act, entitled, An act to erect a town in Queen Anne's county.

25. An ACT to authorize and empower the president and directors of the Patowmack Company to contract the breadth of the locks at the great falls of Patowmack.

26. A Further supplement to the act, entitled, An act for the establishment of select vestries.

27. An ACT to prevent the exportation of flour not merchantable, and unsound salted provisions, from the port of Havre-de-Grace.

28. An ACT for the relief of the poor of Washington county.

29. An ACT to dispose of Eden School, in Somerset county, and to apply the money to the purposes therein mentioned.

30. An ACT for recording a patent therein mentioned.

31. An ACT to empower the justices of the levy court of Charles county to assess and levy annually a sum of money for the purposes therein mentioned.

32. A Supplement to the act, entitled, An act to improve and repair the streets in Frederick town, in Frederick county, and for other purposes therein mentioned.

33. An ACT to confirm the divisions made in the city of Washington of the estate of John Davidson, deceased, and for other purposes.

34. An ACT to authorize and empower the levy court of Montgomery county to assess and levy annually a sum of money for the support of Hannah Carter.

35. An ACT to authorize and empower the justices of the levy court of Kent county to assess and levy a sum of money on the inhabitants of said county for the purpose therein mentioned.

36. An ACT to increase the jurisdiction of the corporation of the city of Annapolis.

37. A Supplement to an act, entitled, An act to remove the market-house at the head of Elk and establish the same, and for the advancement and regulation of said town.

38. An ACT for the preservation of the breed of fish in Patuxent river.

39. An ACT to ascertain the allowance to jurymen and witnesses of the general court, and the several county and orphans courts in this State.

40. A Supplement to the act, entitled, An act directing the proceedings against persons guilty of a violation.

41. An ACT respecting two tracts of land lying in Allegany county, the one called Grassy Cabin, the other called the Desert.

42. An ACT to lay out a road from Deep Point, in Cornwall's Neck, in Charles county, until it shall intersect the public road at the New House on the head of Matuxoman creek, in said county.

43. An additional Supplement to the act, entitled, An act for the removal of the seat of Justice from Melville's warehouse to Pig Point, in Caroline county.

44. An ACT to incorporate the Roman Catholic congregation worshipping at the church of Saint Mary in the vicinity of Bryan town, in Charles county.

45. An ACT for the destruction of crows in the several counties therein mentioned.

46. An ACT to increase the allowance of the justices of the orphans courts, the commissioners of the tax and the clerk to the commissioners, in the several counties of this State.

47. An ACT to ascertain the allowance of members of the general assembly, electors of senators, and electors of president and vice-president of the United States.

48. An ACT to amend and explain the thirty-third section of an act, entitled, An act for the more effectual paving the streets of Baltimore town, in Baltimore county, and for other purposes.

49. An ACT for the better administration of justice in the several counties of this State.

50. A Further Supplement to an act, entitled, An act to lay out several turnpike roads in Baltimore county, and for other purposes.

51. An ACT permitting the proprietors of lots bidding on the water at the west end of the basin in Baltimore town to extend and improve the same.

52. An ACT to correct a misnomer in an act, entitled, An act concerning the bank stock.

53. An ACT to authorize and empower the vestry of William and Mary parish, in Charles county, to sell and dispose of the negroes belonging to said parish, and for other purposes.

54. An ACT to empower the levy court of Anne Arundel county to assess a sum of money for the purposes therein mentioned.

55. An ACT to prevent hogs from going at large at Georgetown cross roads, in Kent county.

56. A Further Supplement to an act, entitled, An act to establish a market at the market-house in Cheltenham, in Kent county, and for the regulation of the said market.

57. An ACT to record Peters, Deakins, Beatty and Threlkeld's addition to George town, in Montgomery county.

58. An ACT to authorize a lottery in George town, in the territory of Columbia.

59. An ACT to empower the levy court of Hartford county to assess and levy a sum of money for the purposes therein mentioned.

60. An ACT authorizing commissioners to survey, mark and bound certain streets in Beatty and Hawkins's addition to George town, in Montgomery county, and for other purposes therein mentioned.

61. An ACT for building a record office, and securing and transcribing certain records and papers, in Baltimore county, and rebuilding two bridges over Joppa's Falls, in Baltimore town, in said county.

62. An ACT to incorporate a company for building a bridge over Joppa's Falls in Baltimore town.

63. An ACT to empower John Brinkne and John Thomas, administrators of Richard Johns, to collect the balances due to Richard Johns as sheriff and collector of Talbot county.

64. An additional Supplement to an act, entitled, An act to freighten and amend the post road from Havre-de-Grace to Baltimore town.

65. An ACT respecting the roads of Somerset and Worcester counties.

66. An additional Supplement to an act, entitled, An act relating to public roads in this State, and to repeal the acts of assembly therein mentioned, as far as relates to Cecil, Talbot and Kent counties.

67. An ACT to appoint an agent for the year one thousand seven hundred and ninety seven.

68. An additional Supplement to an act, entitled, An act for the relief of the poor of Calvert county.

69. A Supplement to an act, entitled, An act to incorporate an insurance company in Baltimore town.

70. An ACT to revive and continue the acts of assembly therein mentioned.

71. A Supplement to the act, entitled, An act for erecting a public school in Frederick county.

72. An ACT, entitled, An act to revive and continue an act, entitled, An act for the punishment of horse dealers, and other offenders.

73. An ACT relating to negroes, and to repeal the acts of assembly therein mentioned.

74. An ACT to erect Baltimore town, in Baltimore county, into a city, and to incorporate the inhabitants thereof.

75. An ACT to lay out and establish a turnpike road from the city of Washington to Baltimore town.

76. An ACT for the relief of sundry insolvent debtors.

77. An ACT for the payment of the journal of accounts.

Will be landed to-morrow from on board the brig WILLIAM, from MALAGA, and to be sold cheap, wholesale, or by the box or package, at the store of

JOHN RANDALL.

Lemons in boxes.

Oranges, ditto.

Figs, ditto.

Bloom, Sun, Muscatel, and Lexis raisins in boxes and jars.

Green grapes in jars.

Soft shell'd almonds in frills and baskets.

Annapolis, 5th January, 1797.

To be SOLD on or before the 15th of April next, about two miles from the city of Annapolis, A TRACT of LAND, containing 686 acres, with a commodious brick dwelling house two stories high, four rooms on a floor, a new brick kitchen adjoining, all in good repair; also a new stable, with other convenient out houses and an excellent garden, containing a choice collection of fruit trees, &c. &c. Great part of the said land is well timbered and lies convenient to the town. There are two tenements, one of them situated on a hill about one mile from the city, commanding a beautiful prospect, and would answer to be sold, separate from the other dwelling, with any number of acres that may best suit the purchaser. Any one inclinable to treat for the said plantation may be made acquainted with the terms of sale, by applying to Mr. PHILIP ROGERS, Baltimore, or to

JOHN HESSELIUS, Primrose Hill, near Annapolis, January 3, 1797.

N. B. If desired immediate possession will be given, with an indisputable title.

FOR SALE,

A Likely MULATTO WOMAN, who is a good plain Cook, Washer and Ironer. Inquire at the Printing-Office.

THE creditors of STEPHEN STEWARD, senior, and STEPHEN STEWARD, junior, late of Anne Arundel county, deceased, are once more requested to produce their claims, properly authenticated, to PHILIP B. KEY, of Annapolis, or to the subscriber, on or before the 26th day of January next, and to appear at Mr. WHITNEY'S tavern on that day, in person, or by attorney, to receive their dividends, and enable the subscriber to close the settlement of said estates.

BENJAMIN HARRISON, Administrator. Annapolis, December 19, 1796.

MARYLAND GAZETTE.

T H U R S D A Y, J A N U A R Y 1 2, 1 7 9 7.

In COUNCIL, JANUARY 4, 1797.

ORDERED, That the act to appoint an agent for the year one thousand seven hundred and ninety-seven, be published in the Maryland Gazette at Annapolis, the Federal Gazette at Baltimore, the Herald at Edinon, and in one of the George-town and Frederick-town papers, once in each week for the term of six weeks.

By order,
NINIAN PINKNEY,
Clerk of the Council.

An ACT to appoint an agent for the year one thousand seven hundred and ninety-seven.

E it enacted by the General Assembly of Maryland, That William Mirbury be agent of this state, to execute the trust and power reposed in him by virtue of this act, from the first day of January, one thousand seven hundred and ninety-seven, until the first day of January, one thousand seven hundred and ninety-eight.

II. And be it enacted, That the said agent superintend the collection of all arrearages and balances due from the several collectors of the respective counties within this state, appointed since the first day of January, seventeen hundred and eighty-three, and the said agent is hereby authorized and required to call upon the treasurers of the respective shores for an accurate statement of all arrearages and balances due from such collectors, and such account shall be furnished by the said treasurers accordingly.

III. And be it enacted, That the said agent be authorized to superintend the collection of all balances due to the state on the auditor's books, or on open account; and the said agent shall have power to require payment of, and if necessary to sue for and recover the same; and the said agent, with the approbation of the governor and council, may make composition with any such debtors, and take bonds to the state, with sufficient security, and give time for payment, not exceeding two years from the first day of January, seventeen hundred and ninety-seven.

IV. And be it enacted, That the said agent be authorized to superintend the collection of all monies due to the state for naval duties, fines, penalties, forfeitures and amerciaments, and forfeited recognizances, and for ordinary, retailers and marriage licences, and to require payment, and if necessary sue for and recover the same; and the said agent may allow for insolvencies, and credit any money that the party is not chargeable with by law; and for his information of the law, he may take advice of the attorney-general in writing.

V. And be it enacted, That whenever there shall be occasion to expose to public sale the property of any collector, or his securities; by virtue of any execution already issued, or to be directed for this purpose, the agent shall cause public notice to be given of such sale, and shall attend the same, and, if it shall appear that there is danger of losing any part of the debt due to the state, and not otherwise, shall purchase any property so exposed to sale for the use of the state, in payment, or part payment, as the case may be, of the arrearages due by the collectors whose property may be so purchased, and that no purchase authorized by this act shall be considered as made on the part of the state, unless a public declaration to that effect be made by the said agent or his deputy immediately after such sale and purchase; and any property so purchased for the use of the state, the said agent may again expose to public auction, on the most advantageous terms, for the use of the state, and if the same be sold on credit, which shall in no case exceed the term of two years, the said agent shall take bond, with good and sufficient security, to be approved of by the treasurer of the western shore, from the purchasers of such property; and all bonds by him so taken shall be deposited, with an accurate list thereof, subscribed by him, in the treasury of the western shore, and shall be a lien upon the real property of such purchasers, and their securities, from the respective dates, or so much thereof as is mentioned in the schedule thereto annexed.

VI. And be it enacted, That the said agent is hereby directed to dispose of at public sale all confiscated British property that remains unsold, giving at least thirty days notice thereof by public advertisement, and take bonds to the state, with sufficient security, and give time for payment, not exceeding two years from the first day of January, seventeen hundred and ninety-seven.

VII. And be it enacted, That the agent shall immediately call on and request the attorney-general to commence, and prosecute to final determination as speedily as possible, the state's right to all confiscated property which hath been made known and discovered to the said agent; and the said agent shall report to the next session of assembly such suits as are or may be depending to recover the same, and also such as may then not be commenced, with the reasons assigned by the attorney-general why the same have not been com-

menced; and to cause immediate notice to be given in the public papers of this state to the discoverers of confiscated property, to produce to the agent the title papers of the lands by them respectively discovered, on or before the first day of August next, in order that the same may be laid before the attorney-general for his opinion thereon.

VIII. And be it enacted, That no payment in future by any officer or person indebted to the state shall be valid and effectual, unless made to the treasurer of the western or eastern shores, or to the agent for the time being, or unless made to the clerks and sheriffs of the several counties, in the cases where the said clerks and sheriffs are by law authorized to receive the same.

IX. And be it enacted, That the right, title and interest, of any and every informant or discoverer of property liable to confiscation, shall cease, determine and be utterly null and void, unless the title papers to authenticate the state's right be produced and lodged with the agent by the informant or discoverer on or before the first day of August next.

X. And be it enacted, That the agent shall have full power and authority, by and with the advice and approbation of the governor and council, in all cases of uninstalled debts, to take back any property heretofore purchased by any person and not yet paid for, in cases where the person so having purchased and his securities are not capable of paying for the same, and to compromise the same upon terms and principles of equity and justice, by and with the advice and consent aforesaid, and the agent is hereby required to lay a particular statement of his proceedings under this section before the next session of assembly.

XI. And be it enacted, That the agent, with the approbation and consent of the governor and council, he and he is hereby authorized and empowered to compromise any suit depending in chancery with any state debtor, upon any terms in their judgment calculated to promote the interest of the state, and obtain the speedy receipt of the sums due.

XII. And be it enacted, That if, under the terms of any compromise made as aforesaid, the property heretofore purchased should be taken back and revealed in the state, the same may be sold by the agent, and he is hereby authorized and empowered to sell the same at public sale, on a credit of three years, giving the notice herein before mentioned, payable one third of the principal, and the whole interest annually, on the first day of December in each year; and the bonds, when taken, shall be returned to the treasurer of the western shore, and reported to the general assembly at their session next ensuing the taking of such bonds.

XIII. And be it enacted, That all cases in chancery where no compromise under this act is effected, shall be placed under the direction of the agent, who is hereby authorized and required to call on the attorney-general to prosecute or defend the same to immediate final decision; and the governor and council are hereby authorized and empowered, at the request of the agent, in cases of difficulty, to aid the attorney-general, by employing any person to attend to surveys where necessary, or otherwise to assist in the prosecution or defence of said suits, which person or persons are to be paid out of the contingent fund of five hundred pounds; and the names of the persons so employed, together with the sum allowed for their services, to be laid before the general assembly at their next session.

XIV. And be it enacted, That if any bond debtor to the state for confiscated property purchased, or otherwise, shall neglect to make payment agreeably to the condition of his bond and sundry resolves of the general assembly, the said agent shall cause process to issue for the whole principal and interest then due, or shall proceed on any execution already issued and served and suspended, as occasion may require, or, under the direction and with the approbation of the governor and council, he is hereby authorized to delay any execution as long as they may think expedient and necessary.

XV. And be it enacted, That the said agent be authorized to superintend the collection on all balances due on bond, taken for taxes due before the first day of January, seventeen hundred and eighty-three; and the said agent shall also superintend the collection of all balances due on bonds installed, or otherwise, for the emission of paper money of seventeen hundred and sixty-nine, and seventeen hundred and seventy-three.

XVI. And be it enacted, That no process shall issue against any of the public debtors, unless by the direction of the said agent.

XVII. And be it enacted, That the said agent shall have power to fix such days for the sale of property, taken by *heri facias*, at the suit of the state, as he may think proper, always taking care to give at least twenty days public notice thereof; and the said agent shall also have power to suspend the sales, from time to time, as he may think most to the advantage of the state.

XVIII. And be it enacted, That the said agent shall pay into the treasury, in specie, the amount of all specie

by him received in the discharge of the duties of this act.

XIX. And be it enacted, That in all cases where bonds shall be taken in virtue of this act, the bonds shall be a lien on all the real property of the obligors from the date thereof, or on so much of the said real property as the governor and council shall think sufficient, to be particularly mentioned in a schedule to be annexed to the said bond, in which case it shall be a lien on the property contained in such schedule, and no more, such bond and schedule to be lodged with the treasurer of the western shore.

XX. And be it enacted, That all bonds taken in virtue of this act shall express the county in which the obligors respectively reside; and the treasurer of the western shore shall, within one month after he receives them respectively, cause them, with the schedule annexed to them, to be recorded in the office of the clerk of the general court of the western shore, at the expence of the obligors; and a copy of the said record, certified under the hand and official seal of the said clerk, shall be as good evidence in any court of law or equity in this state as the original bond would be if it was produced; and if any of the obligors in any such bonds reside on the eastern shore, the said treasurer shall, within six months from the time he receives the same respectively, transmit to the clerk of the general court of the eastern shore, in the same manner as papers on public service are transmitted, a copy of such bonds and schedules, certified as aforesaid by the clerk of the general court of the western shore, to be recorded in the office of the clerk of the general court of the eastern shore, at the expence of the obligors, and in such case a copy of the said record, certified as aforesaid by the said clerk of the general court of the eastern shore, shall be good evidence as aforesaid.

XXI. And be it enacted, That the said agent shall render to the treasurer of the western shore distinct quarterly accounts of his receipts of all money, certificates and bonds, in virtue of this act, and shall immediately thereupon pay and deliver the same to the said treasurer, who shall, in his annual report to the general assembly, state fully and particularly the money, certificates and bonds, by him received from the said agent, and the times when the same were received and accounted for.

XXII. And be it enacted, That the said agent shall render a fair and full account of his several proceedings under the authority of this act to the general assembly at their next session; and within the first ten days after its commencement, in which account shall be specified, under distinct heads, his own receipts, and those of the treasurer, and of all transfers of stock upon which he may be entitled to commissions, and in which shall also be contained a particular estimate of his commissions, shewing how and upon what the same arose due.

XXIII. And be it enacted, That the said agent shall be allowed for his services the following commissions, to wit: For all payments made to either of the treasurers, on bonds for confiscated property, one per cent. for all bonds with security, taken by the said agent on sales of confiscated property in virtue of this act, two and a half per cent. for all monies collected on open accounts, not including monies arising from fines, forfeitures and amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, which have become due since the first day of January, seventeen hundred and ninety-one, six per cent. and for all other monies by him actually received and paid into the treasury, three per cent. and for all other bonds taken in virtue of this act, one per cent. provided, that the said agent shall not be entitled to any commission upon the monies arising from fines, forfeitures, amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, unless in cases where the same shall not be paid by the sheriffs and clerks respectively to the treasurer within one month after the time prescribed by law, and unless the said agent shall thereafter receive the same from the said officers respectively, and the same pay to the said treasurer.

XXIV. And be it enacted, That hereafter it shall be the duty of the agent, and the treasurers of the eastern and western shores respectively, to receive as well the fifteen per cent. interest, if any shall have accrued, as all other the arrearages that are now or may hereafter become due from fines, forfeitures and amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, and the fifteen per cent. so collected shall be the only fund from which the agent shall draw his three per cent. on the same.

XXV. And be it enacted, That the said agent, before he enters upon the execution of the duties of this act, shall give bond to the state, before the governor and council, in the penalty of sixty thousand dollars, with such security as the governor and council shall approve for the faithful performance of the said duties, which bond shall be lodged with the treasurer of the western shore; and shall also take an oath before the chancellor, that he will well and faithfully discharge the duties of agent under the act, entitled, An act to

appoint an agent for the year one thousand seven hundred and ninety-seven, to the best of his skill and judgment, the certificate of which oath shall be annexed to, or endorsed on, the said bond.

XXVI. *And be it enacted*, That if the said agent shall not accept his appointment, or if after acceptance he shall not give bond and take the oath aforesaid before the first day of February next, or shall die, the governor and council are hereby authorized and requested to appoint a fit and proper person in his place, who shall have and execute all the authorities and powers vested in the said William Marbury by this act, such person first giving security and taking the oath aforesaid.

Notice to State Debtors.

NO process hath issued against the delinquent state debtors for their instalments due on the first of December last, nor will any be directed till after the 15th of February next. The agent therefore expects (to prevent trouble and expence) they will come forward and discharge their debts by that time.

WILLIAM MARBURY, Agent.

STUTTGARD, October 5.

ON the 15th of September, general Frohlich compelled the French to abandon their position near Zeil, and retreat to Wurtzach. The Austrians, on this occasion, made a very considerable booty. The loss of every kind which the French have suffered along the Lake of Constance from the Austrians and the armed peasants, especially in carriages and baggage, is extremely great.

BREMEN, October 7.

The archduke was at Mannheim on the 28th, and proposed to quit that fortress the following day. His royal highness has two Irish gentlemen among his aides-camps, colonel O'Brady, and lieutenant-colonel count Phinkett, son of the late general and governor of Antwerp.

It is said that Buonaparte has experienced a total defeat in Italy—but it is very much to be questioned, whether general Wurmler has as yet ventured to march out of Mantua. A letter, however, from Augsburg, now on my table, states unequivocally, that on the 12th ult. before Mantua, the French were beaten with considerable loss, had two generals killed, and that general Massena, though dangerously wounded, fell back towards Verona and Bassano. Buonaparte, it is further stated, threw himself into the small fortress of Sanquinetto; where he was soon after surrounded, and finally taken prisoner by the Austrians, who escorted him to Mantua. This letter bears the date of 20th September.

