# NATIONAL INTELLIGENCER,

AND

# WASHINGTON ADVERTISER.

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*FIVE DOLLARS PER ANNUM.* FRIDAY, FEBRUARY 27, 1807. *PAID IN ADVANCE.*


*FOR THE NATIONAL INTELLIGENCER.*

The legislature, of the Mississippi territory, at a moment when national anxiety has stamped with unusual importance the principles and feelings of this section of the union deem it peculiarly their duty to proclaim to the Congress and the whole people of confederated America.

It is therefore resolved unanimously by the legislative council and house of representatives of the Mississippi territory, that they are attached in the highest degree to the constitution of the United States—have the utmost confidence in the wisdom and virtue of the chief magistrate of the United States—that every project of the ambitious and enterprising, to dissever the union, or to usurp the prerogatives of government, will always excite their honest indignation.

*Resolved unanimously,* That the uncommon alacrity and zeal which the people of this territory have manifested to defeat an unprincipled conspiracy, and to maintain the unity and authority of the American republic, place their patriotism above suspicion, and entitles them to national confidence.

*Resolved unanimously,* That our repugnance to unauthorised attacks on the Spanish territories, does not arise from any conviction of the Spanish right of possession, or from any indifference to Spanish outrage and oppression, and that our respect to the rights and prerogatives of the federal government, is in part at least founded on the belief that the federal government respects, and will eventually maintain the rights and prerogatives of the people in the remotest corner of their territories.

*Resolved unanimously,* That whilst the claims of the wealthy merchant for spoliations committed on him in the most distant regions of the habitable globe, have so justly excited the sensibility and energy of Congress, we cannot but believe that claims of the poor cultivators of the soil, on the waters of the Mobile, to be rescued from oppression and robberies committed on them at their very doors, will at length awaken the indignation and command the active energies of a government truly impartial and paternal.

*Resolved unanimously,* That the continued obstructions by the Spanish officers, of every navigable stream from Pearl River to Georgia, the frequent denial of the use of the great high ways of nature to American citizens residing on the Alabama, Tombigbee, Mobile and Paspagola, and ruinous exactions with which, when assuming the smiling countenance of peace and conciliation, they harrass the people of this territory too severely to be longer tolerated, and that in the opinion of this assembly, the whole country from Georgia to the Pearl River, will be entirely abandoned to Indians and Spaniards, or that both the ties which bind citizens to their government, and the dictates of Providence and society, will be too feeble to restrain the oppressed from making one last and desperate effort to rid themselves of their oppressors.

*Resolved unanimously,* That the most effectual way for the federal government to defend this country is to encourage its population, and that in the opinion of this assembly, it would be both wise and economical to offer donations of land to new settlers in this territory.

*Resolved unanimously,* That we will at the first call of government, devote ourselves and our property to obtain possession of the whole territory east of the Mississippi, which belongs by treaty to the United States.

*Resolved unanimously,* That a copy of these resolutions be transmitted to each House of Congress, to the delegate of the Mississippi territory, and to the printer of the National Intelligencer.

JOHN ELLIS,
*Speaker of the House of Representatives.*

*Representatives Chamber, Jan. 27th,* 1807.

JOSHUA BAKER,
*President of the Council.*

Attest, B. R. GRAYSON, *Clk.*
*Council Chamber, Jan. 27th, 1807.*
Attest, JOSHUA DOWNS, *Sec'y.*

## CONGRESS.

*HOUSE OF REPRESENTATIVES.*

TUESDAY, FEBRUARY 24.

The Speaker laid before the House certain resolutions of the legislature of the Mississippi territory, on the present state of affairs, which were read, and ordered to lie on the table.

An engrossed bill in addition to the act entitled an act supplementary to the act making provision for the redemption of the whole of the public debt of the U. S. was read a third time, and passed. The Yeas and Nays were taken on the passage of the bill, and were, Yeas 89—Nays 15.

