

Foreign and Domestic Intelligence.

FOREIGN.

LONDON, March 10.

A report was in circulation at Yarmouth yesterday, that there are in the Texel five sail of the line and six frigates, all with their sails bent, and only waiting for a wind to proceed first to Heligoland, and finally to Anholt.

A morning paper says, that "the two last sets of dispatches forwarded by Mr. Russel for Mr. Joel Barlow, by carrels to Morlaix, it will be learnt with surprise, have been intercepted, and this gentleman has, we believe, determined to send no further communications to France until the cause be explained." Now, before we can feel any surprise upon the subject, we must banish from our recollection that it is the practice of Bonaparte to stop, rob, and even murder messengers, whenever he wants to get possession of the despatches.

NEW YORK, April 4.

VERY LATE FROM ENGLAND.

At a late hour last night, the beautiful and fast sailing ship Lady Madison, Swaine, arrived at this port, in the unprecedented passage of 19 days from Liverpool, which port she left on the 16th March.

The papers are filled with very interesting debates in the British Parliament: in the House of Lords on the motion of the marquis of Lansdowne, and in the house of Commons on the motion of Mr. Brougham, for a repeal of the Orders in Council.

On taking the question, in the House of Lords there were for the motion 71, against it 135—majority in favor of the continuance of the orders 64. In the House of Commons there were for the motion 144, against it 216—majority 72.

It appears from the papers that a war between France and Russia is expected, in the conflict it is thought Sweden will be on the side of Russia.—Bonaparte is withdrawing his troops from Spain, for the purpose, as is supposed, of carrying the war into Russia, or as some think on the account of the scarcity of provisions on the Peninsula.

By extracts from Paris papers, it appears, the Russian and Turkish armies still keep the field.

London, March 12.

The question of peace or war, or rather, as far as it relates to Russia, of submission or war, is on the eve of being decided, if it has not already been. Bonaparte, whose torrent of military force has for some months been rolling Northward, increasing as it rolled, is now giving a more rapid direction to that force; and having by menaces or deceitful promises prevailed upon Denmark and Prussia to sign treaties with him, is overrunning the territories of both. Holstein is to furnish him with 6000 cavalry; that is, he has permission to levy that number in Holstein, which he will enforce by his summary process of conscription; his troops are also to have free passage thro' Holstein and Schleswig, whence it is supposed a considerable body will proceed to Zealand.—Meanwhile, after over-running Swedish Pomerania, the inhabitants of which have been treated by their good friends the French with great severity, the latter have burst into Prussian Pomerania, and Anklam, Usedom and Shinemunde, which have already been taken possession of. These places they entered on the 26th, in virtue of the Treaty said in all the private letters from the North to have been signed between France and Prussia, by which the latter consents to have all her sea ports garrisoned by French troops, Memel and Konigsberg excepted. Colberg is said in some accounts to be also excepted, but the French troops have already arrived in the neighborhood of that fortress—they are even approaching Berlin. Fifty thousand troops are the contingent to be furnished by Prussia against Russia. By what promises or menaces Bonaparte has induced the King of Prussia to assist him in this unhallowed cause,—by what mask he can have veiled from him the truth so clear and naked to all other eyes, that every blow aimed by Prussia against the emperor of Russia is a blow aimed against herself, we are perfectly unable to comprehend. For, to suppose that if Bonaparte succeed against Russia, he will leave Prussia even in her present nominal independence, would be the height of absurdity.—No disasters, however great, which she could have experienced by joining Russia, would have been greater than those she will experience by throwing herself into the arms of France.

While, as if every thing were to be extraordinary in the present state of the world, we behold two of the Old Powers of Europe leaguering themselves with Bonaparte; we see on the other one of the new Sovereigns of Bonaparte's own creation, assuming the attitude which would have best become the Powers we have alluded to, and determining to take part against his former master. Bernadotte, if we may credit the accounts from Sweden, has broken off entirely with France, and has determined to direct all the resources of Sweden against her. A joint declaration is expected from the courts of Petersburg and Stockholm, and Great Britain of course must cordially unite with them. The dread of an attack upon Zealand is said to have been one of the causes that has induced the King of Denmark to grant so readily a passage to French troops through his dominions. And it is even said, that Bonaparte has promised to send out his fleets from the Scheldt and the Texel for the protection of Copenhagen.

Such are the accounts which have just been received from the North and which, in all probability, will be immediately followed by events of the utmost importance.

The Danes have fitted out a number of privateers in the Elbe and Eyder—they are also said to be forming a large camp in the neighborhood of Rinsburg, with a view to make their neutrality respected in case of a rupture.

A mail from Heligoland arrived this morning. It has not brought such late intelligence as we received yesterday from Gottenburg, but prayers are said to have been ordered to be put up in Saxony for the success of the French arms! There is a story of Bonaparte having given his Austrian consort a beating and sent her back to Vienna.