OS. 11. Letters from Brixen of the 25th ult. and from Inspruck; of the 26th, speak, but not explicitly, of some recent advantages, obtained by general Wurmler's army, in Italy.—The Dutch post, just arrived here, is totally silent as to Buonaparte, which renders it extremely probable that what I sent you in my last, as merely a report, is now founded upon facts; it is pretty well known, that those who in Holland drag the reins of the state in the mire, are not very expeditious when there is question of announcing the non-success of the French troops.

General Hotze has certainly passed the Rhine, near Mannheim, with an army of from ten to twelve thousand men; the object of his march is not even guessed at; it may be to form a diversion, or it may prove to have been undertaken through views more serious.

The Tete de Pont, of Neuwied, was stormed and carried the 1st instant, at three o'clock in the morning, and the whole of the enemy who defended it were made prisoners of war. I cannot enter into a circumstantial detail of that brilliant affair, in which the Austrian heroes, as usual, performed miracles of bravery.

On the Upper Rhine every thing goes on to admiration. After the action at Neulstadt and Ingoldstadt, Moreau fell back, by way of Berghausen and Brebach, towards Marienzelle, where the Imperial cavalry surprised and drove him towards the Lech, after having taken from him 18 pieces of cannon, 15 ammunition waggons, and 46 baggage waggons. Moreau halted at Erstling and Oberdorf, to make head against the Austrians; but the Imperial generals Frohlich, Wolff, and Lobkowitz, fell upon him with such impetuosity, that after an action which lasted two and twenty hours, the French army was completely routed; 25,000 lay dead on the field of battle. It is in consequence of that battle, so disastrous to the enemy, Moreau attempted to make his appearance in Franconia. So that you see, what I usually transmit to you as a report, I have soon after the satisfaction of assuring you of beyond a doubt. I hope I shall soon inform you that the French have thought proper to evacuate Duffeldorf!

STRASBOURG, 17 Vendemiaire.

The Austrians still continue their incursions on the left bank of the Rhine. The large body of the enemy who have marched towards Germesheim, have forced the country people in the environs of Herthiem and of all the neighbouring townships to destroy the intrenchments which the French had established there before. A detachment of 130 horse went afterwards to Lauterbourg with a design to take possession of two considerable magazines of grain and hay. They had already begun to force the inhabitants to supply them with horses and waggons to carry off their booty, when the troops who had marched from here to meet them, arrived at Lauterbourg, and drove them from thence. The hay remained whole, but the enemy carried off three hundred quintals of corn. They did

not lay the town under contribution, but contented themselves with exacting a certain quantity of brandy for each of them. This party was commanded by a man who spoke the French language very well, and who is said to be an emigrant from Mentz. Last night, another strong detachment from the enemy appeared in the neighbourhood of Wanzleben; but they took to flight the moment they discovered the republicans marching towards them.

The municipal administrators of Lauterbourg and Wissemburg, took to flight at the approach of the enemy, and are safely arrived in this town; but the carriage which was transporting the papers of the justice of the peace of Wissemburg, though escorted by the gendarmes, was plundered of assignats and mandats by the peasants, between Wissemburg and Sultz.

P. S. We at this moment have received the most pleasing intelligence from the army of Moreau. On the 10th and 11th, the enemy have been most completely beaten. It was on general Latour the principal advantage was obtained. The first messenger who was dispatched with that important news, was assassinated on his way which is the cause that it did not reach us sooner.

HAYRE-DE-GRAVE, Vendemiaire 16.

By a letter from the commissary of the French government, in England, we learn, that both governments have at last agreed to the articles relating to a general exchange of prisoners on both sides, which is to take place very shortly.

SALEM, December 28.

A few days since, Mr. James Burnes, a native and inhabitant of this town, returned home from the West-Indies; having fortunately escaped from the English. He was seized by the Majestic English man of war, from on board the Africa of New-York, of which he was second mate; and was dragged about from island to island in the English service for more than seven months.—He was forced at the point of the sword into several bloody battles, and made to fight against the French; and because of his unwillingness to act in the English service, he suffered from them the most shocking cruelties; at one time he lay 10 days in irons, and would have been starved to death, had it not been for the assistance of a woman that was on board the ship. Once before he attempted to escape, in company with another American; and swam to a vessel belonging to the United States; but the master would not let them come on board, and, returning, his companion was lost, he supposed by a shark.

He brings melancholy and most painful accounts of the sufferings of the Americans pressed into the English service; and of their suffering by the cruelties exercised upon them, by the sickles, and in battles, and for attempting to escape from a bondage and slavery more dreadful than the iron furnace of Egypt. Mr. Burnes has a family in this town, and has returned with the loss of all his little property, and from his appearance, with the loss of a good constitution, and of good health for ever.

BOSTON, December 24.

NEWS FROM EUROPE.

Yesterday arrived the Snow Pacific Trader, captain Barnes, from Liverpool, via Vineyard, 51 days. By this arrival we have received London papers to October 26; but they contain no intelligence of moment. The accounts of military operations are no later than those some time since received from Paris. They are, however, of a very different cast—so different, that it is impossible to reconcile them. The French army of the Lower Rhine, under general Bournonville, remained between the Sieg and Lahn; while that under general Moreau continued in the vicinity of Buchau, in Suabia, though some accounts state, that his van-guard had arrived at Strasburg.—The archduke Charles was advancing by the Rhine towards Suabia, and the Austrian divisions in that circle formed a line of posts from the Lake of Constance, to the vicinity of Fort du Kehl. The capture of general Buonaparte is frequently mentioned in these papers; but without the least authority. The prospect of peace does not appear to brighten. Lord Malmesbury had arrived at Paris, but there were no accounts of his reception. The British parliament appear to contemplate another campaign, by the votes of credit they pass, the provisions they have made for the support of 295,177 men, and the grant of 360,000. for the recruiting service of 1797. The number of Austrians in Mantua, is said to be 30,000, but many of them sick; and general Buonaparte was drawing thither all the reinforcements he could muster in Piedmont. The naval equipments in England were not in the least relaxed. The fleet chased by the Spaniards into Gibraltar; it appears was admiral Mahon's, who lost some transports.

Dec. 29. Tuesday evening arrived here, captain Crowell, in a ship from Amsterdam, in 60 days passage. Captain Crowell informs, that in coming out of the Texel he met a large English fleet, with troops on board, and was informed they were destined for the Texel, to take a Dutch fleet lying there; he likewise informs, that previous to his sailing, a report was prevalent, that the French had gained a signal victory over the Austrians. Captain Crowell brought no papers—the above is verbally reported by him.

NEW-YORK, December 30.

We learn, that the vessels which have arrived these few days past, give accounts that many vessels are on the coast, endeavouring to make ports, but driven off by contrary winds, some of them in real distress for want of provisions or water, and the people's limbs

frozen. It not possible for the citizens to send out vessels for the relief of such as are near this port?— [Miserable]

December 31.

To misse of vessels, mates, and seamen—general; The inventors of the city of New-York, having received credible information, that a great number of vessels are in great distress on the coast, have provided the brig *Dean*, Joshua Sanford, master, to give immediate assistance to the sufferers, and do hereby invite the mates and seamen, to embark in so laudable an enterprise.—Those who are disposed to undertake the cause of humanity, will please to give in their names at the counting room of Ebenzer Stevens, who is authorized to make arrangements for their compensation.

Extract of a letter from Boston, dated December 21, 1796.

“Within day or two past, it has been discovered, that there are a great many forged 50 and 5 dollar bills of the United States bank, in circulation. They are exceedingly well executed. This is written to caution you against remitting me any of either of those denominations, as you cannot pass them here at any rate.”

January 5.

We have been favoured with Hamburg papers, received yesterday, by the ship *Minerva*, to the 7th Nov. The difficulty of obtaining immediate translations, and the lateness of the hour at which the papers were received, prevent our detailing the articles they contain for this day's Advertiser. They will be published to-morrow.

On a cursory view, however, we have noted the following:

A letter of general Moreau, dated October 5.

After describing long marches, says: “That an army, of which the enemy boasted he would certainly make prisoners; now threatens him with an attack, and returns to cover the frontiers, after a march of 100 leagues, without the least loss, during which they took from the enemy 18 pieces of cannon, 2 pair of colours, and nearly 7000 prisoners, amongst which there are 80 officers.”

Frankfurt, October 22.

Under this date, a confirmation is given, that general Moreau on his retreat, attacked the Imperial general Persich, and repulsed him with the loss of from 1500 to 2000 men, and that he had been confidently reinforced.

Vienna, October 19.

Under this date, mention is made of the arrival of a messenger from the French directory, with dispatches to that court.—The contents are not stated—but they are particular in describing the diet, &c. of the messenger—that he had been taken ill after his arrival—and that in consequence of which, considerable attention was paid to him.—(This looks pacific.)

An article, dated Leipzig, October 22, says:—“Rumours of a peace between the emperor and the French republic, grow daily stronger—and upon good grounds it is supposed that the cabinet of Berlin is very instrumental in the business.”

The armistice between the Pope and the French republic was about being broken by the former. He had addressed letters to the different powers of Europe on the subject.—The cause is not stated, but several articles from different parts of Italy confirm the expectation of an immediate commencement of hostilities between the Papal troops and those of the republic.

ALBANY, December 19.

PHENOMENON.

Extract of a letter received by a gentleman of this city, from his friend in Bath, in the county of Steubens, dated November 25, 1796.

“This day fortnight it was so very dark that they were obliged to light a candle to dine by at about half past one P. M.—During the afternoon the darkness continued, and having occasion to write, I found the aid of a candle indispensably necessary.”

Many of our readers will recollect, that a phenomenon similar to the above, occurred in this country, in May, of the year 1730, when in different parts of the continent, dinner could not be served at the usual hour without candle light, and the darkness of the succeeding night was beyond all description.—The extent of this darkness was extraordinary. It was observed as far east as Falmouth. To the eastward it reached to the farther part of Connecticut, and to Albany. To the southward it was observed along the sea coast; and to the north as far as the American settlements extend. A vessel at sea found herself enclosed for a while in a cloud of this darkness, and at she sailed, passed instantly from the verge of it into a clear light.

This phenomenon is thus accounted for:—In the back countries, particularly in the western parts of New-Hampshire and Massachusetts, and in Vermont, in clearing the new lands, uncommonly large fires had been kept up to the extent of many score miles from the frontiers. The weather being clear, the fire weighty, and wind small and variable for several days, the smoke, instead of dispersing, rose and constantly collected in the air, till the atmosphere was loaded with such an uncommon quantity of it, as proved, in combination with other vapours, the parent of the preceding darkness.

The snow here is about 6 inches on a level, and yet falling; the weather fine for the season—but our rivers, springs, and ponds, are uncommonly low considering the winter is commencing in this serious manner.

* See *Memoirs of the American Academy of Arts and Sciences*, vol. 1. p. 254.—Boston, printed 1795.

On Saturday last, the Schooner *Minerva*, which was on her way to the coast, was driven off by contrary winds, and was in great distress for want of provisions or water, and the people's limbs frozen. It not possible for the citizens to send out vessels for the relief of such as are near this port?— [Miserable]

The following intelligence received by the ship *Minerva*, to the 7th Nov. The difficulty of obtaining immediate translations, and the lateness of the hour at which the papers were received, prevent our detailing the articles they contain for this day's Advertiser. They will be published to-morrow.

NORFOLK

The following intelligence received by the ship *Minerva*, to the 7th Nov. The difficulty of obtaining immediate translations, and the lateness of the hour at which the papers were received, prevent our detailing the articles they contain for this day's Advertiser. They will be published to-morrow.

The second October, the 28th October, days—previous to being received from France whose reception was escorted had been sent that capital, and it is supposed would have been the same.

Dec. 2. By a letter his majesty's ship *Barbadoes*, the commander in chief, on her night time, by a St. transport, the *Regulus*, by which 14 then struck his colours, been declared at the *Regulus* has depended on.

Dec. 6. On the 5th from Anguilla having been made and a brig, on board of which were several ships were a ship's frigate *Lapwidge* the same evening the master of the frigate to the northward at night on the St. Martin's of were all embarked, several numbers of vessels with the plan 27th, the *Lapwidge* and brig, who escape at the moment commenced which favoured by the frigate made her between a small island having had her pilot not venture through at anchor near approach, the brig which had been heavily by the *Lapwidge* most of the sails were, after one of her colours, and the brig mounted 12 soldiers and the *Decious*, and much damaged through the bottom for two days to get her into two French frigates of him about 100 all the prisoners the plunder consisted in this respect in the ship.

It is to be expected that the French, and probably we believe there is no room for doubt, that the British are to be victorious in the present war.

On the 22d 72, 30, W. H. Burg, Henry

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On Saturday last night the new bridge erected over Hoopack river, Schaghticoke point where Chace's bridge formerly stood, was completed; on which occasion, there was an elegant entertainment given, to a large number of the citizens of that place, and the adjacent country: the day was spent with great decorum and cordiality. The bridge received the name of the Union bridge, and the point the name of Frankfort.

NORFOLK, December 31.

The following intelligence is extracted from papers received by the schooner Fame, captain Webb, arrived here yesterday, in eighteen days from St. Kitt's.

BARBADOES, November 29.

A small schooner from Anguilla arrived here on Wednesday last, with intelligence that a French frigate, a brig, and two other vessels, had arrived there early on that morning from St. Martin's, with troops for the purpose of invading this island. We have since had no vessel from Anguilla; but by one which arrived this morning from St. Bartholomew's, we learn, that the French had effected a landing and committed many acts of barbarity. A fire was seen there on Saturday night, supposed to be of the house which the French had committed to the flames. His majesty's frigate Lapwing arrived here on Friday last, being appointed to this station; she sailed again the same evening, it is supposed to Anguilla.

The second October packet sailed from Falmouth the 28th October, and arrived at Barbadoes in 22 days—previous to her sailing, accounts had been received from France of the arrival of Lord Malmesbury, whose reception was with demonstrations of joy. An escort had been sent from Paris, to conduct him to that capital, and it was the expectation of all that his mission would have the desired effect.

Dec. 2. By a letter from Martinique we learn, that his majesty's ship Regulus, of 44 guns, has arrived at Barbadoes; she was sent out with dispatches for the commander in chief on this and the St. Domingo stations; on her passage she was fired into, in the night time, by a Spanish frigate, who took her to be a transport; the Regulus answered with two broadsides, by which 14 Spaniards were killed. The Don then struck his colours, and confessed that war had been declared at Cadiz two days before he sailed. The Regulus has conducted her prize safe into Barbadoes. The truth of the above intelligence may be depended on.

Dec. 5. On the 23d ult. a dispatch boat arrived here from Anguilla, giving an account of an attack having been made on that island by a French frigate and a brig, on board which were a number of troops. At the time of the arrival of the boat, none of his majesty's ships were at this island; on the 25th his majesty's frigate Lapwing, captain Barton, arrived and sailed the same evening for Anguilla, taking on board the master of the boat as a pilot. The winds being far to the northward she did not reach Anguilla till late at night on the 26th—Signals having been made at St. Martin's of the Lapwing's approach, the troops were all embarked, after having burnt the town, murdered numbers of the inhabitants and loaded their vessels with the plunder. At 1 in the morning of the 27th, the Lapwing ran within pistol shot of the frigate and brig, which were endeavouring to make their escape at the mouth of the harbour, when an action commenced which continued 1 hour and 52 minutes. Favouring by the darkness of the night, the French frigate made her escape through a narrow channel between a small island and Anguilla;—the Lapwing having had her pilot killed on the first broadside would not venture through. At day break both vessels were seen at anchor near St. Martin's; on the Lapwing's approach, the brig in attempting to warp to the frigate which had her rigging much cut, was fired on so heavily by the Lapwing that she was destroyed and most of the sailors and soldiers drowned: the frigate, after one broadside from the Lapwing, struck her colours, and proved to be the Decious of 26 guns. The brig mounted three 24 pounders. There were 128 soldiers and sailors killed and wounded on board the Decious, and 129 made prisoners. She was so much damaged in the action, having nine shot holes through the bottom, that after keeping possession of her for two days, captain Barton finding it impossible to get her into port from her leaky condition; and two French frigates of 44 guns each, being in chase of him about eight miles to leeward, after taking out all the prisoners, the Decious was blown up, and all the plunder consigned to the deep. The Lapwing arrived in this road the night after, having no other man killed in the action but the pilot.

It is to be regretted that the Lapwing did not arrive at Anguilla in time to frustrate the designs of the French, and prevent the depredations committed; but we believe there never was a case where an expedition was so completely destroyed and the hopes of an hostile plunger so entirely blasted, as in this. The gallantry and good conduct of captain Barton and his brave crew are so manifest, that the bare narrative of facts do them so much honour, as to render unnecessary any encomiums.

Annapolis, January 12.

Captain Ezra Towns, of the ship Columbia, arrived here from Liverpool, on the 12th of December; in lat. 36, 49, and long. 67. We spoke the schooner William, of Marblehead, William Boswill, master, bound to Baltimore. And

On the 22d of December, in lat. 37, 20, and long. 72, 30, we spoke the ship Martin, of Frederickburg, Henry Towle, master, from Martinico.

BY THE HOUSE OF DELEGATES, DECEMBER 27, 1796.

1st. RESOLVED, That the treasurer of the western shore be and he is hereby authorized to pay off and discharge the principal and interest due on all certificates heretofore issued by the State of Maryland, other than those distinguished as fraudulent ones, provided the same are brought into the treasury for payment on or before the first day of July, one thousand seven hundred and ninety-seven.

2d. RESOLVED, That all holders of certificates heretofore issued and funded by the State of Maryland, bring the same to the treasury of the western shore for payment of principal and interest, on or before the first day of July next, and that no interest on any certificates heretofore issued, which shall accrue after the said first day of July, one thousand seven hundred and ninety-seven, shall be paid thereafter; nor the principal sum until after the end of the next session of assembly.

3d. RESOLVED, That such part of the five months pay, due to the officers and soldiers of the Maryland line, and due for services on board the barges, as shall not be demanded of the treasurer of the western shore on or before the first day of July, one thousand seven hundred and ninety-seven, be not paid to any person or persons demanding any part of the same until after the end of the next session of assembly.

4th. RESOLVED, That the treasurer of the western shore be and he is hereby authorized to pay off and discharge the amount of principal and interest of such bills of credit of the emission under the act of June session, one thousand seven hundred and eighty, as may be produced and brought into the treasury on or before the first day of July next.

5th. RESOLVED, That if any of the holders of bills of credit emitted in virtue of the act of June session, one thousand seven hundred and eighty, do not bring the same into the treasury of the western shore for payment, on or before the first day of July, one thousand seven hundred and ninety-seven, that all interest from that time cease thereon, and the principal not be paid until after the end of the next session of assembly.

6th. RESOLVED, That the above resolutions be published for eight weeks successively in one of the Philadelphia and Alexandria newspapers, and in one of the Baltimore, Fredericktown and Eastern papers, and the Maryland Gazette, that the creditors of the state may be notified that funds are prepared for the discharge of their claims.

By order,

W. HARWOOD, CLK.

The VESTRY of WILLIAM and MARY PARISH, in Charles county, will EXPOSE to PUBLIC SALE, on Wednesday the 8th of February next, at the house of Mr. ELISHA EVANS, at Allen's Fresh,

UPWARDS of fifty likely and valuable NEGROES, who will be sold on a credit of five years; the purchasers must give their bonds, bearing interest from the date, with such security as the vestry shall approve of.

Charles county, January 10, 1797.

A LIST of LETTERS remaining in the Post-Office, Port-Tobacco, which will be sent to the General Post-Office as dead letters, if not taken up before the first day of April next.

GEORGE LEE, Esq; Poplar Hill, near Port-Tobacco, (2).

John Booth, Nanjemoy.

Thomas Gillome, jun. Poplar Hill, Charles county.

Anna Harlan, Port-Tobacco, care of W. B. Magruder.

William Leigh, near Port-Tobacco.

Charles Sewall, near Port-Tobacco.

James Brown, merch. Allen's Fresh.

Hugh Cox, Port-Tobacco.

Henry Manderson, care of Mrs. Dodson, Port-Tobacco.

Charles Robey, Port-Tobacco, Charles county.

William Swan, Allen's Fresh.

Thomas Marshall, Port-Tobacco.

William Brawner, Chickamaxon.

Ignatius Matthews, near Port-Tobacco.

Mary Reeder, Port-Tobacco.

John Bruce, near Allen's Fresh.

C. C. McGrath, comedian, Port-Tobacco; (2).

John Ward, of Augusta, Port-Tobacco.

Theophilus Garner, Charles county.

Henry Barnes, Port-Tobacco.

Richard Mason, Newport.

Miss E. Lee, Blenheim, near Port-Tobacco.

Amelia Smoot, near Port-Tobacco.

Alexander Scott, Port-Tobacco.

Samuel Middleton, Nanjemoy.

John Barnes, clerk Charles county.

William B. Smoot, of Wm. Barton, near Port-Tobacco.