*Mr. Quincy,* from the committee to whom was referred the laws of the Michigan territory, presented a bill disapproving of an act passed by the governor and judges of the territory of Michigan concerning the bank of Detroit; which was referred to a committee of the whole to morrow.

This bill annuls the act establishing the bank of Detroit.

*Mr. Thomas* presented a bill, authorising the discharge of Gilbert Drake, from his imprisonment, which was referred to a committee of the whole to morrow.

*Mr. Basset,* from the committee to whom was referred the bill from the Senate to reduce the expences attending the administration of justice in the district of Columbia, reported the same without amendment.

Ordered to lie on the table.

*Mr. Basset* also reported the bill supplementary to the act for the organization of the militia in the district of Columbia, which was also ordered to lie on the table.

A bill making further appropriations for fortifying the ports and harbors of the U. S. and for building gun boats, was read the third time, and passed. Ayes 59—Noes 29.

The House resolved itself into a committee of the whole—Mr. GREGG in the chair—on the bill providing for the payment of the expence incurred by the military preparations in defence of the territory of Michigan against hostile Indians in 1806.

The committee rose and reported the bill, which was ordered to a third reading to morrow.

*Mr. Holmes,* from the committee of claims, presented a bill concerning invalid pensioners, which was referred to a committee of the whole this day.

The House resolved itself into a committee of the whole—Mr. TENNEY in the chair—on the bill authorising the settlement of the accounts between the U. S. and William Eaton.

The committee rose and reported the bill, which was ordered to be read a third time to morrow.

A message was received from the Senate, stating that they had passed the bill, allowing an additional compensation to the judges of the Mississippi territory, and extending the right of suffrage therein, with amendments.

The House resolved itself into a committee of the whole—Mr. GREGG in the chair—on the bill to alter and establish certain post roads, and for other purposes.

Various amendments were made, when the committee rose, reported progress, and desired leave to sit again

*FROM THE BALTIMORE EVENING POST.*

On the morning of the 18th inst. a petition was presented to Judge Nicholson, on behalf of General John Adair, late a Senator of the United States from the state of Kentucky, and Mr. Peter V. Ogden, stating that they were illegally imprisoned in Fort M'Henry, and detained by Lieutenant Pinkney and Lieutenant Lucket, and praying that a *Habeas Corpus* might issue to bring Adair and Ogden before the Judge in order that the cause of their confinement might be enquired into. The petition was accompanied by the affidavit of John Scheddell and David Young, stating the actual confinement and detention of the prisoners in Fort M'Henry, and the belief of the witnesses that they were thus confined without any legal authority or warrant to justify it.

The Judge conceiving a Habeas Corpus to be a writ of right which could not be refused to any freeman demanding it under such circumstances, immediately issued it, directed to Lieuts. Pinkney and Luckett, and made it returnable at four o'clock in the afternoon of the same day, at the House of Wm. Evans, in the city of Baltimore.

At the appointed hour, the prisoners were brought up by Lieut. Pinckney, who had them in charge, and he was attended by Lieut. Luckett. The return to the Habeas Corpus, made by Lieut. Pinckney, was "That the prisoners were brought to Fort M'Henry on the night of the 17th of Feb. 1807, by Lieut. Luckett, with a corporal and three private soldiers; that he was informed by the said Luckett, that he brought them and delivered them to him (Pinckney) by the order of Gen. Wilkinson; and that he, the said Pinkney, received them into his custody, in pursuance of the orders, a copy of which is annexed; and that he had no knowledge of the cause for which they were arrested or delivered to his custody, except by the information of others."

The order referred to in the return of lieut. Pinkney, was a letter dated at New-Orleans, Jan. 17, 1807, from Gen. Wilkinson, addressed to the commanding officer of Fort M'Henry in these words.—"You are hereby required, to receive into your custody, the persons of Gen. John Adair and Peter V. Ogden, and to hold them in safety under a proper guard, subject to the orders of the Secretary of War. You are to receipt to Lieut. Luckett for those prisoners."