Monitors and other Paris papers arrived last night to the 1st inst. They contain, we are sorry to state, another instance of treachery in the surrender of the fortress of Pensicola, by the Govern-

Don Pedro Garcia Navarro, who, in giving up the place, offers his enthusiastic services to the French. The execrable traitor!

There is no other intelligence from the Peninsula, and not a word is said of any movements in the North.

On account of there being a show in the Scheldt of re equipping the Scheldt fleet, Lord Beauclerk has been ordered to proceed from Portsmouth with five sail of the line. They were to sail this morning.

Lord Boringdon gave notice in the house of lords of his intention to submit a motion on Thursday next upon the subject of the Prince Regent's letter to the Duke of York, and the answers of lords Grey and Grenville. However important the subject may be, it is one upon which the Ministers can feel little difficulty.

Gottenburg, March 6.

Every day brings us some political news. Report states, that the king of Prussia has entered into a treaty with Napoleon, and has consented, that all the Prussian sea ports, except Colberg, Memel and Konigsburg, shall be garrisoned by French, with an equal number of Prussian troops. It is also said, that the Prussians are to furnish 50,000 men to France, in case of hostilities with Russia. The following places in Prussian Pomerania are already in the possession of them, Schweinmunde, Anklam and Avadem. Bernadotte is on a visit to all the ports in Sweden, and wherever a person is found in favor of France, he is sent immediately out of the country.

Matters are fast accommodating between Sweden and England. It is said that Russia is to join in the treaty, as France is making vigorous preparations against her. Napoleon is marching troops in large bodies northwards, through Holstein, and has already a very considerable army likewise close upon Colberg.

Ragunodde, February 24.

The French troops have begun their march through the Prussian dominions. Their destination is Poland, and they are not to remain in Prussian Pomerania. A treaty has been positively signed between France and Prussia, but the particulars have not as yet transpired.

Colberg, February 28.

The French troops have arrived in our neighborhood, and we expect every day that this fortress will be delivered over to them, by order of our Sovereign. A declaration of war on the part of Sweden, against France, is hourly expected to take place. Letters from Berlin, dated the 7th Feb. state, that the French troops are approaching that capital, and all was in the greatest consternation there.

PROROGATION.

To the Honorable the Assembly and Senate of the State of New York.

GENTLEMEN,

The constitution of this state has vested in the Governor the power of discretion to prorogue the Assembly and Senate, from time to time, provided such prorogation shall not exceed sixty days in the space of any one year. It was doubtless intended by the wise and patriotic framers of that sacred instrument, that this power should be exercised on all occasions when, in the opinion of the executive, the public good would be promoted by it.

I entertain a perfect conviction that the exercise of the abovementioned prerogative at the present time, is not only a sacred and indispensable duty which I owe to the community, but that it will have a tendency to awaken enquiry, and to produce a degree of information which, under existing circumstances, cannot fail to be useful and important in deciding, ultimately, upon some of the most important measures now pending before the Legislature.

I am not unmindful of the magnitude and responsibility of the duty discharged by this message; and therefore beg leave to assign some of the prominent reasons which have impelled me to its performance.

You are apprised, gentlemen, that some years since it was ascertained beyond any reasonable doubt, that corrupt inducements were held out to members of the Legislature in order to obtain their votes in favor of an incorporation of a banking institution in the city of New York; and the very strong and general suspicion, that the emoluments tendered were, in certain instances, accepted, inflicted a deep wound upon the purity and independence of legislation.

At the last session, an act was passed incorporating the late Jersey bank; and although there has been as yet no judicial investigation as to the alleged improper means made use of to obtain that act, there is a very general public opinion, that unwarrantable attempts were resorted to on that occasion to influence, unduly, the then members of the Legislature.

With respect to the bill for the incorporation of another bank in the city of New York, by the name of the bank of America, now before the Senate, many, and forcible objections exist against it; and I cherished the hope that the considerations which I had the honor to suggest to the Legislature at the commencement of the present session, would have their due influence. In corroboration of those considerations, I avail myself of this occasion to remark, that the bill now before the Senate establishes, in the city of New York, a bank with a capital of six millions of dollars; that five millions thereof may be subscribed by the stockholders of the late bank of the United States, without any provision which gives a preference to the citizens of the United States; and thus foreign stockholders may be admitted, in the discretion of the directors, to monopolize the stock, & thereby acquire a dangerous influence in the monied operations and other important concerns of the state.