Benjamin Marshall, jun. Port-Tobacco.

Elizabeth Scroggins, Charles county.

Thomas W. Coomes, near Port-Tobacco.

Capt. William Wilkinson, Charles county.

Mr. Francis Digges, attorney at law, Allen's Fresh.

Henry M. Dodson, Port-Tobacco.

Port-Tobacco; January 1, 1797.

THIS is to give notice to all whom it may concern, that I intend to apply to the next county court of Calvert county; for a commission to mark and bound the lines of a tract of land called BACHELOR'S QUARTER, lying in the county aforesaid.

JOSEPH SPRIGG.

December 20, 1796.

NOTICE.

THE partnership of HENRY & THOMAS DORSEY being dissolved by mutual consent, it is therefore necessary that those concerned should be informed that the books and papers remain in the hands of THOMAS H. DORSEY at this place, where they will remain until he is furnished with accounts from those to whom the partnership is indebted; we earnestly solicit those that are owing us money to call as above and close their accounts, either by making payment or giving their obligations; in case of non-compliance with this reasonable request, no one concerned can expect further indulgence.

HENRY H. DORSEY.

Indian Landing, November 1, 1796.

NOTICE is hereby given, that we shall make application to the next Charles county court, for a commission to mark and bound the three following tracts of land, situated in the said county, viz. FARMERSHIP, RUN AT A VENTURE, and LAUREL BRANCH, as also our particular parts of the said lands, pursuant to an act of assembly, entitled, An act for marking and bounding lands.

THOMAS H. MARSHALL,

THOMAS MARSHALL,

PHILIP I. FORD,

JOSIAS B. FORD,

PHILIP STEWART,

ANNE TARBVIN,

MARY LANCASTER,

JOSEPH HERD.

Charles county, January 10, 1797.

COMMITTED to my custody, on the 3d inst. as a runaway, a negro woman by the name of NAN, her clothing is a stamped cotton jacket and petticoat, of Joan's spinning, and says she belongs to HUGH DRUMMOND. Also on Monday the 5th inst. was committed a negro man by the name of MOSES, his clothing is an old blue coat, plush breeches, and yarn stockings, and says he belongs to HARRY WINN MILLER. Their masters are hereby requested to take them away in two months from the day of their commitment, or they will be sold for their prison fees, and other expences.

RICHARD HARWOOD, Sheriff of Anne-Arundel county.

January 9, 1797.

Will be landed to-morrow from on board the brig WILLIAM, from MALAGA; and to be sold cheap, wholesale, or by the box or package, at the store of

JOHN RANDALL.

Lemons in boxes.

Oranges, ditto.

Figs, ditto.

Bloom, Sun, Muscatel, and Lexia raisins in boxes and jars.

Green grapes in jars.

Soft shell'd almonds in frails and baskets.

Annapolis, 5th January, 1797.

To be SOLD, on or before the 10th of April next, about two miles from the city of Annapolis,

A TRACT of LAND, containing 686 acres, with a commodious brick dwelling-house two stories high, four rooms on a floor, a new brick kitchen adjoining, all in good repair; also a new stable, with other convenient out houses and an excellent garden, containing a choice collection of fruit trees, &c. &c. Great part of the said land is well timbered and lies convenient to the town. There are two tenements, one of them situated on a hill about one mile from the city, commanding a beautiful prospect, and would answer to be sold separate from the other dwelling, with any number of acres that may best suit the purchaser. Any one inclinable to treat for the said plantation may be made acquainted with the terms of sale, by applying to Mr. PHILIP ROGERS, Baltimore, or to

JOHN HESSELIUS.

Primrose Hill, near Annapolis, January 3, 1797.

N. B. If desired immediate possession will be given, with an indisputable title.

In CHANCERY, December term, 1796.

John Hamm

against

John German Thomas.

deed, executed on the 8th day of March, 1796, by John German Thomas, for conveying to him, the said John Hamm, and his heirs or assigns, all his title, &c. of, in, and unto 50 acres of land due to him the said Thomas, for services as a soldier; the bill states, that the said Thomas hath, since the execution of the said deed, removed from the state; it is thereupon adjudged and ordered, that the complainant cause a copy of this order to be inserted in the Maryland Gazette, at least three weeks before the first day of February next, to the intent that the said John German Thomas, or his heirs, devisees, or representatives, or any other person that may conceive himself interested, may have notice of the complainant's application, and may be warned to appear here on the first Tuesday of June next, to shew cause, if any there be, wherefore a decree should not pass agreeably to the prayer of the complainant.

Test. SAMUEL HARVEY HOWARD,

Reg. Cur. Caa.

FOR SALE,

A Likely MULATTO WOMAN, who is a good plain Cook, Washer and Ironer. Inquire at the Printing-Office.

Lands for Sale.

The subscriber having a number of small tracts, lying in different counties in this state, will sell the following: the following description and notice is given, in order that the persons to whom they adjoin may be accommodated with the preference, viz.

A TRACT called Five-pond Ridge, containing 572 acres, lying on a branch which empties into Wicomico river.—A tract called Macom's Ridge, containing 774 acres, lying on Dividing Creek.—A tract called Retirement, containing 167 acres, lying on Jumping Branch, and on the road leading from Snow Hill to Salisbury.—A tract called Hardship, containing 78 acres, lying and adjoining the Delaware State line, at the five mile stone, and near the meeting-house. The above all lay in Worcester county.

The following tracts in Caroline county, viz. A tract called Fowler's Plain Secured, containing 584 acres, lying on the east side of Great Choptank river.—A tract called Barren Hill Secured, containing 364 acres, lying on the east side of Great Choptank river, and contiguous to the last mentioned.—A tract called Recovery Secured, containing 1134 acres, adjoining a tract called Boon's Park.

In Dorchester county, viz. A tract called Godman's Advantage, containing 412 acres, adjoining a tract called the Savanna.—A tract called Beard's Addition, containing 24 acres, adjoining and binding on Jack's Creek.

In Talbot county, viz. A tract called the Neglect, containing 174 acres, lying on the road from Easton to Centreville and on Noble's Northern Branch.

In Harford county, viz. A tract called Bond's Neglect, containing 19 acres, adjoining Gibbon's Ridge and Gillingham.—A tract called Taylor's Mistake, containing 17 acres, adjoining Fool's Refuge and Norris's Venture.—A tract called Silver Hills Secured, containing 56 acres, adjoining a tract called Profit.—A tract called Oblong, containing 12 acres, adjoining a tract called Frenchman's Repose.—A tract called Leonard's Disappointment, containing 10 acres, lying and bounding on Bow Creek.—A tract called St. George's Neighbour, containing 38 acres, adjoining Farmer's Delight and Howard's Forest.—A tract called Timber Grove, containing 42 acres, lying on a branch of Lodwick's Creek.—A tract called Orchard and Spring Revisited, containing 154 acres, near Belle-Air, and adjoining a tract called Gravelly Bottom.—A tract called Webster's Neglect, containing 47 acres, adjoining Matthew's Neighbour Resurveyed and Howard's Forest.

In Washington county, viz. Several small tracts in the neighbourhood of Hagerstown, containing 1364 acres.

In Allegany county, viz. Sandy tracts containing in the whole 51,695 acres.

In Anne-Arundel county, viz. A tract called the Patowmack Mill Seat, containing 116 acres, adjoining general Ridgely's mill, on Patowmack. Should the last mentioned tract not be sold at private sale, on or before the 10th day of January next, it will then be offered at public sale, at Messrs. Yates and Campbell's vendue store.

Also—Sundry tracts of land, lying in Baltimore county, which will be more particularly described before that day. For any part, or the whole of the above-mentioned property, 6 per cent. 3 per cent. or deferred stock of the United States, stock in either of the banks in Maryland, Morris and Nicholson's paper, or bonds with approved security, with interest at one, two, and three years, will be received. Any person desirous of treating for those lands, will make application to the subscriber, living at Annapolis, where a more full description can be given, and good titles made, on payment being made, or satisfactorily secured to be paid. **SAMUEL GODMAN.** Annapolis, November 22, 1796.

Twenty Dollars Reward.

RANAWAY, on Sunday the 20th November, a negro woman named NAN, about five feet two or three inches high, about thirty years of age, her wool very long before, round faced, large full eyes, very black; she carried with her a stamp'd cotton gown, a brown petticoat of Joan's spinning, a pair of high-heeled shoes, and an old wool hat; she had with her also another suit which I do not recollect; she was purchased from the Ballers Shore, and probably may make that way. The above reward will be paid, if she is lodged in any goal in this state, so that the owner may get her again, and reasonable charges if brought home. **HUGH DRUMMOND.**

All persons are hereby forewarned from taking off said negro woman at their peril.

CHARLES FARIS, Clock and Watch-Maker,

HAS received an assortment of gold and silver warranted Watches, gold, gilt, and Steel Watch Chains and Seals, plated Cutlers, Candlesticks and Saws, with many other articles in his line, which he will sell low for cash.

The highest price given for old silver. Annapolis, October 12, 1796.

WHEN **E. K. HEATH** lived in Annapolis (as Mr. SYRANS) he had a brass Gunter's SCALE, with **JACOBUS HEATH** cut on the edge thereof. Whoever will deliver it to Mr. Green, shall have **TWO DOLLARS REWARD.** November 26, 1796.

NOTICE.

WHERRAS the agent of the state of Maryland, about the year one thousand seven hundred and eighty, did grant unto a certain Smith Bishop, of Worcester county, a certificate for the sum of eighteen hundred and fifty pounds, the then circulating money of the state; and whereas since the death of the said Bishop, to wit, some time in the year one thousand seven hundred and eighty-six, the said certificate was lost by the administratrix of the said Bishop; this is therefore to give notice, that the subscriber, as guardian of Elizabeth, Herty, and Sarah Bishop, the children and representatives of the said Smith Bishop, intends to petition the Governor and Council for the purpose of having the said certificate renewed, agreeable to the directions of an act of assembly, entitled, "An act respecting lost certificates," passed at November session, one thousand seven hundred and ninety-two. **HANNAH BISHOP, Guardian.** December 21, 1796.

THE subscriber hereby respectfully informs his friends, and the public in general, that he has again commenced business in the house where he formerly kept store, below the Stadt-house, in the city of Annapolis, where he has on hand a small but general assortment of **GOODS**, suitable to the present and approaching season, among which he has a very handsome assortment of fashionable superfine Spanish broad cloths, casimers, printed casimer and swandown jacket patterns, coatings, superfine ladies coating for cloaks, coarse cloths of various kinds and prices, chintzes, calicoes, flannels, coarse and fine lincens, table cloths, modes and fatts, pelong for cloaks and bonnets, fancy cords and thickets, flannels, blankets of different kinds and prices, bed buns and ticking of the first quality, &c. He has also on hand, in the grocery line, touloung, padu soulong, and hyson teas of the first quality, mustard, pepper, alspice, brown sugar, spirit and Cognac brandy of the first quality, &c. all which he will sell at the most reasonable advance for cash or country produce. It is with pleasure that he embraces the present opportunity of returning his sincere thanks to his friends and former customers for their former favours, and respectfully solicits a continuance of their custom. He also embraces the present opportunity of assuring the public, that he has met with sundry heavy and grievous losses through insolvencies and other misfortunes, and therefore solicitously hopes for their generous patronage, and the more so, as they may have the pleasing satisfaction of contributing to the aid of misfortune without the least diminution of their purse, excepting purchasing such articles as they need, and must necessarily purchase some where, for the subscriber is satisfied he can furnish them with such articles as he has on as good terms as they can purchase them elsewhere, and he intends adding to his assortment in proportion to the encouragement given him by his friends and a generous public. In the mean-time he begs leave to subscribe himself their

Obliged humble servant, **ROBERT DUVALL.**

Mrs. **DUVALL** also respectfully informs her friends and the public, that in future she intends making gowns, habits, bonnets, cloaks, &c. and will be thankful to those who shall please to favour her with their custom.

CASH given for Clean Linen and Cotton RAGS, At the Printing-Office.

TAKEN up as a stray by the subscriber, living near Elk-Ridge Landing, in Anne-Arundel county, a dark bay HORSE, six years old, has a star in his forehead, his left eye out, a pair of old shoes on before, and no brand. The owner may have him again on proving property and paying charges. **WILLIAM APPEEY.** Nov. 28, 1796.

NOTICE.

THE subscriber is obliged, from repeated trespasses, to forbid all persons hunting with dog or gun, or riding through any of his enclosures on West river, or Sparrow's Point near Baltimore-town, without particular leave obtained from **Richard Sprigg.** November 21, 1796.

A Stray Horse,

TAKEN up by **RICHARD HOPKINS**, of GERARD, on the head of South river, he is a dark bay, with a blaze face, a short bobtail, about fourteen hands high. The owner is desired to come and prove his property, pay charges, and take him away.

TAKEN up as a stray by the subscriber, living near Washington's mill, on the head of Broad creek, a small red HARRIER, supposed to be two or three years old, marked with a crop on the right ear. The owner may have her again on proving property and paying charges. **ISAAC NICHOLLS.**

WANTED,

A FEW thousand CHESTNUT RAILS, for which a good price will be given. Apply to the Printer.

CAVEAT IN THE LAND-OFFICE,

By the **CHANCELLOR.** December 1, 1796. **W**ILLIAM MORAN having long since entered the caveat against **Meveal Moran**, of the state without prosecuting the same, it is, at the instance of the defendant, ordered, that unless he, the said caveator, appear here on the first day of July next, to support the said caveat, agreeably to the tenor of a subpoena this day issued, the said caveat shall be dismissed, provided the said subpoena be regularly returned by the sheriff of Charles county, where the caveator is said to have last resided in the state; and provided a copy of this order be inserted in the Maryland Gazette three times before the first day of January next. **JOHN CALLAHAN,** Reg. Ld. Off. W. B.

WANTED,

AS an assistant in the clerk's office of Prince-George's county, a young man acquainted with the business would be preferred and well encouraged, but an application from any person of business, without a good hand, will be attended to. A good recommendation will be required of any applicant. November 17, 1796.

IN CHANCERY, December 6, 1796.

WILLIAM DEAKIN, junior, and Jane his wife, and John Threlkeld and Elizabeth his wife, vs. Charles Beatty and George Fraxer Hawkins, heirs and devisees of George Fraxer Hawkins, deceased. **T**HE object of the bill filed in this court is to obtain a decree for the recording of a deed made by the said Charles Beatty and George Fraxer Hawkins, deceased, to Nicholas Greenbury Ridgely, deceased, dated the 15th day of March, 1771, in lot No. 42 and 218, in the addition to Georgetown; the bill states, that Jane, wife of William Deakin, junior, and Elizabeth, the wife of John Threlkeld, the complainants, are the wives of the said Nicholas Greenbury Ridgely, and George Fraxer Hawkins is the heir and devisee of George Fraxer Hawkins, and that the said George Fraxer Hawkins lives out of the state of Maryland; it is thereupon the motion of the complainants, ordered and adjudged, that the complainants cause a copy of this order to be inserted, at least three weeks successively, in the Maryland Gazette before the 23d day of December next, to the intent that the said George Fraxer Hawkins may have notice of the complainants application to this court, and may be warned to appear here, on or before the first Tuesday in March next, to shew cause, if any he hath, why a decree should not pass as prayed by the bill.

A. C. HANSON, Clerk.

Patowmack Company.

THE STOCKHOLDERS in the PATOWMACK COMPANY will please to take notice, that the list of delinquent subscribers will be sold on the first Monday in January next, at the Union tavern in Georgetown. The sale to begin at 12 o'clock, unless in the mean-time these payments are fully made. The stockholders in the additional capital, are required to pay ten per cent. on the amount of each share to **WILLIAM HARTSHORNE**, treasurer, on or before the first day of January next.

TOBIAS LEAR, President,
J. TEMPLEMAN,
JAMES KEITH, } Directors
JOHN MASON, }

George-town, November 5, 1796.

TAKEN up as strays by the subscriber, living near Elk-Ridge Landing, in Anne-Arundel county, two MARES, one a sorrel, with a blaze in her face, about thirteen hands high, branded with some letter on her near buttock; the other a bay, about thirteen hands and an half high, no perceivable brand; they both appear to be old, and each was shod before; the sorrel has a very sore back. The owner or owners may have them again on proving property and paying charges. **WILLIAM CLARK.** December 2, 1796.

I HEREBY forewarn all persons whatever from hunting on my land, lying at the mouth of Ramsey's creek, with either dog or gun; likewise from fishing at my fishing landing, or sythering in the mouth of the creek, known by the name of Ramsey's Gut, as I am determined to prosecute all such offenders as the law directs. **JOSHUA LINTHICOMB.** December 5, 1796.

STOLEN from the subscriber, living in Anne-Arundel county, near Pig Point, on Saturday the 25th ult. a sorrel HORSE, about fourteen hands high, has on the near buttock a black spot, and a small flea on the side of his nose. Whoever takes up said horse, and secures him so that I get him again, shall receive **FOUR DOLLARS REWARD.** **THOMAS OWING.** July 6, 1796.

ANNAPOLIS: Printed by **FREDERICK and SAMUEL GREEN.**

(LHD YEAR.) T H E (No. 2616.)
MARYLAND GAZETTE.

T H U R S D A Y, J A N U A R Y 19, 1797.

In COUNCIL, JANUARY 2, 1797.

ORDERED, That the act to appoint an agent for the year one thousand seven hundred and ninety-seven, be published in the Maryland Gazette at Annapolis, the Federal Gazette at Baltimore, the Herald at Easton, and in one of the George-town and Frederick-town papers, once in each week for the term of six weeks.

By order,
NINIAN PINKNEY,
Clerk of the Council.

ACT to appoint an agent for the year one thousand seven hundred and ninety-seven.

Section I. *And be it enacted,* That William Marbury, be agent of this state, to execute the trust and power reposed in him by virtue of this act, from the first day of January, one thousand seven hundred and ninety-seven, until the first day of January, one thousand seven hundred and ninety-eight.

Section II. *And be it enacted,* That the said agent superintend the collection of all arrearages and balances due from the several collectors of the respective counties within this state, appointed since the first day of January, seventeen hundred and eighty-three; and the said agent is hereby authorized and required to call upon the treasurers of the respective shores for an accurate statement of all arrearages and balances due from such collectors, and such account shall be furnished by the said treasurers accordingly.

Section III. *And be it enacted,* That the said agent be authorized to superintend the collection of all balances due to the state on the auditor's books, or on open account; and the said agent shall have power to require payment of, and if necessary sue for and recover the same; and the said agent, with the approbation of the governor and council, may make composition with any such debtors, and take bonds to the state, with sufficient security, and give time for payment, not exceeding two years from the first day of January, seventeen hundred and ninety-seven.

Section IV. *And be it enacted,* That the said agent be authorized to superintend the collection of all monies due to the state for naval duties, fines, penalties, forfeitures and amerciaments, and forfeited recognizances, and for ordinary, retailers and marriage licences, and to require payment, and if necessary sue for and recover the same; and the said agent may allow for insolventcies, and credit any money that the party is not chargeable with by law; and for his information of the law, he may take advice of the attorney-general in writing.

Section V. *And be it enacted,* That whenever there shall be occasion to expose to public sale the property of any collector, or his securities, by virtue of any execution already issued, or to be directed for this purpose, the agent shall cause public notice to be given of such sale, and shall attend the same, and, if it shall appear that there is danger of losing any part of the debt due to the state, and not otherwise, shall purchase any property so exposed to sale for the use of the state, in payment, or part payment, as the case may be, of the monies due by the collectors whose property may be so purchased, and that no purchase authorized by this act shall be considered as made on the part of the state, unless a public declaration to that effect be made by the said agent or his deputy immediately after such sale and purchase; and any property so purchased for the use of the state, the said agent may again expose to public auction, on the most advantageous terms, for the use of the state, and if the same be sold on credit, which shall in no case exceed the term of two years, the said agent shall take bond, with good and sufficient security, to be approved of by the treasurer of the western shore, from the purchasers of such property and all bonds by him so taken shall be deposited, with an accurate list thereof, subscribed by him, in the treasury of the western shore, and shall be a lien upon the real property of such purchasers, and their securities, from the respective dates, or so much thereof as is mentioned in the schedule thereto annexed.

Section VI. *And be it enacted,* That the said agent is hereby directed to dispose of at public sale all confiscated British property that remains unsold, giving at least thirty days notice thereof by public advertisement, and take bonds to the state, with sufficient security, and give time for payment, not exceeding two years from the first day of January, seventeen hundred and ninety-seven.