As the Habeas Corpus was directed to Lieut. Luckett also, he likewise made a return, "that he had in pursuance of the orders, a copy of which was annexed, delivered the said John Adair and Peter V. Ogden to the custody of Lieut. Pinkney, and that at the time the writ was served on him they were not in his custody.

The order referred to in the return of Lieut. Luckett was a letter from Gen. James Wilkinson, dated New-Orleans, Jan. 7, 1807, directed to Lieut. Luckett, which, on account of its length, is not inserted literally. He was commanded to take with him a corporal and three men, with ammunition, bedding, &c. and to carry John Adair and Peter V. Ogden on board the sch'r Thatcher, bound to Baltimore. He was also commanded to be very strict in guarding them, &c. and on approaching the city of Baltimore, to land near Fort M'Henry, and deliver the prisoners in safety to the commanding officer of the fort. He was directed in the said letter to prevent any boat from boarding the schooner, and if a Habeas Corpus was served on him or the capt. for either or both of the prisoners, he was to disregard it, and not to give them up.

Neither of the letters contained any charge whatever against either of the prisoners, nor had the officers who had them in custody given any information of a charge against them. As lieutenant Luckett had escorted the prisoners from N. Orleans, the judge thought proper to examine him on oath. He was therefore particularly interrogated "whether he knew of John Adair or Peter V. Ogden having been concerned in the commission of any offence against the laws of the U. S or any particular state? whether he knew of their being concerned in any enterprise against the U. S. or against any nation in amity with the U. S. and generally whether he knew for what offence they had been taken into custody?" To all of which he answered that he knew nothing relative to them, except what he had heard in general conversation, and had seen in the newspapers, which was a report of their connection with Col. Burr in the enterprize which it was supposed he was carrying on, but he had no personal knowledge of it from any other source—that he did not see Gen. Wilkinson after the prisoners were arrested, and therefore did not know the cause of the arrest. He had conjectured that it was a suspicion of their being concerned with Burr. He likewise said, on being questioned, that he did not know of any person who could give further information, nor did he know or believe that the said Adair and Ogden, or either of them, were officers or privates in the army of the U. States."

The judge then addressing himself to lieut. Pinkney said, "these persons have been brought before me in pursuance of a Habeas Corpus directed to you for that purpose; they are therefore, now under the *civil authority,* and are to be dealt with according to law. No testimony whatever has been adduced to shew that they have been guilty of any offence whatever against the United States, or any other particular state; the military order of a commander in chief may be sufficient to authorise the confinement of an officer or private in the army; but neither this, nor the reports contained in newspapers (however true they may be) do not warrant a judge in committing to prison, or holding to bail a freeman without some other evidence of his guilt. I do therefore, order John Adair and Peter V. Ogden, to be discharged."

They were accordingly discharged. During the whole time while they were before the judge (about an hour) Gen. Adair and Mr. Ogden observed a profound silence.

## Foreign Intelligence.

*LONDON, Dec. 19.*

At four o'clock the Lord Chancellor, the Archbishop of Canterbury, Lords Winchelsea and Spencer took their seats in their robes, as his majesty's commissioners, and the commons attending at the bar, the lord chancellor delivered, in his majesty's name, the following speech to both houses of parliament:

"*My Lords & Gentlemen,*

"His majesty has commanded us to assure you, that in the difficult and arduous circumstances under which you are now assembled, it is a great satisfaction to him to recur to the firmness and wisdom of his parliament, after so recent an opportunity of collecting the sense of his people.

"His majesty has ordered the papers which have been exchanged in the course of the late negociations with France, to be laid before you. His majesty has employed every effort for the restoration of general tranquility, on terms consistent with the interests and honor of his people, and with that inviolable good faith towards his allies, by which the conduct of this country has always been distinguished.