The banking capital in the city of New York now exceeds nine millions of dollars. This capital, in the most flourishing state of our commerce has been found adequate to commercial purposes. The United States, we have much reason to apprehend, are on the verge of a war with Great Britain, in defence of our rights, our national honor, and our independence; and commerce is consequently suspended. Can it be wise, then, to increase our banking capital in an unprecedented manner, at a time when we have only a very limited

and restricted commerce left? Can it be prudent or safe, at such a time, to employ such a capital, and subject ourselves to its deleterious influence in thwarting the operations of our own government, in a just and necessary war with Great Britain? It appears to me that it would be unwise and impolitic.

When I contemplate the erection of a new bank in the city of New York with so enormous and unusual a capital; when I perceive these suscitators within this state of half the whole capital of the late United States Bank; and when I view the power which that bank is to concentrate in the hands of a few individuals, I cannot but feel the most lively apprehensions for the safety of all other banking institutions, and of our most inestimable political institutions.

But these considerations become less important when compared with others, to which it is my painful duty here to advert.

It appears by the journals of the Assembly, that attempts have been made to corrupt, by bribes, four members of that body, to vote for the passage of the bill to incorporate the aforesaid bank; and it also appears, by the journals of the Senate, that an improper attempt has been made to influence one of the Senators to vote for the bill. Far be it from me to insinuate that improper considerations have induced any member of the Legislature to vote for the said bill, yet should its final passage now take place before the persons implicated in holding out the before mentioned inducements shall have been judicially tried, and without consulting the feelings and opinion of the community at large upon the subject, public sentiment will, I fear, however unjustly, attribute its passage, in some degree, to the influence of such inducements.

Under such persuasion, I entertain the most fearful apprehensions that the confidence of the people in the purity and independence of legislation will be fatally impaired; our representative system, which has been devised for us by our sages and wisest jurists as a safeguard for our security, our prosperity, and our liberty ultimately destroyed; and this great and populous state lose her just importance and influence in the destinies of the U. States.

It gives me sincere anxiety and pain to reflect that many individual inconveniences will result from a prorogation of the legislature at this time, yet these inconveniences do not compare with the public considerations which induce this measure.

Solemnly impressed with the importance of the preceding considerations, and feeling that the morals, the honor and the dignity of the state require it—and in order that time may be afforded for reflection and for the complete ascertainment of public sentiment upon a measure fraught with such important consequences, I have deemed it proper to prorogue, and I do hereby prorogue the Assembly and Senate until the twenty first day of May next, then to meet in the Capitol, in the city of Albany.

Given under my hand and the privy seal of the state of New York, at the city of Albany, this twenty seventh day of March, in the year of our Lord, one thousand eight hundred and twelve.

DANIEL D. TOMPKINS.

ADDRESS

Of the Republican Members of the Legislature of the State of New York who voted in favor of the Incorporation of the Bank of America.

TO THEIR FELLOW CITIZENS:

His Excellency the Governor having deemed it his duty, by a message this day delivered to both branches of the Legislature, to "prorogue the Assembly & Senate until the 21st day of May next," it equally becomes a duty which we owe to our constituents, our country and ourselves, to explain the motives which have induced us to support the measure alleged by his excellency to be the cause of this extraordinary exercise of an authority long dormant and never intended to be exercised to defeat a constitutional legislative measure.

Before, however, we enter into an examination of the merits of the bill, the passage of which is represented by his excellency as inconsistent with "the morals, the honor and dignity of the state," we shall briefly premise that his excellency has, on this occasion, perhaps hastily and unadvisedly set up his own opinion as opposed to a majority of the immediate Representatives of the people in both branches of the Legislature. This might, perhaps, have been deemed admissible; but when insinuations so highly derogatory to the dignity of the Legislature are made as those in his message, we think his Excellency does not evince that high respect for the Majesty of the people which is due to them. Especially, when it is recollected, that after a most patient and laborious investigation, the reports which gave rise to those insinuations had been previously declared to be groundless. If crimination and recrimination are to be resorted to, what could possibly prevent one branch of the government at any time from impeaching the motives of another, in order to establish any favorite object, or defeat any obnoxious measure, without reference to the interests of the state. What would prevent the Assembly from declaring the senate to be corrupt, and the senate, while retorting the same charge upon the assembly, to include his Excellency the Governor, and declare him to be biased by improper influence, and actuated by a spirit of intolerance little short of the examples furnished in the history of England, of corrupt kings dissolving their Parliaments, for their unyielding integrity and invincible patriotism! The power of prorogation is a remnant of royal authority which has crept into our constitution, and being so considered has been suffered to slumber under the administration of Governors Clinton, Jay & Lewis. That venerable patriot who now fills the second office in the Union, never exercised that odious and extraordinary power, altho' occasions more important than the present may have been presented during an administration of twenty-one years. Nay, let it be recollected, that one, and a very influential motive which animated our forefathers to declare themselves independent, was that the king of Great Britain had "dissolved representative houses repeatedly for opposing with manly firmness his invasions on the rights of the people." And also "for suspending our own legislatures." Sorry indeed are we, that a power so odious in the days of

the Revolution should have been resorted to by the first magistrate of a free and independent people. And that regret is increased when we consider that the council of revision, a *third* branch of the Legislature, of which his excellency is a constitutional part, still remained to correct the errors of the senate and assembly. If the measure which induced a prorogation was pregnant with so many evils, could not his Excellency confide in the integrity of the highest judicial characters of our state to prevent its passage. Were they also, they who are the constitutional guardians of the rights, the property and lives of our citizens, presumed to be corrupt! We forbear answering the question. We submit it to the good sense and discretion of our countrymen.