Section VII. *And be it enacted,* That the agent shall immediately call on and request the attorney-general to remove, and prosecute to final determination as speedily as possible, the state's right to all confiscated property which hath been made known and discovered to the said agent; and the said agent shall report to the next session of assembly such suits as are or may be depending to recover the same, and also such as may be commenced, with the reasons assigned by the attorney-general why the same have not been com-

menced; and to cause immediate notice to be given in the public papers of this state to the discoverers of confiscated property, to produce to the agent the title papers of the lands by them respectively discovered, on or before the first day of August next, in order that the same may be laid before the attorney-general for his opinion thereon.

Section VIII. *And be it enacted,* That no payment in forbearance by any officer or person indebted to the state shall be valid and effectual, unless made to the treasurer of the western or eastern shores, or to the agent for the time being, or unless made to the clerks and sheriffs of the several counties, in the cases where the said clerks and sheriffs are by law authorized to receive the same.

Section IX. *And be it enacted,* That the right, title and interest, of any and every informant or discoverer of property liable to confiscation, shall cease, determine and be utterly null and void, unless the title papers to authenticate the state's right be produced and lodged with the agent by the informant or discoverer on or before the first day of August next.

Section X. *And be it enacted,* That the agent shall have full power and authority, by and with the advice and approbation of the governor and council, in all cases of uninstalled debts, to take back any property heretofore purchased by any person and not yet paid for, in cases where the person so having purchased and his securities are not capable of paying for the same, and to compromise the same upon terms and principles of equity and justice, by and with the advice and consent aforesaid, and the agent is hereby required to lay a particular statement of his proceedings under this section before the next session of assembly.

Section XI. *And be it enacted,* That the agent, with the approbation and consent of the governor and council, be and he is hereby authorized and empowered to compromise any suit depending in chancery with any state debtor, upon any terms in their judgment calculated to promote the interest of the state, and obtain the speedy receipt of the sums due.

Section XII. *And be it enacted,* That if, under the terms of any compromise made as aforesaid, the property heretofore purchased should be taken back and reverted in the state, the same may be sold by the agent, and he is hereby authorized and empowered to sell the same at public sale, on a credit of three years, giving the notice herein before mentioned, payable one third of the principal, and the whole interest annually, on the first day of December in each year; and the bonds, when taken, shall be returned to the treasurer of the western shore, and reported to the general assembly at their next session next ensuing the taking of such bonds.

Section XIII. *And be it enacted,* That all cases in chancery where no compromise under this act is effected, shall be placed under the direction of the agent, who is hereby authorized and required to call on the attorney-general to prosecute or defend the same to immediate final decision; and the governor and council are hereby authorized and empowered, at the request of the agent, in cases of difficulty, to aid the attorney-general, by employing any person to attend to surreys where necessary, or otherwise to assist in the prosecution or defence of said suits, which person or persons are to be paid out of the contingent fund of five hundred pounds; and the names of the persons so employed, together with the sum allowed for their services, to be laid before the general assembly at their next session.

Section XIV. *And be it enacted,* That if any bond debtor to the state for confiscated property purchased, or otherwise, shall neglect to make payment agreeably to the condition of his bond and sundry resolves of the general assembly, the said agent shall cause process to issue for the whole principal and interest then due, or shall proceed on any execution already issued and served and suspended, as occasion may require, or under the direction and with the approbation of the governor and council, he is hereby authorized to delay any execution as long as they may think expedient and necessary.

Section XV. *And be it enacted,* That the said agent be authorized to superintend the collection on all balances due on bond, taken for taxes due before the first day of January, seventeen hundred and eighty-three; and the said agent shall also superintend the collection of all balances due on bonds installed, or otherwise, for the emission of paper money of seventeen hundred and sixty-nine, and seventeen hundred and seventy-three.

Section XVI. *And be it enacted,* That no process shall issue against any of the public debtors, unless by the direction of the said agent.

Section XVII. *And be it enacted,* That the said agent shall have power to fix such days for the sale of property, taken by *fiat factus*, at the suit of the state, as he may think proper, always taking care to give at least twenty days public notice thereof; and the said agent shall also have power to suspend the sales, from time to time, as he may think most to the advantage of the state.

Section XVIII. *And be it enacted,* That the said agent shall pay into the treasury, in specie, the amount of all specie

by him received in the discharge of the duties of this act.

Section XIX. *And be it enacted,* That in all cases where bonds shall be taken in virtue of this act, the bonds shall be a lien on all the real property of the obligors from the date thereof, or on so much of the said real property as the governor and council shall think sufficient, to be particularly mentioned in a schedule to be annexed to the said bond, in which case it shall be a lien on the property contained in such schedule, and no more, such bond and schedule to be lodged with the treasurer of the western shore.

Section XX. *And be it enacted,* That all bonds taken in virtue of this act shall express the county in which the obligors respectively reside; and the treasurer of the western shore shall, within one month after he receives them respectively, cause them, with the schedule annexed to them, to be recorded in the office of the clerk of the general court of the western shore, at the expense of the obligors; and a copy of the said record, certified under the hand and official seal of the said clerk, shall be as good evidence in any court of law or equity in this state as the original bond would be, if it was produced; and if any of the obligors in any such bonds reside on the eastern shore, the said treasurer shall, within six months from the time he receives the same respectively, transmit to the clerk of the general court of the eastern shore, in the same manner as papers on public service are transmitted, a copy of such bonds and schedules, certified as aforesaid by the clerk of the general court of the western shore, to be recorded in the office of the clerk of the general court of the eastern shore, at the expense of the obligors, and in such case a copy of the said record, certified as aforesaid by the said clerk of the general court of the eastern shore, shall be good evidence as aforesaid.

Section XXI. *And be it enacted,* That the said agent shall render to the treasurer of the western shore distinct quarterly accounts of his receipts of all money, certificates and bonds, in virtue of this act, and shall immediately thereupon pay and deliver the same to the said treasurer, who shall, in his annual report to the general assembly, state fully and particularly the money, certificates and bonds, by him received from the said agent, and the times when the same were received and accounted for.

Section XXII. *And be it enacted,* That the said agent shall render a fair and full account of his several proceedings under the authority of this act to the general assembly at their next session, and within the first ten days after its commencement, in which account shall be specified, under distinct heads, his own receipts, and those of the treasurer, and of all transfers of stock upon which he may be entitled to commissions, and in which shall also be contained a particular estimate of his commissions, shewing how and upon what the same arose due.

Section XXIII. *And be it enacted,* That the said agent shall be allowed for his services the following commissions, to wit: For all payments made to either of the treasurers, on bonds for confiscated property, one per cent. for all bonds with security, taken by the said agent on sales of confiscated property in virtue of this act, two and a half per cent. for all monies collected on open accounts, not including monies arising from fines, forfeitures and amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, which have become due since the first day of January, seventeen hundred and ninety-one, six per cent. and for all other monies by him actually received and paid into the treasury, three per cent. and for all other bonds taken in virtue of this act, one per cent. provided, that the said agent shall not be entitled to any commission upon the monies arising from fines, forfeitures, amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, unless in cases where the same shall not be paid by the sheriffs and clerks respectively to the treasurer within one month after the time prescribed by law, and unless the said agent shall thereafter receive the same from the said officers respectively, and the same pay to the said treasurer.

Section XXIV. *And be it enacted,* That hereafter it shall be the duty of the agent, and the treasurers of the eastern and western shores respectively, to receive as well the fifteen per cent. interest, if any shall have accrued, as all other the arrearages that are now or may hereafter become due from fines, forfeitures and amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, and the fifteen per cent. to be collected shall be the only fund from which the agent shall draw his three per cent. on the same.

Section XXV. *And be it enacted,* That the said agent, before he enters upon the execution of the duties of this act, shall give bond to the state, before the governor and council, in the penalty of sixty thousand dollars, with such security as the governor and council shall approve, for the faithful performance of the said duties, which bond shall be lodged with the treasurer of the western shore; and shall also take an oath before the chancellor, that he will well and faithfully discharge the duties of agent under the act, entitled, An act to

appoint an agent for the year one thousand seven hundred and ninety-seven, to the best of his skill and judgment, the certificate of which shall be annexed to, or enclosed on, the said bond.

XXVI. And be it enacted, That if the said agent shall not accept his appointment, or if after acceptance he shall not give bond and take the oath aforesaid before the first day of February next, or shall die, the governor and council are hereby authorized and requested to appoint a fit and proper person in his place, who shall have and execute all the authorities and powers vested in the said William Marbury by this act, such person first giving security and taking the oath aforesaid.

Notice to State Debtors.

NO process hath issued against the delinquent state debtors for their instalments due on the first of December last, nor will any be directed till after the 15th of February next. The agent therefore expects (to prevent trouble and expence) they will come forward and discharge their debts by that time.

WILLIAM MARBURY, Agent.

FRIBURG, October 22.

AFTER a continued fighting for four days, the Austrians have driven the enemy from Ellzach, and out of Friburg, into which they yesterday entered. Their advantages cost them about 2000 men; but the enemy, according to the account of the French general themselves, lost between 5 and 6000 men, among which are 2000 prisoners. The French general Desautels is killed.

OFFENBERG, October 21.

On the 18th instant, general Moreau endeavoured to penetrate with all his force to the vicinity of Kenningen, to raise the blockade of Kehl, and procure himself a free passage over the Rhine. The action was obstinate and bloody, but as soon as the Hungarian grenadiers, headed by the archduke Charles, came up, they fell like lions on the enemy and forced them to retreat.

On the 19th, the Austrians again attacked the French in the neighbourhood of Riegels. This battle was likewise very bloody. General Wartenstein was wounded in the left arm by a grape shot. The loss of the French is very considerable, and they have been obliged to abandon Ellzach and Emmendingen.

The head quarters of the archduke Charles were removed on the 20th from Herbolheim to Emmendingen. The Austrian troops have again entered Friburg, victorious; and the communication between general Moreau and the corps which had advanced to Hunningen, is cut off.

TRIESTE, October 7.

Letters have been received here which state, that the French fleet, consisting of 12 ships of the line, 12 frigates and four brigantines, had sailed from Toulon, and fallen in, near the Hieres Isles, with the British fleet of 20 ships of the line, 3 frigates and 2 cutters, under admiral Jarvis. An engagement took place, in which two French ships of the line were sunk, two disabled, and a great part of the rest taken. The English fleet, these letters add, had two ships of the line disabled, and two frigates burnt, of the crews of which only 25 men were saved. Admiral Jarvis sailed with the ships he has taken to St. Florenzo, in Corsica.

Notes of the Hamburg editor.—Though this account seems so circumstantial, it appears very suspicious, as the latest letters from Toulon, Genoa, and Leghorn, mention nothing of any engagement.

FRANCFORT, October 22.

We learn from Offenburg that general Petrasch intended to obstruct the retreat of general Moreau, through the Black Forest, but was repulsed with loss of men, said to amount to 1500, and of some baggage and artillery. The Imperialists, though they fought with the greatest bravery, could not resist the superior number of the French. It is not expected that general Moreau will speedily recross the Rhine, as his position at Friburg is very advantageous, his rear being covered by that river, and both his wings by the fortresses of Strasburg and Hunningen. Meanwhile the archduke Charles is collecting all the dispersed detachments, to prevent general Moreau's advancing, and it is therefore very probable that a very decisive battle may happen in the environs of Brisgau. General Moreau has effected his retreat so well by feigned marches, and his frequent attacks on the Imperialists, which were always made in mass.

HAMBURG, November 5.

Letter from Italy, 22d of October.

The following is the letter which the king of Naples sent to the marquis del Vasto, who thereupon departed to Rome as an extraordinary messenger, and concluded there a treaty offensive and defensive between Naples and the pope.

In a letter from your holiness I am informed that you are resolved to reject the unjust and impious conditions of the French. Therefore you desire of me speedy assistance. Although this is against my first plan, yet I have had no objection to give my consent to it, because it has a connexion with the holy religion to which I was always with my whole heart devoted. As you desire of me a person of whom you can take counsel respecting our common affairs, I have appointed the marquis del Vasto, to depart immediately, to take great care for the honour of God and the holy church, and the best means of the states for

the quietness of my subjects, who daily give such new proofs of their faithfulness and devotion.

From the camp of Germano.

FERDINAND, King.

A letter from Mayence, October 29.

The Imperial army now on the scene of war in Germany is situated in the following manner: General Werneck is under his command on the Lower Rhine and the Lahn, the field-marshal lieutenants De Kray, prince de Lamberg, and count Kretsch, and the major-generals, duke J'Anhalt, Cothen, prince de Hohenlohe, Ingelsinger, the counts Rosenburg and Kollowrath, and the barons Myllus, Haddick, Goutreuil, Finck, Kenmaier, Brady, Elsnix, and Alcaini. On the other side of the Rhine remain the field-marshal lieutenant Hotze and Neu, and the major-generals Simblen, Rhine Graf Sahn, duke Lichtenstein, and duke Schwarzenberg.

In Suabia under the archduke Charles, are the great master of the ordnance Wartenstein, and field-marshal Latour; lieutenant-generals count Colloredo, Mels, Nauendorf, Petrasch, Frohlich, Star and Sataray, and the major-generals prince of Oranien, Balza, Meyerfeld, Montfauud, Shellenberg, Mercantio, Wolf, Graven, Klingling, Meerfeld, Baillet, duc d'Enghein.

A letter from Francfort, October 29.

The delivery of the silver vessels in Francfort to pay the contributions to the French has contributed very much to the coinage of new convention dollars, upon which, on the reverse, stand the words—*Out of the silver vessels of the citizens and the churches.*

PARIS, October 18.

The Directory has sent the following message to the Council of Five Hundred, on account of the successful retreat of general Moreau from Suabia.

Citizen Legislators,

The directory hastens to communicate to you the military operations on the easterly frontiers. The result is one of the most decisive in the course of this campaign; and the success alone could secure the numerous victories of our armies on the Rhine, and with precision decide, which party would finally reap the fruits and advantages of so many great efforts. The army of the Rhine and Moselle, which by the retreat of general Jourdan's, found her left wing exposed, when before the gates of Munich, and afterwards surrounded from all parts, has returned in the greatest order to the borders of the Rhine. The same army has not only been suffered to be established but also annoyed the enemy by every occasion, and fought their way through every difficulty, and finally penetrated in two columns as far as Hunningen and Friburg, after a glorious victory (at Shaffenried) whereby they made 5000 prisoners and took 20 cannon—Having thus made a campaign at the expence of the enemy; separated most all prizes of the empire from the coalition, and favoured by a vigorous diversion the invasion of Italy. The same army remains master of the Brisgau, of all the bridges upon the Rhine, of all the roads and pipes which conduct to the enemy's territories. Posterity will record this remarkable retreat amongst the most famous actions that have been ever executed. It does the greatest honour to the army of the Rhine and Moselle, and to their modest generals. The enemy is after his hazardous motions, in such a confusion, that it is permitted to us to expect yet fresh and very favourable advantages.

(Signed)

REVELLIERE LEPAUX, President.

October 25.

LORD MALMESBURY'S EMBASSY.

OFFICIAL NOTE.

[From *Le Mercur* of the 20th instant.]

The negotiations, scarcely commenced between lord Malmesbury and the minister for foreign affairs, are already suspended. In the first conference, it was demanded of the English negotiator, if he was furnished with powers and instructions from other belligerent powers to stipulate in their name? He answered, No.—But he added, that when the directory shall have explained themselves on the principle laid down in his memorial (we shall give all the important papers relative to his grand negotiation) he would dispatch couriers to give an account to the different courts of the state of the negotiation, and to receive their orders. It was then asked the ambassador if he could not at least specify the principle of retrocessions which concern the French republic and Great-Britain? He answered, that after the directory should have explained itself, he would expedite couriers, and likewise request instructions on this point.

The following is the memorial of the ambassador:

MEMORIAL

Delivered to the minister of the French republic, for foreign affairs, by lord Malmesbury.

His Britannic majesty desiring, as he hath already declared, to contribute, as far as depends on himself, to the re-establishment of public tranquillity, and to ensure, by the means of just, honourable, and solid conditions of peace, the future repose of Europe; his majesty is of opinion, that the best means of attaining, with all possible expedition, that salutary end, will be to agree at the beginning of the negotiation, on the general principle which shall serve as a basis for the definitive arrangements.

The first objects of the negotiation for peace, generally relate to the restitutions and cessions which the respective parties have mutually to demand, in consequence of the events of the war.

Great-Britain, after the uninterrupted success of her naval war finds herself in a situation to have no restitution to demand of France, from which, on the contrary, she has taken establishments and colonies of the

highest importance, and of a value almost incalculable.

But, on the other hand, France has made on the continent of Europe, conquests to which his majesty can be the less indifferent, as the most important interests of his people, and the most sacred engagements of his crown are essentially implicated therein.

The magnanimity of the king, his inviolable good faith, and his desire to restore repose to so many nations, lead him in this situation of affairs, to consider the means of procuring terms of peace, just and equitable, for all the belligerent powers, and calculated to ensure, in future, the general tranquillity.

It is on this footing then, that he proposes to negotiate, by offering to compensate France, by proportionable restitutions, for those arrangements to which she will be called upon to consent, in order to satisfy the just demands of the king's allies, and to preserve the political balance of Europe.

Having made this first overture, his majesty will, in the sequel, explain himself in a more extensive manner, on the application of this principle to the different objects which may be discussed between the respective parties.

It is this application which will constitute the subject of those discussions into which his majesty has authorized his minister to enter, as soon as the principle be adopted as the general basis of the negotiation is known.

But his majesty cannot dispense with declaring, that if this generous and equitable offer shall not be accepted, or if, unfortunately, the discussions which may ensue, may fail in the desired effect, neither this general proposition, nor those more detailed which may result from it, shall be regarded, in any case, as points agreed upon or recorded by his majesty.

(Signed) MALMESBURY,

Minister plenipotentiary from his Britannic majesty.

Paris, October 24, 1796.

REPORT TO THE DIRECTORY,

By the Minister for foreign affairs.

The 4th Brumaire, (October 25.)

The executive directory having furnished me with full power to treat for peace with Great-Britain, I had yesterday (3d Brumaire) my first conference with lord Malmesbury, plenipotentiary commissioner of his Britannic majesty. He presented to me the original of his powers, sealed with the seal of Great-Britain, and certified the copy which he had before presented to me unsealed; and which I had laid before the directory.

We entered into discussion.—Lord Malmesbury presented to me the memorial which I laid before the directory. I observed to him, that speaking in the name of the allies of Great-Britain, and stipulating for their interests, he was, doubtless, furnished with their powers and instructions. He answered me, that he was not, but that when the directory should have explained itself upon the principle laid down in his memorial, he would expedite couriers, to give to the different courts an account of the negotiations, and to receive their orders. I demanded of him if he could, at least, specify the principle of concession in what concerned the republic and the government of Great-Britain? He replied, that after the directory should have explained itself, he would send a courier and demand instructions on this point. I then thought it my duty to say to lord Malmesbury, that I would lay his memorial before the directory; that I would take in orders and impart to him its answer.

(Signed)

CHARLES DELACROIX,

ANSWER OF THE DIRECTORY.

The executive directory orders the minister for foreign affairs to make the following answer to lord Malmesbury.

The executive directory see with pain, that at the moment when they had reason to hope for the very speedy return of peace between the French republic and his Britannic majesty, the proposition of lord Malmesbury, offers nothing but dilatory, or very distant means of bringing the negotiation to a conclusion.

The directory observes, that if lord Malmesbury would have treated separately, as he was formally authorized by the tenor of his credentials, the negotiations might have been considerably abridged; that the necessity of balancing with the interest of the two powers, those of the allies of Great-Britain, multiplies the combinations, increases the difficulties, tends to the formation of a congress, the terms of which, it is known, are always tardy, and requires the accession of powers, which hitherto have displayed no desire of accommodation, and have not given to lord Malmesbury himself, according to his own declaration, any power to stipulate for them.

Thus without prejudging the intentions of lord Malmesbury; without drawing any conclusion from the circumstance of his declaration not appearing to accord with his credentials; without supposing that he had received any secret instructions which would destroy the effect of his ostensible powers; without pretending, in short, to assert, that the British government have had a double object in view—to prevent by general propositions, the partial propositions of other powers, and to obtain from the people of England the means of continuing the war, by throwing upon the republic the odium of a delay occasioned by themselves; the executive directory cannot but perceive, that the proposition of lord Malmesbury is nothing more than a renewal, under more amicable forms, of the propositions made last year by Mr. Wickham, and that it presents but a distant hope of peace.

The executive directory further observe, with regard to the principle of action advanced by lord Malmesbury,

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bury, that such principle, presented in a vague and isolated manner, cannot serve as the basis of negotiation, that the first points of consideration, are the common necessity of a just and solid peace, the political condition which absolute enemies might destroy, and the means which the belligerent powers may employ to retain conquests made at a time when it was supported by a great number of allies, now detached from the coalition; and the other, to recover them at a time when those who were at first enemies, have almost all, either become its allies or neutrals.