"The ambition and injustice of the enemy disappointed these endeavors and in the same moment kindled a fresh war in Europe, the progress of which has been attended with the most calamitous events.

"After witnessing the subversion of the ancient constitution of Germany; and the subjugation of a large proportion of its most considerable states, Prussia found herself still more nearly threatened by that danger, which she had vainly hoped to avert by so many sacrifices. She was therefore at length compelled to adopt the resolution of openly resisting this unremitted system of aggrandisement and conquest. But neither this determination, nor the succeeding measures, were previously concerted with his majesty; nor had any disposition been shewn to offer any adequate satisfaction for those aggressions which had placed the two countries in a state of mutual hostility.

"Yet in this situation his majesty did not hesitate to adopt, without delay, such measures as were best calculated to unite their councils and interests against the common enemy. The rapid course of the calamities which ensued, opposed insurmountable difficulties to the execution of this purpose.

"In the midst of these disastrous events, and under the most trying circumstances, the good faith of his majesty's allies has remained unshaken. The conduct of the king of Sweden has been distinguished by the most honorable firmness. Between his majesty and the emperor of Russia, the happiest union subsists; it has been cemented by reciprocal proofs of good faith and confidence; and his majesty doubts not that you will participate in his anxiety to cultivate and confirm an alliance which affords the only remaining hope of safety for the continent of Europe.

"*Gentlemen of the House*
"*of Commons,*

"His majesty looks with confidence to your assistance in those exertions which the honor and independence of our country demand. The necessity of adding to the public burthens will be painful to your feelings, and is deeply distressing to his majesty. In considering the estimates for the various branches of the public service, you will best consult his majesty's wishes, by combining all practicable economy with those efforts which it is necessary to make against the formidable and increasing power of the enemy.

"*My Lords and Gentlemen,*

"The long series of misfortunes which has afflicted the continent of Europe, could not fail to affect, in some degree, many important interests of the country. But, under every successive difficulty, his majesty has had the satisfaction of witnessing an increasing energy and firmness on the part of his people, whose uniform and determined resistance has been no less advantageous than honorable to themselves, and has exhibited the most striking example to the surrounding nations. The unconquerable valor and discipline of his majesty's fleets and armies continue to be displayed with undiminished lustre. The great sources of our prosperity and strength are unimpaired; nor has the British nation been, at any time, more united in sentiment and action, or more determined to maintain inviolate the independence of the empire, and the dignity of the national character.

"With these advantages, and with an humble reliance on the protection of the Divine Providence, his majesty is prepared to meet the exigencies of this great crisis; assured of receiving the fullest support from the wisdom of your deliberations, and from the tried affection, loyalty and public spirit of his brave people.

LONDON, JAN. 1.

The resources of the Danish government, the confidence which it reposes in the loyalty and attachment of the people, furnished strong grounds of hope, that the Danes would display a spirit equal to that which distinguishes the Swedes; that they would not truckle to Bonaparte, or be cajoled by his promises, but that they would even resist force by force if driven to that extremity.

The latest intelligence from that country tended to strengthen these expectations; for it was stated, that Denmark was arming extensively by land and sea; and it was natural to suppose, that these preparations were the result of the violent conduct of the enemy towards those states that could not defend themselves. A recent occurrence, however, may raise some doubts as to these points; the last mails made up for Husum, it is said, were yesterday returned to the post office from Harwich. It is reported, that on the arrival of the packet at Husum, the letters for Denmark were permitted to be landed; but all English letters for Hamburgh were refused, and have consequently been brought back. If this was done by order of the Danish government, it is not unreasonable to suppose, that Napoleon has succeeded, either by threats or promises, in bringing over the cabinet of Copenhagen as a party to his prohibitory system, which, it is certain, he would make almost any sacrifice to extend. But, we are inclined to think, that the whole of the above occurrence relative to the letters being sent back, originated in a very commendable cause; for, it is said, that the English agent at Husum, very prudently exercised his own discretion, opened the letters for Hamburgh, and returned such as he thought might involve those to whom they were addressed, in fears and difficulties beyond what they already experience.