Without expressing any *decided* opinion as to the constitutional power of the Governor to prorogue the legislature, when regularly convened by law, we hesitate not however, to say, that so long as serious doubts could be entertained as to that power, his excellency should, in our opinion, have hesitated before he adventured upon a measure, pregnant as a precedent, with alarming consequences, and quite novel in the annals of American legislation.

We proceed to an examination of the cause assigned by his excellency for such prorogation, and of the merits of the bill, which have given rise to this extraordinary measure.

The Governor assigns, as the causes for proroguing the legislature:

1st. That some years since it was ascertained beyond any reasonable doubt, that corrupt inducements were held out to the legislature, in order to obtain their votes in favor of an incorporation of a banking institution in the city of N. York, (meaning the merchant's bank.)

2d. That in the public opinion unwarrantable attempts were resorted to, to procure the incorporation of the late Jersey bank, at the last session.

3d. That foreign stockholders may be admitted in the discretion of the directors, to monopolize the stock and consequent control of the Bank of America, and thereby acquire a dangerous influence in the monied operations and other important concerns of the state.

4th. That being on the verge of a war with Great Britain, the incorporation of the bank of America would be an unwise and a dangerous measure.

5th. That the safety of other banking institutions might be endangered by the incorporation of the bank in question.

6th. and lastly. That attempts had been made to corrupt, by bribes, four members of the Assembly, and one member of the Senate.

On this interesting occasion, we shall be pardoned for entering into an investigation of the foregoing reasons, offered by his excellency.

We cannot conceive that either the first or second reason could have any influence on the present question. Admitting even the Merchant's and Jersey banks to have been unduly incorporated, a fact of which we have no knowledge, and not now necessary to be determined, how can that affect the propriety of incorporating the bank of America? Does it necessarily follow that the corruption of one Legislature shall be visited on another; or that succeeding Legislatures are to be made responsible for the acts of their predecessors? We could also ask, whether it were decorous and proper for the executive to cast any imputations of corruption, and that merely from public report, on the acts of any Legislature! Does it comport with the respect and dignity due to the legislative powers of a state, for the executive to assail their independence, by calling their purity in question? As well might the Legislature resort to similar charges on the executive, and thus produce an unceasing hostility between the different branches of the government.

The third reason offered by his excellency must have arisen from a misconception of the bill for incorporating the bank of America: for, by the terms of that bill, foreign stockholders are excluded from all share in the direction of the bank, they being declared incapable of voting for directors thereof.

The 4th reason of his excellency is, in our opinion, an extraordinary one. We should think the circumstance, if true, of our being on the verge of war with Great Britain, should rather encourage the institution of a bank which brings into, and secures to this state, six millions of specie, than an objection to it.

The 5th reason is, if possible, still more singular. There are already in the city of New York five different banking institutions: and yet it is a fact which defies all sophistry, that not a single remonstrance has appeared from any of the said banks. We humbly presume that those banks are better acquainted with their own interests than his excellency can possibly be; and surely if the danger to those banks were so apparent as to alarm the good citizens of this state, they who are so deeply interested in its welfare would not be blind to the fact which forms so prominent a feature in his excellency's message.

The 6th reason of his excellency is either a libel on the purity and intelligence of the Legislature, or an evidence of the unsoundness of the reasons to which he has resorted. The bill was passed in the Assembly, by a majority of nineteen, and yet the Governor states that offers having been made to four of its members to corrupt their integrity, and which he does not say was accepted, are a sufficient cause for the prorogation, and this too after a solemn investigation by the assembly and their unanimous vote that no corruption had been made use of to promote the incorporation of the said bank.

His excellency also adds that an attempt was made to corrupt the integrity of a Senator. But we would ask, by what authority does his excellency make this assertion? Had he perused the journals of the Senate, he would have perceived that the charge was expressly negatived not only by the oath of the accused, but by the concurrent oaths of four members of the legislature, two of whom had voted against the bank.

But once for all, we here take occasion solemnly to protest against the unprecedented declarations of the Governor, impeaching the integrity of the Legislature. We protest against it, as being in *corrupt* and unjust—as being a breach of the privileges of the Legislature, which might be justly punishable in an ordinary individual, as a contempt