Nevertheless, the executive directory, animated with an ardent desire of putting a stop to the scourge of war, and to prove that they will not reject any means of reconciliation, declare, as soon as lord Malmesbury shall exhibit to the minister for foreign affairs sufficient powers from the allies of Great-Britain, for stipulating for their respective interests, accompanied by a promise on their part to subscribe to whatever shall be concluded in their names; the executive directory will give a speedy answer to the specific propositions which shall be removed, as far as may be consistent with the safety and dignity of the French republic.

(Signed) REVEILLERE LEPEAUX, Pref. LA GARDE, Gen. Sec.

After receiving this answer, lord Malmesbury wrote to his court by an extraordinary courier, to obtain the powers required of him, without which it is evident he cannot act. Thus, supposing that the British cabinet have not sent us a new Argus, and that they are really anxious to take efficacious measures for giving speedy satisfaction to the directory, the negotiations will at least be suspended for some time.

(Le Messager du Soir.)

November 3.

LORD MALMESBURY.

Translation of the credentials given to lord Malmesbury. The original in Latin.

George Rex.

George by the grace of God, king of Great-Britain, France and Ireland, defender of the faith, &c. to all whom these presents shall come, greeting—Seeing that the flame of war has for a long time raged in different parts of the globe, deeply occupied with the project of terminating regularly to many quarrels and dissensions, of restoring and consolidating the public tranquillity; resolved for this purpose to choose a man capable of a negotiation of this importance, and to invest him with full authority, to complete so great a work, be it known that the fidelity, talents, genius, perspicacity, and experience of our faithful and dear councillor James baron Malmesbury, knight of the most honorable order of Bath, inspiring us with full confidence, we have named him, and he is appointed and constituted our true, certain and accredited commissary and plenipotentiary, giving and conceding him, in all respects, FULL AND ENTIRE power, faculty, and authority; charging him beside with our general and special orders, to confer on our part, and in the name, with our ministers, commissioners and plenipotentiaries of the French republic, sufficiently invested with equal authority, as well as with the ministers, commissioners, or plenipotentiaries of the other princes and States who may take part in the present negotiation, also invested with the same authority, to treat either separately or together; to confer upon the means of establishing a solid and durable peace, and sincere concord; and to adopt all resolutions and conclusions; to sign for us, and in our name, all the said convention or conclusions; to make, in consequence every treaty or treaties, and all other acts as he shall judge necessary, as to deliver and receive mutually, all other objects relative to the for- tuate execution of the above mentioned work; to transact with the same force and the same effect as we should be able to do if we assisted in person; guarantying, and on our royal word promising, that all and each of the transactions and conclusions which shall be made and agreed upon, ratified, accepted, and adopted with the best faith; that we shall never suffer any one, either in whole or in part, to infringe and act contrary to them; and in order to give every thing more security and force, we have signed the present with our royal hand, and affixed to it the great seal of Great-Britain.

Given in our palace at St. James's, 13th October, year of grace 1796, and of our reign the 37th.

LONDON, November 10.

Yesterday his majesty signed an order in council, granting letters of marque and reprisals against all ships and vessels belonging to the subjects of the king of Spain. We understand there will be no counter declaration on the part of our court, to the manifesto of the court of Madrid, nor indeed does it require any; the reasons assigned in it are too frivolous to need a reply.

Next day, by one of the Hamburg mails was received a private letter from Berlin; it contains the following passage:

The prospect of a general peace approaches near: His Prussian majesty, either alarmed at the rapid success and military prowess of Austria, or apprehensive that Russia (in conjunction with Sweden) will now take a part with the strongest, or from motives of feeling the Emperor and his family reinstated, has determined to interfere in the impending negotiation at Paris. It is publicly spoken here (Berlin) that instructions were sent to the Prussian minister at Paris, to notify to the directory, that his majesty is anxious to see peace restored in Europe; that the offers of the court of London are equitable; that his majesty wishes England should be no obstacle to the general treaty,

as Great-Britain will be ever ready to restore the Dutch property, the Cape, and other conquests, as soon as Holland resumes a proper form of government.

These instructions are said to contain a threat, in case the directory should refuse to listen to proper terms, that other means must be taken, to put a period to the present destructive war.

From the total silence for some days on the subject of lord Malmesbury's negotiation, we hope the happiest conclusion may be drawn, viz. that things are going on in a train which promises fair for a speedy adjustment.

From the Rhine.

Kehl was surrounded on the 25th ult. by 18,000 Austrians, and every thing ready to form that fort at a moment's notice. The attack was only postponed till the archduke arrived.

The particulars of general Krav's attack on the French at Nienwied are not detailed; but the loss of the republicans is stated to exceed that of the Imperialists. Since that time both armies have been reinforced. Some of the foreign prints we have perused, speak of the defeat of Moreau's army to be complete—say, some state it to be annihilated; and that it is not in the power of the French government to re-organize their three great armies.

The Imperial armies in Italy, as well as on the Rhine, receive reinforcements daily; and, unless peace is concluded, the Imperialists will follow up their successes by a winter campaign in France.

NORFOLK, January 7.

Yesterday arrived here a gentleman who came passenger in the brig Jane, captain Lillibridge, of Philadelphia, (a cartel employed to carry French persons from this continent) who has obligingly furnished us with the following information.

On the 9th of December the commissioners at Cape-Francois issued their orders, directing the vessels of war belonging to the French republic, as well as to individuals, to capture and carry into French ports, all American vessels whatever, bound to or from British ports, or engaged in any commerce contrary to the orders of the executive directory. In consequence of which, about 65 sail of American vessels in the ports of St. Domingo were condemned (vessels and cargoes) and all Americans were detained in port, under pretence of an embargo. Every American vessel which arrived bound to French ports, have had their cargoes put in requisition; and if any opposition was made as to giving up their property, the captains have been imprisoned, and their cargoes taken from them and deposited in the government stores. The mode of condemnation is unprecedented:—The captured are not permitted to put in any claim for their property, or adduce any proof in their own behalf whatever. They have also refused to furnish copies of their condemnations.

It was supposed that upwards of 200 privateers were fitting out when our informant left there on the 14th of December.

The above gentleman left the brig Jane off the Cape on her passage to Philadelphia.

Capt. Lillibridge, on the 20th of December, in lat. 37, 4, long. 73, spoke the brig — Timothy Russel, master, of Philadelphia, out 30 days from St. Ubes, in great distress, very leaky, and totally destitute of provisions; one of his hands had died at the pump. Capt. Lillibridge endeavoured to assist him, but the gale in which he spoke him was so violent, that every attempt was rendered abortive, and he parted company before it was over.

Annapolis, January 19.

"DIED, on the 12th instant, in the 27th year of his age, at his seat near Queen-Anne, in Prince-George's county, TURNER WOOTTON, Esquire.

Just as this young man, dear to his family and his native state, had consummated the blessings of life, interwoven his fond hopes with those of an amiable and truly affectionate wife, embraced the dearing pledge of a smiling infant, and begun to enjoy the fruits of an abundant fortune, death's awful summons hurried him to the silent mansion of the grave, severed the happy union, and closed, in eternal night, all his flattering prospects.—His faults were unknown.—His virtues decorate his memory with garlands coloured for imitation.—He sustained his last illness with that fortitude and resignation which evince the good man in the hour of death.—Ever remarkable for gentleness of manners, humanity and probity, he conciliated the affection, friendship, and confidence of all who knew him.—His talents, frequently displayed in the public councils of this state, prefigured to his country the most sanguine assurances of his future utility as a patriot and a statesman.—In short, the worth of this amiable and inestimable young man cannot be better recorded than it is in the sorrows of his wife, his relations, his neighbours and friends.—Torn from their tenderest affections, in the bloom of life, their only consolation is, that he is gone to receive the reward of his incomparable virtues in "The bosom of his Saviour and his God."—His remains were respectfully deposited in the family burying ground on the Sunday following, when a suitable and pathetic sermon was elegantly delivered, by the reverend Mr. Ralph, to a numerous concourse of respectable citizens.

Prince-George's county, January 16, 1797.

THIS is to give notice to all whom it may concern, that I intend to apply to the next county court of Calvert county, for a commission to mark and bound the lines of a tract of land called BACHSLOA'S QUARTERS, lying in the county aforesaid.

December 26, 1796.

JOSEPH SPAIGG.

In CHANCERY, December 27, 1796.

ORDERED, That the sale made by EDWARD NICHOLS, trustee, as stated in his report, of 240 acres of land, in Prince-George's county, the property of BENJAMIN BROWN, deceased, for the sum of £360, be approved and confirmed, unless cause to the contrary be shown on or before the third Tuesday in March next, provided a copy of this order be inserted in the Maryland Gazette before the end of January next.

Test, SAMUEL HARVEY HOWARD, Reg. Cur. Can.

In COUNCIL, ANNAPOLIS, January 3, 1797.

ORDERED, That the resolutions passed by the general assembly, at their last session, respecting certificates and bills of credit, be published eight weeks successively in one of the Philadelphia and Alexandria news-papers, and in one of the Baltimore, Fredericktown and Eastern papers, and the Maryland Gazette.

By order,

NINIAN PINENEY,

Clerk of the Council.

By THE HOUSE OF DELEGATES,

DECEMBER 27, 1796.

RESOLVED, That the treasurer of the western shore be and he is hereby authorized to pay off and discharge the principal and interest due on all certificates heretofore issued by the State of Maryland, other than those distinguished as fraudulent ones, provided the same are brought into the treasury for payment on or before the first day of July, one thousand seven hundred and ninety-seven.

2d. RESOLVED, That all holders of certificates heretofore issued and funded by the State of Maryland, bring the same to the treasury, of the western shore for payment of principal and interest on or before the first day of July next, and that no interest on any certificates heretofore issued, which shall accrue after the said first day of July, one thousand seven hundred and ninety-seven, shall be paid thereafter, nor the principal sum until after the end of the next session of assembly.

3d. RESOLVED, That such part of the five months pay, due to the officers and soldiers of the Maryland line, and due for services on board the barges, as shall not be demanded of the treasurer of the western shore on or before the first day of July, one thousand seven hundred and ninety-seven, be not paid to any person or persons demanding any part of the same until after the end of the next session of assembly.

4th. RESOLVED, That the treasurer of the western shore be and he is hereby authorized to pay off and discharge the amount of principal and interest of such bills of credit of the emission under the act of June session, one thousand seven hundred and eighty; as may be produced and brought into the treasury on or before the first day of July next.

5th. RESOLVED, That if any of the holders of bills of credit emitted in virtue of the act of June session, one thousand seven hundred and eighty, do not bring the same into the treasury of the western shore for payment, on or before the first day of July, one thousand seven hundred and ninety-seven, that all interest from that time cease thereon, and the principal not be paid until after the end of the next session of assembly.

6th. RESOLVED, That the above resolutions be published for eight weeks successively in one of the Philadelphia and Alexandria news-papers, and in one of the Baltimore, Fredericktown and Eastern papers, and the Maryland Gazette, that the creditors of the state may be notified that funds are prepared for the discharge of their claims.

By order,

W. HARWOOD, CLK.

By the SENATE, December 27, 1796: Read the first time and ordered to lie on the table.

By order,

A. VAN-HORN, CLK.

By the SENATE, December 29, 1796: Read the second time and assented to.

By order,

A. VAN-HORN, CLK.

CASH given for Clean Linen and Cotton RAGS, At the Printing-Office.

CHARLES FARIS,

Clock and Watch-Maker,

HAS received an assortment of gold and silver warranted Watches, gold, gilt, and steel Watch Chains and Seals, plated Vesters, Candlesticks and Salts, with many other articles in his line, which he will sell low for cash.

The highest price given for old silver.

Annapolis, October 12, 1796.

WHEN R. K. HEATH lived in Annapolis (at Mr. STEVENS'S) he lost a brass Gunter's SCALE, with JACOBUS HEATH cut on the edge thereof. Whoever will deliver it to Mr. Gross, shall have TWO DOLLARS REWARD.

November 26, 1796.

FROM the many trespasses (almost daily committed) on Primrose Hill, and the subscriber's plantation over Severn, he is obliged to forwarn all persons from hunting with dog or gun, on either place, as he is determined to put the law in force against any one so offending.

JOHN HESSELIUS.

Primrose Hill, near Annapolis, January 2, 1797.

STOLEN from the subscriber, living within two miles of Upper-Marlborough, Prince-George's county, on the fourth of November last, a likely bay **GELDING**, eight or nine years old, I suppose him to be fourteen hands high and upwards, tross, paces and gallops, good before, no perceivable brand, has a blaze face or bar, and blaze, which I don't recollect, two white feet above his fet-locks; to the best of my recollection it is his left fore foot and leg, and right hind foot and leg, that is marked with white, upon a close examination he may be discovered to be full of white hairs, more so at the root of his tail. Any person delivering said horse to the subscriber, or giving information so that I get him again, shall receive **FOUR DOLLARS REWARD**, and for apprehending the thief, so that he be convicted of the felony, **TWENTY DOLLARS REWARD**, paid by

ZADOCK DUVAL.

TAKEN up as a stray by the subscriber, living in Prince-George's county, within two miles of Upper-Marlborough, a small black **HORSE**, about thirteen hands and a half high, seven years old, fore back, good before, no perceivable brand, has the appearance of being worked. The owner is requested to prove his property, pay charges, and take him away.

ZADOCK DUVAL.

ALL persons having any just claims against the estate of **THOMAS JENINGS**, late of the city of Annapolis, deceased, are desired to exhibit them, properly authenticated, to the subscriber, who is duly authorized to administer on said deceased's estate, and all those indebted to said estate are requested to make immediate payment, to

THOMAS JENINGS, Administrator.

THE creditors of **STEPHEN STEWARD**, senior, and **STEPHEN STEWARD**, junior, late of Anne-Arundel county, deceased, are once more requested to produce their claims, properly authenticated, to **PHILIP B. KEY**, of Annapolis, or to the subscriber, on or before the 26th day of January next, and to appear at **MR. WHARF'S** tavern on that day, in person, or by attorney, to receive their dividends, and enable the subscriber to close the settlement of said estates.

BENJAMIN HARRISON, Administrator.

Annapolis, December 19, 1796.

THE VESTRY of **WILLIAM** and **MARY PARISH**, in Charles county, will **EXPOSE** to **PUBLIC SALE**, on Wednesday the 8th of February next, at the house of **MR. ELISBA EVANS**, at Allen's Fresh,

UPWARDS of fifty likely and valuable **NEGROES**, who will be sold on a credit of five years; the purchasers must give their bonds, bearing interest from the date, with such security as the vestry shall approve of.

Charles county, January 10, 1797.

A LIST of **LETTERS** remaining in the Post-Office, Port-Tobacco, which will be sent to the General Post-Office as dead letters, if not taken up before the first day of April next.

GEORGE LEE, Esq; Poplar Hill, near Port-Tobacco, (2).

John Booth, Nanjemoy.

Thomas Gillmore, jun. Poplar Hill, Charles county.

Anna Hanson, Port-Tobacco, care of W. B. Magruder.

William Leigh, near Port-Tobacco.

Charles Sewall, near Port-Tobacco.

James Brown, merch. Allen's Fresh.

Hugh Cox, Port-Tobacco.

Henry Manderfon, care of Mrs. Dodson, Port-Tobacco.

Charles Robey, Port-Tobacco, Charles county.

William Swain, Allen's Fresh.

Thomas Marshall, Port-Tobacco.

William Brawner, Chickamuxon.

Ignatius Matthews, near Port-Tobacco.

Mary Reeder, Port-Tobacco.

John Bruce, near Allen's Fresh.

C. C. McGrath, comedian, Port-Tobacco, (2).

John Ward, of Augusta, Port-Tobacco.

Theophilus Garner, Charles county.

Henry Barnes, Port-Tobacco.

Richard Mason, Newport.

Miss E. Lee, Elenheim, near Port-Tobacco.

Amelia Baker, near Port-Tobacco.

Alexander Scott, Port-Tobacco.

Samuel Middleton, Nanjemoy.

John Barnes, clerk Charles county.

William B. Smoot, of Wm. Barton, near Port-Tobacco.

Benjamin Marshall, jun. Port-Tobacco.

Elizabeth Scroggins, Charles county.

Thomas W. Coomes, near Port-Tobacco.

Capt. William Wilkinson, Charles county.

Mr. Francis Digges, attorney at law, Allen's Fresh.

Henry M. Dodson, Port-Tobacco.

Port-Tobacco, January 1, 1797.

WANTED.

A FEW thousand **CHESNUT RAILS**, for which a good price will be given. Apply to the Printers.

NOTICE.

THE partnership of **HENRY & THOMAS DORSEY** being dissolved by mutual consent, it is therefore necessary that those concerned should be informed that the books and papers remain in the hands of **THOMAS H. DORSEY** at his place, where they will remain until he is furnished with accounts from those to whom the partnership is indebted; we earnestly solicit those that are owing us money to call as above and close their accounts, either by making payment or giving their obligations; in case of non-compliance with this reasonable request, no one concerned can expect further indulgence.

HENRY H. DORSEY.

Indian Landing, November 1, 1796.

NOTICE is hereby given, that we shall make application to the next Charles county court, for a commission to mark and bound the three following tracts of land, situated in the said county, viz. **FRIENDSHIP**, **RUN AT A VENTURE**, and **LOWER BRANCH**, as also our particular parts of the said lands, pursuant to an act of assembly, entitled, An act for marking and bounding lands.

THOMAS H. MARSHALL,
THOMAS MARSHALL,
PHILIP I. FORD,
JOSIAS B. FORD,
PHILIP STEWART,
ANNE TARVIN,
MARY LANCASTER,
JOSEPH HERD.

Charles county, January 10, 1797.

COMMITTED to my custody, on the 30th inst. as a runaway, a negro woman by the name of **NAN**, her clothing is a stamped cotton jacket and petticoat, of Joan's spinning, and says she belongs to **HUGH DRUMMOND**. Also on Monday the 9th inst. was committed a negro man by the name of **MOSES**, his clothing is an old blue coat, plush breeches, and yarn stockings, and says he belongs to **HENRY WINK MILLER**. Their matters are hereby requested to take them away in two months from the day of their commitment, or they will be sold for their prison fees, and other expences.

RICHARD HARWOOD, Sheriff of

Anne-Arundel county.

January 9, 1797.

Will be landed to-morrow from on board the brig **WILLIAM**, from **MARAGA**, and to be sold cheap, wholesale, or by the box or package, at the store of

JOHN RANDALL.

Lemons in boxes.

Oranges, ditto.

Figs, ditto.

Bloom, Sun, Muscatel, and Lexia raisins in boxes and jars.

Green grapes in jars.

Soft shelled almonds in frails and baskets.

Annapolis, 5th January, 1797.

To be **SOLD**, on or before the 10th of April next, about two miles from the city of Annapolis,

A TRACT of **LAND**, containing 686 acres, with a commodious brick dwelling house two stories high, four rooms on a floor, a new brick kitchen adjoining, all in good repair; also a new stable, with other convenient out houses and an excellent garden, containing a choice collection of fruit trees, &c. &c. Great part of the said land is well timbered and lies convenient to the town. There are two tenements, one of them situated on a hill about one mile from the city, commanding a beautiful prospect, and would answer to be sold separate from the other dwelling, with any number of acres that may best suit the purchaser. Any one inclinable to treat for the said plantation may be made acquainted with the terms of sale, by applying to **MR. PHILIP ROGERS**, Baltimore, or to

JOHN HESSELIUS.

Primrose Hill, near Annapolis, January 3, 1797.

N. B. If desired immediate possession will be given, with an indisputable title.

In **CHANCERY**, December term, 1796.

John Haman

against

THE complainant applies for a decree to record a deed, executed on the 8th day of March, 1796, by **John German Thomas**, for conveying to him, the said **John Haman**, and his heirs or assigns, all his title, &c. of, in, and unto 50 acres of land due to him the said **Thomas**, for services as a soldier; the bill states, that the said **Thomas** hath, since the execution of the said deed, removed from the state; it is thereupon adjudged and ordered, that the complainant cause a copy of this order to be inserted in the Maryland Gazette, at least three weeks before the first day of February next, to the intent that the said **John German Thomas**, or his heirs, devisees, or representatives, or any other person that may conceive himself interested, may have notice of the complainant's application, and may be warned to appear here on the first Tuesday of June next, to shew cause, if any there be, wherefore a decree should not pass agreeably to the prayer of the complainant.

Test. **SAMUEL HARVEY HOWARD,**

Reg. Cur. Ca.

For SALE.

A Likely MULATTO WOMAN, who is a good plain Cook, Washer and Ironer. Inquire at the Printing Office.

NOTICE.