The reports circulated in an Evening paper of yesterday, respecting the defeat of the French by the Russians, on the Vistula, and a check they received at Stralsund, are without any foundation. The post offices, from whence the paper pretended to derive its information, have not received any such intelligence.

A mail from Lisbon arrived yesterday, brought by the Auckland packet, in ten days to Falmouth. The letters by the mail state, that great apprehensions are still entertained that the Spaniards are about to make an attack on Portugal, in consequence of orders from Bonaparte. The Spanish government is extremely tardy in their proceedings, because it is with reluctance that they undertake the expedition.—Some of the letters say that advices had been received from Rio Janeiro, with an account of the recapture of Buenos Ayres by the Spaniards and Indians, and that, in the action, general Beresford was killed. The reinforcement sent from the Cape forbids us to credit this report.

Some neutral ships, which sailed within these few days for Holland, were not suffered to enter a Dutch port. On their arrival off the coast a boat was sent off to them to stop their coming in, as an embargo had been laid in every port, and no ships were permitted to go out or in.

Another Gottenburgh mail arrived this morning; but we are sorry to say, that it does not confirm the intelligence brought by the mails of yesterday. Its contents are as under.

No less than three messengers arrived at Lord Howick's office yesterday afternoon, with dispatches from Petersburgh, and other parts of the North. One of these brought dispatches from Lord Hutchinson, the contents of which have not transpired; but report says, that they mention some advantages having been obtained by the Russians over the enemy on the Vistula.

The emperor of Russia, we understand, has issued a short but spirited manifesto, in which he declares that he will use all the means which providence has put in his power, to extirpate the common enemy of man; and that, if necessary, he will bring 500,000 men into the field for that purpose.

January 4.

A gentleman who landed at Hull, and arrived in town yesterday, left Memel on the 6th ult. and passed several days at Koningsberg, whence he sailed on the 20th—He saw the king and queen of Prussia at a small town near Koningsberg the day before his departure: Their majesties lodged at a grocer's shop, and the prime minister Haugwitz, occupied a miserable apartment at an apothecary's!!!—The king supported the extraordinary reverse of fortune which he has experienced, with composure and fortitude; but the queen appeared sensibly afflicted at the woeful change in her condition—There were about 4,000 troops in the town, and about 20,000 at Koningsberg and its neighbourhood.

Mr. Morier, Mr. Moore, Mr. Murray, and other English gentlemen, who arrived in town on Friday and yesterday, from the continent, are unanimous in the most favorable reports of the number and efficiency of the Russian armies. Mr. Morier, on his route from Vienna to Koningsberg, passed the corps under general Benningsen; it was 80,000 strong, and in excellent order. Its retreat from the Vistula principally arose from the want of provisions, the Prussian magazines being every where empty.

Mr. Morier heard nothing of the fall of Graudentz. He mentions, that property belonging to the king of Prussia, of considerable value, was embarked on board two vessels at Lisbon, but he was uninformed of their destination.

JANUARY 3.

The negociation with France was yesterday debated in the House of Lords. The address moved by Lord Grenville was carried without a dissentient voice, for who could have refused his assent to an address which expresses to his majesty "Our conviction that the failure of the negociation did not arise from any failure in his majesty's paternal regard for the welfare of his people, but is wholly to be attributed to the exorbitant demands and ambitious views of France—and which pledges us to concur in every effort, to support his majesty in the continuation of the contest."—Upon the negociation itself and upon the papers laid before Parliament we have nothing to add to what we have already said. Nothing that passed in the debate yesterday has altered our opinion that ministers shewed no talents in the conducting it—that we cannot find the *uti possidetis* distinctly recognised by the enemy any where, and that a point of such magnitude as the basis of actual possession,