WHEREAS the agent of the State of Maryland, about one year one thousand seven hundred and eighty, did grant unto a certain **Smith Bishop**, of Worcester county, a certificate for the sum of eighteen hundred and fifty pounds, the then circulating money of the state; and whereas since the death of the said **Bishop**, to wit, some time in the year one thousand seven hundred and eighty six, the said certificate was lost by the administration of the said **Bishop**; this is therefore to give notice, that the subscriber, as guardian of **Elizabeth Betty**, and **Sarah Bishop**, the children and representatives of the said **Smith Bishop**, intends to petition the Governor and Council for the purpose of having the said certificate renewed, agreeable to the directions of an act of assembly, entitled, "An act respecting lost certificates," passed at November session, one thousand seven hundred and ninety-two.

HANNAH BISHOP, Guardian.

December 21, 1796.

Lands for Sale.

The subscriber having a number of small tracts, lying in different counties in this state, will sell the following, the following description and notice is given, in order that the persons to whom they adjoin may be accommodated with the preference, viz.

A TRACT called **Five-pond Ridge**, containing 67 1/2 acres, lying on a branch which empties into **Wicomico river**.—**A tract** called **Macon's Ridge**, containing 77 1/2 acres, lying on **Dividing Creek**.—**A tract** called **Retirement**, containing 109 acres, lying on **Jumping Beach**, and on the road leading from **Snow Hill** to **Salisbury**.—**A tract** called **Hardship**, containing 78 acres, lying and adjoining the **Delaware state line**, at the five mile place, and near the meeting-house. The above all lay in **Worcester county**.

The following tracts in **Caroline county**, viz. **A tract** called **Fowler's Plain** Dealing Secured, containing 504 acres, lying on the east side of **Great Choptank river**.—**A tract** called **Barren Hill** Secured, containing 364 acres, lying on the east side of **Great Choptank river**, and contiguous to the last mentioned. —**A tract** called **Recovery** Secured, containing 115 1/2 acres, adjoining a tract called **Boeh's Park**.

In **Dorchester county**, viz. **A tract** called **Godman's Advantages**, containing 41 1/2 acres, adjoining a tract called the **Savanna**.—**A tract** called **B. and S. Addition**, containing 22 acres, adjoining and bounding on **Joc's Creek**.

In **Talbot county**, viz. **A tract** called the **Neglect**, containing 17 1/2 acres, lying on the road from **Easton** to **Centerville** and on **Noble's Northern Branch**.

In **Hartford county**, viz. **A tract** called **Boeh's Neglect**, containing 19 acres, adjoining **Gibson's Ridge** and **Gillingham**.—**A tract** called **Taylor's Mistake**, containing 17 acres, adjoining **Fool's Refuge** and **Norris's Venture**.—**A tract** called **Silver Hills** Secured, containing 26 acres, adjoining a tract called **Profit**.—**A tract** called **Oblong**, containing 12 acres, adjoining a tract called **Frenchman's Repose**.—**A tract** called **Leonard's Disappointment**, containing 10 acres, lying and bounding on **Bow Creek**.—**A tract** called **St. George's Neighbour**, containing 38 acres, adjoining **Farmer's Delight** and **Howard's Forest**.—**A tract** called **Timber Grove**, containing 42 acres, lying on a branch of **Lodwick's Creek**.—**A tract** called **Orehand** and **Spring Restated**, containing 15 1/2 acres, near **Beale-Air**, and adjoining a tract called **Gravelly Bottom**.—**A tract** called **Webster's Neglect**, containing 47 acres, adjoining **Matthew's Neighbour** Resurveyed and **Howard's Forest**.

In **Washington county**, viz. Several small tracts in the neighbourhood of **Hagerstown**, containing 156 1/2 acres.

In **Allegany county**, viz. Sundry tracts containing in the whole 51,695 acres.

In **Anne-Arundel county**, viz.

A tract called the **Petrapo Mill Seat**, containing 116 acres, adjoining **general Ridgely's mill**, on **Patapisco**. Should the last mentioned tract not be sold at private sale, on or before the 10th day of January next, it will then be offered at public sale, at **Messrs. Yates and Campbell's** vendue house.

Also sundry tracts of land, lying in **Baltimore county**, which will be more particularly described before that day. For any part, or the whole of the above-mentioned property, 6 per cent. 3 per cent. or deferred stock of the **United States**, stock in either of the banks in **Maryland**, **Morris and Nichollson's** paper, or bonds with approved security, with interest at one, two, and three years, will be received. Any person desirous of creating for those lands, will make application to the subscriber, living at **Annapolis**, where a more full description can be given, and good titles made, on payment being made, or satisfactorily secured to be paid.

SAMUEL GODMAN.

Annapolis, November 22, 1796.

TAKEN up as a stray, a bright bay **HORSE**, about 13 hands high, he appears to be 9 or 10 years old, has no perceivable brand, his left hind foot white, a star in his forehead, and a snip on his nose, blind in his right eye, and has a small saddle spot on his right side. The owner may have the above horse, by proving property and paying charges.

RICHARD SIMMONS, sen.

October 13, 1796.

ANNAPOLIS:

Printed by **FREDERICK and SAMUEL GREEN.**

MARYLAND GAZETTE.

THURSDAY, JANUARY 26, 1797.

FRANCFORT, October 28.

It is learned from Tyrol, under date of the 19th, that general baron Alvinzy has taken the command in chief of the troops under general Quosdanovich, who have received such considerable reinforcements as will enable them to act on the offensive. We expect to hear every day that these troops have effected a junction by the re-capture of Trent and Bassano.

BANKS OF THE MEIN, October 31.

Official report transmitted by his royal highness the archduke Charles, to baron de Hugal, the Imperial commissioner at Friberg, October 21.

General Mosen, who had retreated with his whole army to the environs of Friberg, was on the point of crossing the Elz, as it was supposed, with a view of proceeding towards Kehl, to deliver that fortress which was blockaded by the Austrians. As soon as I received information of this movement, I set out from Offenburg; but did not succeed until the 17th in uniting my corps d'armes to that of general Latour: I then fixed my encampment in front of Herbolzheim. The enemy had possessed themselves of the important heights, situated on the right bank of the Elz, and occupied the villages situated in the space between. In consequence of general Latour's troops labouring under the excessive fatigue, having made several marches in very bad roads, I was forced to allow them to repose themselves till the 18th. The enemy, however, attacked on that day, and notwithstanding they had in the first instance some success, they were in the event forced to resume the ground they had quitted.

On the 19th I attacked at every point, and in spite of the advantage of the heights the enemy possessed, the bad roads, and a continual rain constantly opposing fresh obstacles to our march, the enemy were driven from the height, and forced to cross from the other side of the Elz. General Wartenleben, who conducted the attack at the head of the column, was dangerously wounded.

The success of this action was due to the infantry, the cavalry not being able to act. Much difficulty was found in bringing up to the height a few guns.

The enemy lost 1800 men killed and wounded, about 1200 prisoners, and a gun. One of their generals of divisions, Beaupuis, was killed.

On the 20th, I crossed the Elz, and formed a junction with general Nauendorf's corps, which had penetrated to the other side of Vald-Kirch. But as the left wing of general Latour's corps could not be brought up in time, it being necessary to construct a bridge in sight of the enemy, I was obliged to content myself with dislodging the republicans of several villages on the other side of the Elz, and taking up a position with my army on the left bank of that river.

This morning every disposition was made for a new attack, but the enemy had retreated during the night. I instantly set out in pursuit of them, and came up with their rear guard at this place (Friberg.) The flight of the enemy is so precipitate, that according to reports I have this instant received, a part of their army has proceeded in the utmost disorder towards Brisach and Mannheim.

ITALY, October 26.

The new corps of the army, which has assembled near Gorx in the Frioul, is composed of 25,000 men, most part of which are Croats. This corps, commanded by general Quosdanovich, was to have marched under the 10th to Verona and Mantua, it is certain that the advanced guard had moved on the 14th under the orders of general Lipray.

General Divakovich, who commands a much larger corps, which the Tyrolean volunteers flock in crowds to join, has advanced towards Trent and Roveredo. It has been already reported, that this corps had commenced its march, and drives the French from their positions near the former; but official reports of a later date do not make any mention of this event, and we therefore do not attach any belief to this story.

TRIESTE, October 21.

The following is a correct translation of the note by which M. Galeppi, plenipotentiary minister of Pius VI. announced to the French commissioners Garrau and Buisson, the determination of his holiness not to accept the conditions of peace offered, or rather dictated, by the French directory.

The undersigned plenipotentiary minister of his holiness the pope Pius VI. has the honour to inform Messrs. Garrau and Buisson, commissioners of the executive directory with the French armies of Italy and the Alps, that having laid before his holiness the sixty-four articles proposed by their excellencies, under the condition that they must all either be rejected or accepted in their full extent. His holiness, after having consulted them, and taken the advice of the Holy

College, declares, that neither religion nor good faith do any ways allow him to accept them.

It is with the utmost concern his holiness has found, that besides the articles already proposed at Paris, tending to oblige him to disapprove, revoke and annul, all the bulls, rescripts, briefs, and Apostolic mandates, issued under the authority of the Holy See, with respect to the affairs of France, since the year 1789, there were several others, which, being equally prejudicial to the Catholic religion, and the rights of the church, are consequently inadmissible; without entering into any discussion concerning those which are destructive both to this sovereignty and dominions, pernicious to the happiness and tranquillity of his subjects, and evidently contrary to the rights of other nations and powers, towards whom the Holy See would not even be able to maintain itself neutral. His holiness hopes, therefore, that the executive directory, from its own sense of rectitude, as well as in consideration of the mediation of his majesty the king of Spain, will do justice to the powerful motives which have determined his holiness to give his refusal which he is obliged to enforce at the hazard of his life.

Given in Florence the 15th Sept. 1796.

(Signed) "GALEPPI, Minister plenipotentiary to his holiness the Pope Pius VI."

FRONTIERS OF TYROL, October 21.

A Neapolitan courier, it is said, has been sent to archduke Charles, to apprise him that 30,000 Neapolitan troops have entered the Papal territory.

In a fornic which Wurmer made on the 7th inst. the loss of the French is stated to have been very considerable. Several ammunition waggons, magazines, and military chests, were taken from them.

General Alvinzy, with the army under his command has entered the Venetian territory.

BANKS OF THE MEIN, October 29.

The corps of reserve under general St. Sarraray, which has marched to the reinforcement of the army of the archduke, consists of 10,000 men. The whole of the Austrian force in Suabia will now amount to from 85 to 90,000 men.

It is now said, that the hereditary prince of Wirtemberg is gone to Vienna, to enter into a conference relative to the treaty of peace between Wirtemberg and France. A report is likewise circulated, that 3000 of the troops of Wirtemberg, which are to be paid by the empress of Russia, will again join the Imperial army, with the contingent of Wirtemberg, which will be commanded by the hereditary prince; in which case the peace concluded by the duke with France will be annulled.

PARIS, November 11.

NOTE

Delivered to the minister for the department of foreign affairs, by lord Malmesbury, envoy of the British cabinet.

The undersigned has not failed to transmit to his court the answer of the executive directory to the propositions which he was charged to make, and which were intended to serve as a basis to a negotiation of peace.

With respect to the injurious and offensive insinuations contained in that answer, and which are only fit to throw new obstacles in the way of that reconciliation which the French government professes to desire, the king has thought it fit to bestow his dignity to allow any reply whatever to be returned on his part. The progress and result of the negotiation will no doubt evince the principles on which it shall have been conducted on either side, and it is neither by reproaches, as if unjustly as they are without foundation, nor by reciprocal insults, that a sacred mission is to be furthered the work of peace.

The undersigned proceeds therefore to the first object of discussion set forth in the answer of the executive directory, viz. that of a separate negotiation, in which it has, without the least foundation, supposed that his undersigned was authorized to accede. His credentials and powers drawn up in the usual form, fully authorize him to negotiate and conclude a peace, but they prescribe neither the form and nature, nor the terms of the future treaty. On these points he must conform to the custom long established and acknowledged, conform himself to the instructions received from his court, and he has consequently not failed to inform the minister for the department of foreign affairs, in their very first conference, that the king, his majesty, had expressly enjoined him not to listen to any proposal tending to separate the interests of his majesty from those of his allies.

A negotiation which embraces the interests and pretensions of all the powers who make a common cause with the king in this present war, is therefore the only one which can take place. In the course of such a negotiation, the intervention of any other

participation of these powers, will no doubt become absolutely necessary, and his majesty hopes to find at all times, the same disposition to treat on a just and equitable basis, of which his majesty the emperor and king gave the French government so striking a proof at the very moment of the opening of this campaign.

But to wait for a formal and definitive authority on the part of the king's allies, before Great Britain and France should begin to discuss, even provisionally, the principles of the negotiation, would cause, it appears, a very useless delay. A course widely different has been pursued by the two powers on all former occasions of the same nature; and his majesty is of opinion, that the best pledge which at this moment they can give to all Europe of their mutual desire to put a period as soon as possible to the calamities of war, would be to treat without delay a basis of combined negotiation, and to invite their allies to participate in it, in the best manner calculated to accelerate a general peace.

It was with this view, that the undersigned had it in command to propose, at the very commencement of this negotiation, a principle, which his majesty's generosity and good faith could alone dictate to him, viz. to indemnify France, by proportionate restitutions for such arrangements as she will consent to in order to satisfy the just claims of the king, and to preserve the political balance of Europe. The executive directory has not explained itself in a precise manner either on the approbation of this principle, nor in the alterations and modifications which it may desire; nor has it proposed any other principle tending to the same end. The undersigned is therefore ordered to refuse this subject, and to demand on this head an open declaration, in order to shorten the delay, which must otherwise result from the difficulties raised by the directory with respect to the form of his power. He is authorized to add to this demand the express declaration, that whilst his majesty shall acquiesce in his treaty with all his successive heirs relative to the object of this present negotiation, and shall towards those sovereigns in the most efficacious manner every duty of a good and faithful ally, he will at the same time neglect nothing on his part, both to dispose them to concur in this negotiation, by all such means as are most fitted to accelerate its progress and ensure its success, and to preserve them in dispositions favourable to his wish for the return of a general peace, on just, permanent, and honourable conditions.

(Signed) "MALMESBURY."

Paris, November 13, 1796.

To the above note the French minister for foreign affairs, Delacroix, returned the following answer.

Answer of the minister for the departments of foreign affairs to the note of lord Malmesbury.

The undersigned is charged by the executive directory to call on you to point out as speedily as possible, and nominatively the subjects of reciprocal compensations which you have to propose.

He is besides charged to ask of you what are the dispositions to treat on a just and equitable basis of which his majesty the emperor and king furnished so conspicuous a proof at the commencement of the present campaign. The executive directory is ignorant of them. It was the emperor and king by whom the armistice was broken.

(Signed) "CH. DELACROIX."

Paris, 22d Brumaire.

LONDON, November 2.

The inhabitants of Modena and Reggio, at the instance of the French (whom he had offended by supplying Mantua with provisions,) have fallen off the dominion of the duke, their sovereign, and are now in consequence of the ill success of the Duke's playhouse has been shut up, and a large force under lord Cashampton is under orders for that neighbourhood.

According to private letters from the Cape, the share of prize money to each captain of the fleet, under Sir Keith Biphon, will amount to 3000l. sterling.

A letter from the minister of the Dutch minister at Vienna, has been published at the Hague. It stated that the French minister who had retired in that city from Italy, having received the Imperial majesty's answer, was on the eve of his return. His mission has been solely to notify to the emperor the abdication of the king of Naples from the confederation; to demand an exchange of prisoners, and for this purpose a partial, or a general truce; and to announce the determination of the directory to revolutionize the conquered provinces of Italy, particularly Lombardy, and convert them into the pendant republic, under the protection of France, should the emperor long persist in the war.

Nov. 16. An evening paper of last night stated, on the authority of some person said to have arrived in a vessel from Cadix, that a few hours before the vessel sailed, intelligence had been communicated by the telegraph to Lisle, of a desperate engagement having

MARYLAND GAZETTE.

THURSDAY, JANUARY 26, 1797.

FRANCFORT, October 28.

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BANKS OF THE MEIN, October 31.

Official report transmitted by his royal highness the archduke Charles, to baron de Hugal, the Imperial commissioner at Friburg, October 21.

General Moreau, who had retreated with his whole army to the environs of Friburg, was on the point of crossing the Elz, as it was supposed, with a view of proceeding towards Kehl, to deliver that fortress which was blockaded by the Austrians. As soon as I received information of this movement, I set out from Offenbourg; but did not succeed until the 17th in uniting my corps d'arms to that of general Latour: I then fixed my encampment in front of Herbolzheim. The enemy had possessed themselves of the important heights, situated on the right bank of the Elz, and occupied the villages situated in the space between. In consequence of general Latour's troops labouring under the excessive fatigue, having made several marches in very bad roads, I was forced to allow them to repose themselves till the 18th. The enemy, however, attacked on that day, and notwithstanding they had in the first instance some success, they were in the event forced to resume the ground they had quitted.

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The success of this action was due to the infantry, the cavalry not being able to act. Much difficulty was found in bringing up to the heights a few guns.

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General Davdokich, who commands a much larger corps to which the Tyrolean volunteers flock in crowds, is to advance towards Trent and Roveredo. It has been already reported, that this corps had commenced its march, and driven the French from their positions near the former; but official reports of a later date do not make any mention of this event, and we therefore do not attach any belief to this story.

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PARIS, November 11.

NOTE

Delivered to the minister for the department of foreign affairs, by lord Malmesbury, envoy of the British cabinet.

The undersigned has not failed to transmit to his court the answer of the executive directory to the propositions which he was charged to make, and which were intended to serve as overtures to a negotiation of peace.

With respect to the injurious and offensive insinuations contained in that answer, and which are only fit to throw new obstacles in the way of that reconciliation which the French government professes to desire, the king has thought it far beneath his dignity to allow any reply whatever to be returned on his part. The progress and result of the negotiation will not doubt evince the principles on which it shall have been conducted on either side, and it is neither by reproaches, as disgusting as they are without foundation, nor by reciprocal insults, that a sincere attention is shown to further the work of peace.

The undersigned proceeds therefore to the first object of discussion set forth in the answer of the executive directory, viz. that of a separate negotiation, to which it has, without the least foundation, supposed that the undersigned was authorized to accede. His credentials and powers drawn up in the usual form, fully authorize him to negotiate and conclude a peace, but they prescribe neither the form and nature, nor the terms of the future treaty. On these points he must, pursuant to the custom long established and acknowledged, conform himself to the instructions received from his court, and he has consequently not failed to inform the minister for the department of foreign affairs, in their very first conference, that the king, his master, had expressly enjoined him not to listen to any proposal tending to separate the interests of his majesty from those of his allies.

A negotiation which embraces the interests and pretensions of all the powers who make a common cause with the king in this present war, is therefore the only one which can take place. In the course of such a negotiation, the intervention, or at least the

participation of these powers, will no doubt become absolutely necessary, and his majesty hopes to find at all times the same disposition to treat on a just and equitable basis, of which his majesty the emperor and king gave the French government so striking a proof at the very moment of the opening of this campaign.

But to wait for a formal and definitive authority on the part of the king's allies, before Great-Britain and France should begin to discuss, even provisionally, the principles of the negotiation, would cause, it appears, a very useless delay. A course widely different has been pursued by the two powers on all former occasions of the same nature; and his majesty is of opinion, that the best pledge which at this moment they can give to all Europe of their mutual desire to put a period as soon as possible to the calamities of war, would be to settle without delay a basis of combined negotiation, and to invite their allies to participate in it, in the best manner calculated to accelerate a general peace.

It was with this view, that the undersigned had it in command to propose, at the very commencement of this negotiation, a principle, which his majesty's generosity and good faith could alone dictate to him, viz.—to indemnify France, by proportionate restitutions for such arrangements as she will consent to in order to satisfy the just claims of the allies of the king, and to preserve the political balance of Europe. The executive directory has not explained itself in a precise manner either on the approbation of this principle, nor in the alterations and modifications which it may desire; nor has it proposed any other principle tending to the same end. The undersigned, is therefore, ordered to resume this subject, and to demand on this head an open declaration, in order to shorten the delay, which must otherwise result from the difficulties raised by the directory with respect to the form of his powers. He is authorized to add to this demand the express declaration, that whilst his majesty shall acquaint his august allies with all his successive steps relative to the object of this present negotiation, and fulfil towards those sovereigns in the most efficacious manner every duty of a good and faithful ally, he will at the same time neglect nothing on his part, both to dispose them to concur in this negotiation, by all such means as are most fitted to accelerate its progress and ensure its success, and to preserve them in dispositions favourable to his wish for the return of a general peace, on just, permanent, and honourable conditions.

(Signed) MALMESBURY.

Paris, November 12, 1796.

To the above note the French minister for foreign affairs, Delacroix, returned the following answer. Answer of the minister for the departments of foreign affairs to the note of lord Malmesbury.

The undersigned is charged by the executive directory to call on you to point out as speedily as possible, and nominatively the subjects of reciprocal compensations which you have to propose.

He is besides charged to ask of you what are the dispositions to treat on a just and equitable basis of which his majesty the emperor, and king furnished so conspicuous a proof at the commencement of the present campaign? The executive directory is ignorant of them. It was the emperor and king by whom the armistice was broken.

(Signed) CH. DELACROIX.

Paris, 22d Brumaire.

LONDON, November 8.

The inhabitants of Modena and Reggio, at the instance of the French (whom he had offended by supplying Mantua with provisions,) have shaken off the dominion of the duke, their sovereign.

In consequence of the disturbance in Belfast, the playhouse has been shut up, and a large force under lord Cashampton is under orders, for that neighbourhood.

According to private letters from the Cape, the share of prize money to each captain of the fleet, under Sir Keith Elphinstone, will amount to 3000l. sterling.

A letter from Van Braeten, the Dutch minister at Vienna, has been published at the Hague. It stated that the French messenger who had arrived in that city from Italy, having received his imperial majesty's answer, was on the eve of his return. His mission has been solely to notify to the emperor the rejection of the king of Naples from the confederation; to demand an exchange of prisoners, and for this purpose a partial, or a general truce; and to announce the determination of the directory to revolutionize the conquered provinces of Italy, particularly Lombardy, and convert them into an independent republic, under the protection of France, should the emperor long persist in the war.

Nov 16. An evening paper of last night stated, on the authority of some person said to have arrived in a vessel from Calcutta, that a few hours before the vessel sailed, intelligence had been communicated by the telegraph to Lisle, of a desperate engagement having

taken place near Trieste on the 20th ult. between the Austrian army commanded by general Alvinzy, destined to relieve the garrison of Mantua, and the French division under general Massena, in which the former was completely defeated, and 3000 prisoners, and all the Austrian artillery and baggage, fell into the hands of the enemy.

It was also reported, that general Wurmsler, during the above action, made a sortie from the garrison of Mantua, and succeeded in destroying the greater part of the enemy's works, and killing a great number of men; but that, after a desperate conflict, the Austrians were driven back into the fortresses by a numerous reinforcement which arrived to the aid of the French from Piedmont and Tyrol.

As not only the letters from Vienna of the 20th ult. and from Italy of the 26th, brought by the last Hamburg mail, but even a letter from Trieste written on the day subsequent to that on which the action is pretended to have taken place, take not the smallest notice of any such event, we incline to believe that those reports have not the smallest foundation in truth.

BOSTON, January 3.

From Oporto, (Portugal.)

Captain Clark, arrived since our last from Oporto, left that place, about the beginning of November. He informs, that intelligence had been received of the declaration of war by Spain against Great-Britain; that several Englishmen, who had been released from vessels captured by the Spaniards, had arrived there; that the Spanish court had demanded to have the ports of Portugal shut against the English; and 15 days were allowed the Portuguese to consider of the demand; but they answered immediately, that it required little consideration, they would not shut their ports against the English; and that a Spanish army, said to consist of 15 regiments, appeared on the frontiers, supposed with a design to invade Portugal. In consequence of which, the greatest activity was used in recruiting at Oporto, and other parts of the kingdom; and a considerable army had marched to oppose invasion if attempted. Men were daily impressed to equip the ships of war; and there was every appearance of warm hostility.

NEW-YORK, January 13.

The formal declaration of war by England against Spain took place in council on the 9th of November. It is couched in the usual terms, of complaint—and shall be given to-morrow.

It is said lord Malmesbury has sent two couriers with important dispatches from the emperor.

A passenger in the Prince Edward, saw a London paper at Deal, of the 18th ult. A paragraph in which stated, that 80,000 troops and 18 ships of the line were lying at Brest, preparatory to an intended invasion of Great-Britain should the negotiation fail.

The latest letters from Italy speak of a fresh sortie effected by the garrison of Mantua, with the greatest success. The enemy were pursued within a short distance of Verona.

PHILADELPHIA, January 16.

Major Thomas Pinckney, late minister from the United States to the court of London, is arrived at Charleston from London.

The Common Council has resolved, unanimously, that the address of the president of the United States to the people be printed with their resolves and ordinances. Also, that an address be presented to him expressive of their high sense of the services he has rendered to his country, and their deep regret at his relinquishing that high office which for eight years he has filled with so much honour to himself and advantage to his country. These resolutions have been sent to the select council for concurrence.

Last Monday night, about a mile northwest from this city, a gill of the best French brandy, was placed in a field in a common sacker, and about 10 minutes after the sun rose next morning the circumference was a ring of ice, about half an inch broad. The ice had no regular form, but clotted like grease; the remaining brandy had the appearance of oil, and when tasted was mild as milk.

A small vial of the same brandy, with a glass stopper was exposed in the field; no crust of ice was formed on it, the action of the air being prevented by the stopper.

Water placed in a room where no fire had been for some days was in a liquid state until the dawn of the day, but was frozen into a lump of ice in 10 minutes after the sun rose.

The following remarks are made in the (London) Star of November 17, immediately after the last communication from lord Malmesbury to the French government and their answer.

At present we shall offer no comment on this very curious and important correspondence. We shall only venture one assertion.—The present negotiation will end in disappointment, and there will be no peace till Mr Pitt obtain permission to retire, which will be in a few months.

ARMY OF THE RHINE AND MOSELLE.

Extract of a letter from the general in chief, Moreau, to the executive directory.

Upon the 27th of this month the right wing was attacked in the passes d'Enfer, St. Pierre, and St. Morgen. The advanced guard was obliged to fall back, but the main body preserved its position. The pass was guarded, and the enemy were unable to block it up.

I gave orders again to attack the enemy next day. The course of the army was to support this attack by a detachment which followed the rout of the pass of Simonswald.

Upon the 28th, prince Charles, who had concentrated his whole army in the neighbourhood of Elfish and Effingen, attacked the advanced guard of the centre and that of the left. The latter were to fall back upon the army, but that of the centre was under the necessity of making head in its position, in order to protect the return of its detachment in the Simonswald.

That of the left was to fall back behind the Elft upon the first attack of Reutzengen, which it occupied by the bridges of Anwassen and Theningen; but the brave general Beaupais, who had the command of this movement, was killed at the beginning of this action, so that the detachment continued to fight in the bad position which it occupied till new orders could be given, and all their bravery was requisite to prevent them from being driven in by a superiority of force, and numerous artillery.

After this engagement, in which, fortunately, we did not lose a single piece of artillery, the army preserved its position behind the Elft; the right at the entrance of the defile of Waldskak, the left at Riges; but as the Moselle at Theningen was commanded by the heights of Mundingen, I took position five hundred toises behind, defending the mouth of the passage in front by Hangensingen, the right by the mountains. The loss of the enemy is about five hundred killed and one hundred and fifty made prisoners. The attack of the right wing succeeded, and its advanced guard resumed its position at St. Pierre.

Upon the 29th the enemy attacked Nimburg. They displayed in artillery, infantry, and cavalry, considerable forces. The heads of their columns, were ready to seize the passes at all the other points, had they succeeded in forcing this one; but their efforts were useless, and their attacks, which they continued to repeat with fresh troops from ten o'clock in the morning till late at night, were repelled with the greatest courage. The light artillery especially performed prodigies of valour. The enemy likewise attempted an attack upon the left of the centre of the army, but vigorously repulsed by the 16th demi-brigade, they confined themselves to this trial.

I am retiring towards Huningen. Yesterday the enemy followed us with their artillery; but the rear guard commanded by generals Abbatucci and Labolfiere, completely kept them in check.

Upon the 24th, 25th and 26th, the advanced guards were engaged; we have made about 700 prisoners.

Health and respect.
(Signed) "MOREAU."

Extract of a letter addressed to the executive directory, by the commander in chief of the army of the Rhine and Moselle, dated October 30.

Citizens Directors,
On the 1st of this month the army took the following position:—the left on the Rhine, the right at Kaudern, the centre at Schillingen. I remained there on the second, and it was my intention, if the enemy had not pursued me with their whole army, to have maintained myself there.—Their efforts seemed particularly directed against Kaudern and Hiel; and their object was, in opening Ludlingen, to arrive before me at Amindingen, and cut off my retreat to Huningen. I made a vigorous attack the same day on the post at Rhinsfelden, but their having time to cut down the bridge prevented any good effect resulting from this attack.

The troops of general Ferrino, who were ordered to defend Kaudern and Hiel performed prodigies of valour, and resisted the repeated attacks of the enemy from day break till night. I gave orders for their being supported by a post of the general's division, against whom the attack was less vigorous. General Joubert supported the attack from Schillingen to the Rhine.

Notwithstanding the fatigues of the troops, occasioned by the very bad weather, they repulsed the enemy in every attack, without at all regarding their numbers; and if the situation of the army had permitted to remain upon the right bank of the Rhine, we flatter ourselves we should have gained a very brilliant victory. We have taken about 100 prisoners from the enemy, five of whom are officers.

On the 6th the army took a position at Aftugen. On the 5th it passed the Rhine at Huningen; and although the army of the enemy was encamped only a league distant from us, they dared not molest or interrupt us in our passage, which was effected in the greatest order, and covered by generals Abbatucci and Labolfiere.

Health and respect.
(Signed) "MOREAU."

To be SOLD, on the 8th day of February, 1797, if fair, if not the first fair day about one mile below Calvert county court-house.
THIRTEEN NEGROES, consisting of men, women, and children, for cash, or bond with approved security.
HENRY GRAY.

RAN away from the subscriber, on the 4th day of October last, a negro woman named POLLY, but passes by the name of POLLY BUTLER, about twenty-two years old, well grown, and has a pleasant countenance; had on when she went away a white muslin jacket and petticoat, and a coarse wool hat; she has been seen in Annapolis; has a pass, which reads thus, "Permit the bearer Polly to pass and re-pass, in order to provide herself a market," signed by "William Tansyhill." Any person taking up said negro, on securing her in goal, so that I get her again, shall receive TWENTY-FOUR DOLLARS REWARD, and if brought home all reasonable charges paid by the subscriber.
ADAM YOUNG,
Montgomery county.

By order of the orphans court of Prince-George's county, will be SOLD, on the 15th day of February next, at the plantation where the late ROBERT WADE lived, 60 Tinger's Run, near Piscataway, if not fair the first fair day,

HOUSEHOLD furniture, hoes, cattle, sheep, hogs, plantation utensils, and several valuable negroes, consisting of men, women, and children, on a credit of twelve months. Bond on interest from the date with approved security will be required. The sale to begin at 12 o'clock, and continue until every thing is sold.

At the same time and place will be offered for sale, the above mentioned plantation, containing 365 acres more or less; it is very valuable for the superior quality of its soil, well adapted to corn, wheat, tobacco and meadows, and its short distance from the Federal City, Piscataway and Broad creek, navigation about three miles from the two last places.—Also part of a tract of land containing 90 acres, more or less, in the forest of Broad creek, about three miles from that place, it is chiefly in woods. Two years credit will be given, the interest to be paid annually, bonds with good security will be required, and deeds given when all the money is paid up.

BENONI H. WADE, Surviving executor of ROBERT WADE.

January 17, 1797.

NOTICE is hereby given, that I intend to apply to the next Anne-Arundel county court for a commission to mark and bound my part of a tract of land, lying in said county, called OBLIGATION, agreeably to the act for marking and bounding lands.

DAVID STEUART.

January 23, 1797.

A LIST of LETTERS remaining in the Post-Office, Upper-Marlborough, which, if not taken up on or before the first day of April next, will be sent to the General Post-Office as dead letters.

THE right rev. Dr. Thos. J. Claggett, 3, near Upper-Marlborough.
William Bayley, Esq; Prince-George's county.
The hon. Richard Sprigg, Esq; near Upper-Marlborough.

Mrs Nancy Belt, Upper-Marlborough.
Mr. Reuben Mayo, Prince-George's county.
Overton Carr, Esq; Prince-George's county.
Saml. Hepburn, Esq; Upper-Marlborough.
Mr. Benedict Smith, Upper-Marlborough.
Mr. Joseph Smith, Prince-George's county.
Mr. Isaac Davis, Patuxent river.
Mr. John F. Hardy, 2, Magruder's warehouse.
Rev. Walter Addison, Prince-George's county.
Doct. Thomas Johnson, Aquasco Mills.
Charles Williamson, Esq; Calvert county, Maryland.
Mr. Robert McGill, Upper-Marlborough.
Mrs. Mary Diggs, 2, Melwood Park, near Upper-Marlborough.
Mast. Patrick O'Reilly, Prince-George's county.
Mons. Lemerrier, Maryland.
Rinaldo Johnson, Esq; 3, Aquasco Mills.
Mr. James Gantt, Hannah Brown's Ferry.
Mr. Richard Herwood, Pig Point, Patuxent.
Mrs. Mary Burgess, near Upper-Marlborough.
Mr. John R. Magruder, jun. clerk of Prince-George's county, 2.
Alexander Henderson, Esq; Dumfries.
Rev. Geo. Ralph, at rev. C. Brookes, near Upper-Marlborough.
Mr. Benjamin Oden, near Upper-Marlborough.
Mr. Thomas McGill, Upper-Marlborough.
Mr. Enos D. Ferguson, Upper-Marlborough.
Mr. Charles Chaney, Prince-George's county.
James Brown, Queen-Anne's county, Maryland.
Mr. David Stone, Prince-George's county.
John F. Mercer, Esq; Maryland.
Mr. Joseph Millard, Leonard-town, Saint-Mary's county.
Mr. James A. Magruder, Upper-Marlborough.

SAMUEL HAMILTON, F. M.

Upper-Marlborough, January 18, 1797.

A Stray,

CAME to the subscriber's plantation, a dark bay MARE COLT, four years old, about twelve hands high, and has a star in her forehead. The owner is desired to come, prove his property, pay charges, and take her away.

WOLTHE FILPS.

FROM the many trespasses (almost daily committed) on Primrose Hill, and the subscriber's plantation over Severn, he is obliged to forewarn all persons from hunting with dog or gun, on either place, as he is determined to put the law in force against any one so offending.

JOHN HESSLIUS.

Primrose Hill, near Annapolis, January 2, 1797.

TAKEN up by the subscriber, living in Prince-George's county, within two miles of Upper-Marlborough, a small black HORSE, about thirteen hands and a half high, seven years old, short back, good before, no perceivable brand, has the appearance of being worked. The owner is requested to prove his property, pay charges, and take him away.

ZADOCK DUVAL.

WANTED,
A FEW thousand CHESNUT RAILS, for which a good price will be given. Apply to the Printers.

A LIST of LETTERS remaining in the Post-Office at dead letters, the first day of April next, will be sent to the General Post-Office as dead letters.

JOHN BORDLEY, 10, Thomas Brewer, Annapolis.
James Cook, Joseph Chalmers, Nicholas Conly, care of Wallace and Cragg (2), London-town.

Gabriel Duvall (2), Finney and Guyer, Annapolis; Bennett Darnall Point.
William Paris (2), Annapolis.
John Gwinn, Richard Grammer, Joseph Green, Annapolis.

John Hollingsworth, Z. William Hughlett, Mary Thomas Jones, Annapolis; Mary Knowles, Elizabeth Wm. King, Annapolis; Randolph Latimer, Jonathan Pinkney, Annapolis; James Mackubin (2), Miller, on board the floo Miller, near Annapolis Point; Thomas M'Pherson, Edward Nickols, Annapolis; William Peca, George meel Peco, Leonard Prentiss, Henry Ridgely (2), Ridgely, Benjamin Ring, Sheriff of Anne-Arundel; James Skirring, Fribly Tighman, Annapolis; Thomas Tolt, near Annapolis; John L. Wilmer (2), West, William Wells (2), near Pig Point.

SAMUEL HAMILTON, F. M.

January 1, 1797.

ALL persons having estate of THOMAS HARRIS, of the city of Annapolis, do hereby, properly authorized, is daily authorized to state, and all those indebted to make immediate payment.

THOMAS HARRIS.

STOLEN from the estate of THOMAS HARRIS, of the city of Annapolis, do hereby, properly authorized, is daily authorized to state, and all those indebted to make immediate payment.

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THOMAS HARRIS.

LIST of LETTERS remaining in the Post-Office, Annapolis, which will be sent to the General Post Office as dead letters, if not taken up before the first day of April next.

JOHN BORDLEY, John Brice, sen. Sarah Butler, Thomas Brewer, Annapolis.

James Cook, Joseph Chaves, Henry James Carroll, Zachariah Cox, Nicholas Carroll, John or Elizabeth Cook, care of Wallace and Muir, Annapolis; John Cragg (2), London-town; Henry T. Compton, P. M. Annapolis.

Gabriel Duvall (2), Henry Hall Dorsey, care of Pinkney and Guyer, Annapolis; John Davidson, Maryland; Bennett Darnall (3), Richard Darnall, Pig Point.

William Paris (2), Joseph Forrest, Mr. Frazier, Annapolis.

John Guinn, Richd. Goldborough, Frederick Grammer, Joseph Green, care of Francis Clements, Annapolis.

Jes. Hollingworth, Z. Hollingworth, Annapolis; William Hughlett, Maryland.

Thomas Jones, Annapolis.

Mary Knowles, Elizabeth Knowles, George Knox, Wm. King, Annapolis.

Randolph Latimer, Catherine Lewis, care of Jonathan Pinkney, Annapolis.

James Mackubin (2), Gilbert Murdock (3), John Miller, on board the sloop Clarice, Annapolis; John Miller, near Annapolis; John Michael, Greenbury Point; Thomas M'Pherson, Pig Point.

Edward Nickols, Annapolis.

William Peca, George Plater, Mary Priestly, Samuel Peco, Leonard Pressell, Annapolis.

Henry Ridgely (2), Samuel Ridout (2), Absalom Ridgely, Benjamin Ringgold, Annapolis.

Sheriff of Anne Arundel county, Robert Smith, Annapolis; James Skinner, near Pig Point.

Frisby Tighman, Thomas Thomas, Annapolis; Thomas Tolt, near Annapolis.

John L. Wilmer (2), James Wharfe, Richard Well, William Wells (2), Annapolis; John Waring, near Pig Point.

SAMUEL GREEN, D. P. M.
January 1, 1797.

ALL persons having any just claims against the estate of THOMAS JENINGS, late of the city of Annapolis, deceased, are desired to exhibit them, properly authenticated, to the subscriber, who is duly authorized to administer on said deceased's estate, and all those indebted to said estate are requested to make immediate payment, to

THOMAS JENINGS, Administrator.

STOLEN from the subscriber, living in Anne Arundel county, near Pig Point, on Saturday the 25th ult. a sorrel HORSE, about fourteen hands high, fairs on the near buttock a black spot, and a small scar on the side of his nose. Whoever takes up said horse, and secures him to that I get him again, shall receive **FOUR DOLLARS REWARD.**

THOMAS OWINGS.
July 6, 1796.

THE VESTRY of WILLIAM and MARY PARISH, in Charles county, will EXPOSE to PUBLIC SALE, on Wednesday the 8th of February next, at the house of Mr. ELISHA EVANS, at Allen's Fresh, **UPWARDS of fifty likely and valuable NEGROES,** who will be sold on a credit of five years; the purchasers must give their bonds, bearing interest from the date, with such security as the vestry shall approve of.

Charles county, January 19, 1797.

LIST of LETTERS remaining in the Post-Office, Port-Tobacco, which will be sent to the General Post Office as dead letters, if not taken up before the first day of April next.

GEORGE LEE, Esq. Poplar Hill, near Port-Tobacco, (2).

John Booth, Nanjemoy.

Thomas Gilmore, jun. Poplar Hill, Charles county.

Anda Hanson, Port-Tobacco, care of W. B. Magruder.

William Leigh, near Port-Tobacco.

Charles Sewall, near Port-Tobacco.

James Brown, near Allen's Fresh.

High Cox, Port-Tobacco.

Henry Manderion, one of Mrs. Dodson, Port-Tobacco.

Charles Robey, Port-Tobacco, Charles county.

William Swan, Allen's Fresh.

Thomas Marshall, Port-Tobacco.

William Brainer, Chickamuxon.

Ignatius Mathews, near Port-Tobacco.

Mary Beedy, Port-Tobacco.

John Bracco, near Allen's Fresh.

C. C. McGeehan, comedian, Port-Tobacco, (2).

John Ward, of Augusta, Port-Tobacco.

Theophilus Green, Charles county.

Henry Barnes, Port-Tobacco.

Richard Mason, Newport.

Miss B. Lee, Bleakinsley, near Port-Tobacco.

Amelia Simpson, near Port-Tobacco.

Alexander Scott, Port-Tobacco.

Samuel Middleton, Nanjemoy.

John Barnes, clerk Charles county.

William B. Smoot, of Wm. Barton, near Port-Tobacco.

Benedict Marshall, Jr. Port-Tobacco.

Elizabeth Scroggins, Charles county.

Thomas W. Crookes, near Port-Tobacco.

Capt. William Wilkinson, Charles county.

Mr. Thomas Digges, attorney at law, Allen's Fresh.

Henry M. Dodson, Port-Tobacco.

Port-Tobacco, January 1, 1797.

IN COUNCIL, Annapolis, January 5, 1797.

ORDERED, That the resolutions passed by the general assembly, at their last session, respecting certificates and bills of credit, be published eight weeks successively in one of the Philadelphia and Alexandria news-papers, and in one of the Baltimore, Fredericktown and Baton papers, and the Maryland Gazette.

By order,
NINIAN BINKNEY,
Clerk of the Council.

BY THE HOUSE OF DELEGATES,
December 27, 1796.

1st. RESOLVED, That the treasurer of the western shore be and he is hereby authorized to pay off and discharge the principal and interest due on all certificates heretofore issued by the State of Maryland, other than those distinguished as fraudulent ones, provided the same are brought into the treasury for payment on or before the first day of July, one thousand seven hundred and ninety-seven.

2d. RESOLVED, That all holders of certificates heretofore issued and funded by the State of Maryland, bring the same to the treasury of the western shore for payment of principal and interest, on or before the first day of July next, and that no interest on any certificates heretofore issued, which shall accrue after the said first day of July, one thousand seven hundred and ninety-seven, shall be paid thereafter, nor the principal sum until after the end of the next session of assembly.

3d. RESOLVED, That such part of the five months pay, due to the officers and soldiers of the Maryland line, and due for services on board the barges, as shall not be demanded of the treasurer of the western shore on or before the first day of July, one thousand seven hundred and ninety-seven, be not paid to any person or persons demanding any part of the same until after the end of the next session of assembly.

4th. RESOLVED, That the treasurer of the western shore be and he is hereby authorized to pay off and discharge the amount of principal and interest of such bills of credit of the emission under the act of June session, one thousand seven hundred and eighty, as may be produced and brought into the treasury on or before the first day of July next.

5th. RESOLVED, That if any of the holders of bills of credit emitted in virtue of the act of June session, one thousand seven hundred and eighty, do not bring the same into the treasury of the western shore for payment, on or before the first day of July, one thousand seven hundred and ninety-seven, that all interest from that time cease thereon, and the principal not be paid until after the end of the next session of assembly.

6th. RESOLVED, That the above resolutions be published for eight weeks successively in one of the Philadelphia and Alexandria news-papers, and in one of the Baltimore, Fredericktown and Baton papers, and the Maryland Gazette, that the creditors of the state may be notified that funds are prepared for the discharge of their claims.

By order,
W. HARWOOD, Clk.

By the SENATE, December 27, 1796: Read the first time and ordered to lie on the table.

By order,
A. VAN-HORN, Clk.

By the SENATE, December 29, 1796: Read the second time and assented to.

By order,
A. VAN-HORN, Clk.

IN CHANCERY, December 27, 1796.

ORDERED, That the sale made by EDWARD NICHOLLS, trustee, as stated in his report, of 240 acres of land, in Prince George's county, the property of BENJAMIN BERRY, deceased, for the sum of £ 360, be approved and confirmed, unless cause to the contrary be shown on or before the third Tuesday in March next, provided a copy of this order be inserted in the Maryland Gazette before the end of January next.

Test. **SAMUEL HARVEY HOWARD,**
Reg. Cur. Ca.

CASH given for Clean Linen and Cotton RAGS,
At the Printing-Office.

CHARLES FARIS,
Clock and Watch-Maker,

HAS received an assortment of gold and silver warranted Watches, gold, gilt, and steel Watch Chains and Stems, plated Castors, Candlesticks and Salts with many other articles in his line, which he will sell low for cash.

The highest price given for old silver.

Annapolis, September 12, 1796.

WHEN R. K. HEATH lived in Annapolis (at Mr. STEVENS'S) he lost a brass Gunter's SCALE, with LACONUS HEATH cut on the edge thereof. Whoever will deliver it to Mr. Green, shall have **TWO DOLLARS REWARD.**

November 26, 1796.

NOTICE

HENRY H. DORSEY being dissolved by mutual consent in partnership with the books and papers remaining in the hands of THOMAS H. DORSEY at this place, where they will remain until he is furnished with accounts from those to whom the partnership is indebted; we earnestly solicit those that are owing us money to call as above and close their accounts, either by making payment or giving their obligations; in case of non compliance with this reasonable request, no one concerned can expect further indulgence.

HENRY H. DORSEY.
Indian Landing, November 1, 1796.

NOTICE is hereby given, that we shall make application to the next Charles county court, for a commission to mark and bound the three following tracts of land, situated in the said county, viz. FRIENDSHIP, RUN AT A VENTURE, and LAUREL BRANCH, as also our particular parts of the said lands, pursuant to an act of assembly, entitled, An act for marking and bounding lands.

THOMAS H. MARSHALL,
THOMAS MARSHALL,
PHILIP F. FORD,
JOSIAS E. FORD,
PHILIP STEWART,
ANNE TARVIN,
MARY LANCASTER,
JOSEPH HERD.

Charles county, January 10, 1797.

COMMITTED to my custody, on the 3d inst. as a runaway, a negro woman by the name of NAN, her clothing is a stamped cotton jacket and petticoat, of Joan's spinning, and says she belongs to HUGH DAWSON. Also on Monday the 9th inst. was committed a negro man by the name of ROSES, his clothing is an old blue coat, plush breeches, and yarn stockings, and says he belongs to HENRY WINE MILLER. Their masters are hereby requested to take them away in two months from the day of their commitment, or they will be sold for their prison fees, and other expenses.

RICHARD HARWOOD, Sheriff of Anne Arundel county.
January 9, 1797.

Will be landed to-morrow from on board the brig WILLIAM, from MALAGA, and to be sold cheap, wholesale, or by the box or package, at the store of

JOHN RANDALL.

Lemons in boxes.
Oranges, ditto.
Figs, ditto.
Bloom, Sun, Mulcatel, and Lexia raisins in boxes and jars.
Green grapes in jars.
Soft shell'd almonds in frails and baskets.

Annapolis, 5th January, 1797.

To be SOLD, on or before the 10th of April next, about two miles from the city of Annapolis,

TRACT of LAND, containing 686 acres, with a commodious brick dwelling house two stories high, four rooms on a floor, a new brick kitchen adjoining, all in good repair; also a new stable, with other convenient out houses and an excellent garden, containing a choice collection of fruit trees, &c. &c. Great part of the said land is well timbered and fits convenient to the town. There are two tenements, one of them situated on a hill about one mile from the city, commanding a beautiful prospect, and would answer to be sold separate from the other dwelling, with any number of acres that may best suit the purchaser. Any one inclinable to treat for the said plantation may be made acquainted with the terms of sale, by applying to Mr. PHILIP ROOPE, Baltimore, or to

JOHN HESSELIUS,
Primrose Hill, near Annapolis, January 3, 1797.

N. B. If desired immediate possession will be given, with an indisputable title.

IN CHANCERY, December 27, 1796.

John Hamm against **John German Thomas.**

THE complainant applies for a decree to record a deed, executed on the 3rd day of March, 1796, by John German Thomas, for conveying to him, the said John Hamm, and his heirs or assigns, all his title, &c. of, in, and unto 50 acres of land due to him the said Thomas, for services as a soldier; the bill states, that the said Thomas hath, since the execution of the said deed, removed from the rate; it is thereupon adjudged and ordered, that the complainant cause a copy of this order to be inserted in the Maryland Gazette, at least three weeks before the first day of February next, to the intent that the said John German Thomas, or his heirs, devisees, or representatives, or any other person that may conceive himself interested, may have notice of the complainant's application, and may be warned to appear here on the first Tuesday of June next, to show cause, if any there be, wherefore a decree should not pass agreeably to the prayer of the complainant.

Test. **SAMUEL HARVEY HOWARD,**
Reg. Cur. Ca.

For SALE,
A Likely MULATTO WOMAN, who is a good plain Cook, Washer and Ironer. Inquire at the Printing-Office.

In COUNCIL, JANUARY 7, 1797.

ORDERED, That the act to appoint an agent for the year one thousand seven hundred and ninety-seven, be published in the Maryland Gazette at Annapolis, the Federal Gazette at Baltimore, the Herald at Boston, and in one of the George-town and Frederick-town papers, once in each week for the term of six weeks.

By order,

NINIAN PINKNEY,
Clerk of the Council.

An ACT to appoint an agent for the year one thousand seven hundred and ninety-seven.

BE it enacted by the General Assembly of Maryland, That William Marbury be agent of this state, to execute the trust and power reposed in him by virtue of this act, from the first day of January, one thousand seven hundred and ninety-seven, until the first day of January, one thousand seven hundred and ninety-eight.

II. And be it enacted, That the said agent superintend the collection of all arrearages and balances due from the several collectors of the respective counties within this state, appointed since the first day of January, seventeen hundred and eighty-three; and the said agent is hereby authorized and required to call upon the treasurers of the respective shires for an accurate statement of all arrearages and balances due from such collectors, and such account shall be furnished by the said treasurers accordingly.

III. And be it enacted, That the said agent be authorized to superintend the collection of all balances due to the state on the auditor's books, or on open account; and the said agent shall have power to require payment of, and if necessary to sue for and recover the same; and the said agent, with the approbation of the governor and council, may make composition with any such debtors, and take bonds to the state, with sufficient security, and give time for payment, not exceeding two years from the first day of January, seventeen hundred and ninety-seven.

IV. And be it enacted, That the said agent be authorized to superintend the collection of all monies due to the state for naval duties, fines, penalties, forfeitures and amerciaments, and forfeited recognizances, and for ordinary, retailers and marriage licences, and to require payment, and if necessary sue for and recover the same; and the said agent may allow for insolvencies, and credit any money that the party is not chargeable with by law; and for his information of the law, he may take advice of the attorney-general in writing.

V. And be it enacted, That whenever there shall be occasion to expose to public sale the property of any collector, or his securities, by virtue of any execution already issued, or to be directed for this purpose, the agent shall cause public notice to be given of such sale, and shall attend the same, and, if it shall appear that there is danger of losing any part of the debt due to the state, and not otherwise, shall purchase any property so exposed to sale for the use of the state, in payment, or part payment, as the case may be, of the arrearages due by the collectors whose property may be so purchased, and that no purchase authorized by this act shall be considered as made on the part of the state, unless a public declaration to that effect be made by the said agent or his deputy immediately after such sale and purchase; and any property so purchased for the use of the state, the said agent may again expose to public auction, on the most advantageous terms, for the use of the state, and if the same be sold on credit, which shall in no case exceed the term of two years, the said agent shall take bond, with good and sufficient security, to be approved of by the treasurer of the western shore, from the purchasers of such property; and all bonds by him so taken shall be deposited, with an accurate list thereof, subscribed by him, in the treasury of the western shore, and shall be a lien upon the real property of such purchasers, and their securities, from the respective dates, or so much thereof as is mentioned in the schedule thereto annexed.

VI. And be it enacted, That the said agent is hereby directed to dispose of at public sale all confiscated British property that remains unsold, giving at least thirty days notice thereof by public advertisement, and take bonds to the state, with sufficient security, and give time for payment, not exceeding two years from the first day of January, seventeen hundred and ninety-seven.

VII. And be it enacted, That the agent shall immediately call on and request the attorney-general to commence, and prosecute to final determination as speedily as possible, the state's right to all confiscated property which hath been made known and discovered to the said agent; and the said agent shall report to the next session of assembly such suits as are or may be depending to recover the same, and also such as may then not be commenced, with the reasons assigned by the attorney-general why the same have not been commenced; and to cause immediate notice to be given in the public papers of this state to the discoverers of confiscated property, to produce to the agent the title papers of the lands by them respectively discovered, on or before the first day of August next, in order that the same may be laid before the attorney-general for his opinion thereon.

VIII. And be it enacted, That no payment in future by any officer or person indebted to the state shall be valid and effectual, unless made to the treasurer of the western or eastern shores, or to the agent for the time being, or unless made to the clerks and sheriffs of the several counties, in the cases where the said clerks and sheriffs are by law authorized to receive the same.

IX. And be it enacted, That the right, title and interest, of any and every informant or discoverer of property liable to confiscation, shall cease, determine

and be utterly null and void, unless the title papers to authenticate the state's right be produced and lodged with the agent by the informant or discoverer on or before the first day of August next.

X. And be it enacted, That the agent shall have full power and authority, by and with the advice and approbation of the governor and council, in all cases of unincumbered debts, to take back any property heretofore purchased by any person and not yet paid for, in cases where the person so having purchased and his securities are not capable of paying for the same, and to compromise the same upon terms and principles of equity and justice, by and with the advice and consent aforesaid, and the agent is hereby required to lay a particular statement of his proceedings under this section before the next session of assembly.

XI. And be it enacted, That the agent, with the approbation and consent of the governor and council, be and he is hereby authorized and empowered to compromise any suit depending in chancery with any state debtor, upon any terms in their judgment calculated to promote the interest of the state, and obtain the speedy receipt of the sums due.

XII. And be it enacted, That if, under the terms of any compromise made as aforesaid, the property heretofore purchased should be taken back and re-vested in the state, the same may be sold by the agent, and he is hereby authorized and empowered to sell the same at public sale, on a credit of three years, giving the notice herein before mentioned, payable one third of the principal, and the whole interest annually, on the first day of December in each year; and the bonds, when taken, shall be returned to the treasurer of the western shore, and reported to the general assembly at their session next ensuing the taking of such bonds.

XIII. And be it enacted, That all cases in chancery where no compromise under this act is effected, shall be placed under the direction of the agent, who is hereby authorized and required to call on the attorney-general to prosecute or defend the same to immediate final decision; and the governor and council are hereby authorized and empowered, at the request of the agent, in cases of difficulty, to aid the attorney-general, by employing any person to attend to surveys where necessary, or otherwise to assist in the prosecution or defence of said suits, which person or persons are to be paid out of the contingent fund of five hundred pounds; and the names of the persons so employed, together with the sum allowed for their services, to be laid before the general assembly at their next session.

XIV. And be it enacted, That if any bond debtor to the state for confiscated property purchased, or otherwise, shall neglect to make payment agreeably to the condition of his bond and sundry resolves of the general assembly, the said agent shall cause process to issue for the whole principal and interest then due, or shall proceed on any execution already issued and served and suspended, as occasion may require, or, under the direction and with the approbation of the governor and council, he is hereby authorized to delay any execution as long as they may think expedient and necessary.

XV. And be it enacted, That the said agent be authorized to superintend the collection on all balances due on bond, taken for taxes due before the first day of January, seventeen hundred and eighty-three; and the said agent shall also superintend the collection of all balances due on bonds installed, or otherwise, for the emission of paper money of seventeen hundred and sixty-nine, and seventeen hundred and seventy-three.

XVI. And be it enacted, That no process shall issue against any of the public debtors, unless by the direction of the said agent.

XVII. And be it enacted, That the said agent shall have power to fix such days for the sale of property, taken by fieri facias, at the suit of the state, as he may think proper, always taking care to give at least twenty days public notice thereof; and the said agent shall also have power to suspend the sales, from time to time, as he may think most to the advantage of the state.

XVIII. And be it enacted, That the said agent shall pay into the treasury, in specie, the amount of all specie by him received in the discharge of the duties of this act.

XIX. And be it enacted, That in all cases where bonds shall be taken in virtue of this act, the bonds shall be a lien on all the real property of the obligors from the date thereof, or on so much of the said real property as the governor and council shall think sufficient, to be particularly mentioned in a schedule to be annexed to the said bond, in which case it shall be a lien on the property contained in such schedule, and no more; such bond and schedule to be lodged with the treasurer of the western shore.

XX. And be it enacted, That all bonds taken in virtue of this act shall express the county in which the obligors respectively reside; and the treasurer of the western shore shall, within one month after he receives them respectively, cause them, with the schedule annexed to them, to be recorded in the office of the clerk of the general court of the western shore, at the expense of the obligors; and a copy of the said record, certified under the hand and official seal of the said clerk, shall be as good evidence in any court of law or equity in this state as the original bond would be if it was produced; and if any of the obligors in any such bonds reside on the eastern shore, the said treasurer shall, within six months from the time he receives the same respectively, transmit to the clerk of the general court of the western shore, in the same manner as papers on public service are transmitted, a copy of such bonds and schedules, certified as aforesaid by the clerk of the general court of the western shore, to be recorded in the office of the clerk of the general court of the eastern shore, at the expense of the obligors, and in

such case a copy of the said record, certified as aforesaid by the said clerk of the general court of the eastern shore, shall be good evidence as aforesaid.

XXI. And be it enacted, That the said agent shall render to the treasurer of the western shore quarterly accounts of his receipts of all money, certificates and bonds, in virtue of this act, and shall immediately thereupon pay and deliver the same to the said treasurer, who shall, in his annual report to the general assembly, state fully and particularly the money, certificates and bonds, by him received from the said agent, and the times when the same were received and accounted for.

XXII. And be it enacted, That the said agent shall render a fair and full account of his several proceedings under the authority of this act to the general assembly at their next session, and within the first ten days after its commencement, in which account shall be specified, under distinct heads, his own receipts, and those of the treasurer, and of all transfers of stock upon which he may be entitled to commissions, and in which shall also be contained a particular estimate of his commissions, shewing how and upon what the same arose due.

XXIII. And be it enacted, That the said agent shall be allowed for his services the following commissions, to wit: For all payments made to either of the treasurers, on bonds for confiscated property, one per cent. for all bonds with security, taken by the said agent on releases of confiscated property in virtue of this act, two and a half per cent. for all monies collected on open accounts, not including monies arising from fines, forfeitures and amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, which have become due since the first day of January, seventeen hundred and ninety-one, six per cent. and for all other monies by him actually received and paid into the treasury, three per cent. and for all other bonds taken in virtue of this act, one per cent. provided, that the said agent shall not be entitled to any commission upon the monies arising from fines, forfeitures, amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, unless in cases where the same shall not be paid by the sheriffs and clerks respectively to the treasurer within one month after the time prescribed by law, and unless the said agent shall thereafter receive the same from the said officers respectively, and the same pay to the said treasurer.

XXIV. And be it enacted, That hereafter it shall be the duty of the agent, and the treasurers of the eastern and western shores respectively, to receive as well the fifteen per cent. interest, if any shall have accrued, as all other the arrearages that are now or may hereafter become due from fines, forfeitures and amerciaments, ordinary, retailers, marriage, hawkers and pedlers licences, and the fifteen per cent. so collected shall be the only fund from which the agent shall draw his three per cent. on the same.

XXV. And be it enacted, That the said agent, before he enters upon the execution of the duties of this act, shall give bond to the state, before the governor and council, in the penalty of sixty thousand dollars, with such security as the governor and council shall approve, for the faithful performance of the said duties, which bond shall be lodged with the treasurer of the western shore; and shall also take an oath before the chancellor, that he will well and faithfully discharge the duties of agent under the act, entitled, An act to appoint an agent for the year one thousand seven hundred and ninety-seven, to the best of his skill and judgment, the certificate of which oath shall be annexed to, or endorsed on, the said bond.

XXVI. And be it enacted, That if the said agent shall not accept his appointment, or if after acceptance he shall not give bond and take the oath aforesaid before the first day of February next, or shall die, the governor and council are hereby authorized and requested to appoint a fit and proper person in his place, who shall have and execute all the authorities and powers vested in the said William Marbury by this act, such person first giving security and taking the oath aforesaid.

Notice to State Debtors.

NO process hath issued against the delinquent state debtors for their installments due on the first of December last, nor will any be directed till after the 15th of February next. The agent therefore expects (to prevent trouble and expense) they will come forward and discharge their debts by that time.

WILLIAM MARBURY, Agent.

STOLEN from the subscriber, living within ten miles of Upper Marlborough, Prince George's county, on the fourth of November last, a slyly by GELDING, eight or nine years old, I suppose him to be fourteen hands high and upwards, roan, paces gallops; shod before, no perceivable brand, has a blast lace or star, and blaze, which I don't recollect, two white feet above his fore-locks; to the best of my recollection it is his left fore-foot and leg, and right hind foot and leg, that is marked with white, upon a close examination he may be discovered to be full of white hairs, more so at the root of his tail. Any person delivering said horse to the subscriber, or giving information so that I get him again, shall receive FOUR DOLLARS REWARD, and for apprehending the thief, so that he be convicted of the felony, TWENTY DOLLARS REWARD, paid by ZADOCK DUVAL.

ANNAPOLIS:
Printed by FREDERICK and SAMUEL GREEN.

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