

together with the aids and abettors. The second section declares, that all parties concerned in a duel, shall upon conviction, be imprisoned three months, and shall be fined not exceeding \$3000, and shall be forever disqualified from holding any appointment of honor or profit in the state.

The eighth section ordains, that any judge or justice, knowing that a duel is to be fought and shall not prevent it, shall be indicted, and if guilty, shall be dismissed from office.

The ninth section declares, that if any person shall, by written or printed handbills, proclaim any citizen to be a coward, or use other offensive language for not accepting a challenge, he shall be fined not exceeding \$500.

The tenth section declares, that any printer who will not give up the author of a communication of the above nature to the court, when called upon, shall be punished for a contempt of said court at its discretion.

This is a strong law, considering how far south it is to operate. Whether it will have a tendency to check this unnecessary and immoral practice we know not. The question of constitutionality seems to be lost in the imperative urgency of such a law, and a spirit of chivalry and false honor, seems to be taking such deep root amongst all classes, that every "puny whipster" thinks it necessary to fight a duel if you but stare at him a few seconds. N. Adv.

(Translated for the Philadelphia Gazette)

Answer of the General Commander in Chief of the troops in the island of Leon, addressed to the bishop of Cadiz, in reply to his pastoral letter. This piece, which we have taken from the Tribune de la Gironde, will serve to shew the sentiments and principles which animate the constitutional army.

My Lord—The first duty of men is to be just; to respect truth and not darken it with sophisms, is the most august function of pastors whom the God of truth has appointed on earth in order to propagate it. The pastoral letter which your excellency has deigned to address to the faithful of your diocese, does not breathe this language. Whatever may have been your motives, our duty is to point out to your excellency the want of sound principles in the discourses of a pastor of souls, so respectable on account of his zeal and virtues. We shall not be tedious: truth is concise, its light shines of itself, and requires no ornament to render it amiable. We shall here treat of one question only: Ought nations to be governed by absolute and arbitrary monarchs, without any other laws than those of caprice, or the passion of the moment? or ought they to be governed by kings who rule according to laws justly established by the people, and presented by a respectable body who may restrain the excesses so common to power?

The choice is not doubtful; perhaps the elevated station which your excellency holds in society will make your understanding incline to the system of servitude; but those principles do not belong to the reasonable part of Europe. Reason and experience reprobate absolute monarchs; the wicked wish for them because they oppress mankind; the ignorant because they have no idea of public law. This truth is so evident that it appears useless to us to demonstrate it. The spirit of liberty, the abhorrence of injustice and oppression, are so natural to man, so deeply engraved in our hearts, that servility can only be the language of stupidity, or the most abominable hypocrisy. Spain understood these principles, and gave itself a government which foreign nations applauded. If any thing can be called lawful, it was without doubt, the political constitution of the Spanish monarchy. All classes of the state swore to support it; the army swore to it, and the people hailed it with acclamations. If this code so respectable, was torn up by ingratitude and perfidy, this is no reason that it should be buried in oblivion, or that the loyal Spaniards who cherished it should be accused. To say a thing is bad because it is forbidden by an absolute prince, is to deceive; to say that those who desire the happiness of their country are criminals, because they go against what is called the prerogatives of the monarch, is to deceive; to say that the military who rise to restore to the nation their salutary government are perjured, is to trample down all ideas of whatever is sacred in an oath, or in the object of it.—Every citizen ought to swear to devote himself to the glory and happiness of his country. There can be no tie to oblige him to perpetuate public evils towards a prince who is not the father of his subjects.—The king cannot be separated from the nation:—When their interests are mutually opposed, the oath received by the former is not binding on the latter. The Roman soldiers took an oath to the Consul, but had he attempted to enslave the country, the legions which would have disobeyed him could not have been perjured. To reason otherwise is to confound things, and not understand the spirit of institutions. The Spanish military swore to observe and defend the Spanish constitution; they were perjured when they tacitly consented to the overthrow of the sanctuary of their laws.

To call aloud for the rebuilding of it, to devote one's labor and blood to it, and invite the rest of the nation to follow so noble an example, is faithfully to discharge the duties which are imposed upon one by the interests, happiness and glory of the country. Who called them perjured? the spirit of oppression or the language of hypocrisy. From all this, my lord, it follows, that the soldiers of the army so justly called the national, are not the enemies of order, nor of the laws and state; they are not men persecuted for their crimes, nor the factors of former rebellion, nor men thirsting for distinction and honors.

The language of seduction they make use of, is that of reason and knowledge; the religion they invoke is that of your excellency, that which they carry in their hearts, that which they received from their fathers; lastly, that which they do not wish under any pretence to innovate. The proclamations which have reached your excellency are only the candid expression of their sentiments. It is very easy to employ sophisms when reasons are wanting, and very common in those who write to commit faults in criticism and logic at the same time. We shall make no answer to the texts of scripture quoted by your excellency; they are entirely foreign to the object on which we are treating. There are kings of several and distinct classes, according to the constitution of states. The king of England has not as much power as the king of Prussia, and both reign equally. Whatever violence may be done to the sense of the holy books, there it not a single passage to be found authorising the unlimited power of kings. Despotism is an outrage on the human species, and the God of Justice cannot allow the violation of those laws which strike at the preservation of a good so worthy of his hands. We shall conclude with a slight reflection which appears applicable to circumstances; the language of peace, of moderation, of meekness, is that which Jesus Christ taught the pastors of souls. Political events are foreign to their holy profession, as the gospel itself shews it in so many places. Its divine author never speaks of the government of the Cæsars. The violation of this maxim has caused great harm to the state, and more fatal evils to the church. The greater part of the storms it has suffered, the schisms and reforms which have divided it, and the philosophical writings which have given it such mortal blows in the last century, have no other origin than the spirit of persecution and intolerance, which its ministers have manifested on so many occasions. This is an indisputable truth, confirmed by all histories, and which we would not point out to your excellency, if you had confined yourself to the spiritual administration of your flocks, and the exercise of those pacific virtues which have procured you such high respect in the eyes of afflicted and suffering humanity.

As chief of the army,  
ANTONIO QUIROGA.  
St. Fernando, Jan. 14, 1820.

## CONGRESS.

### HOUSE OF REPRESENTATIVES.

Tuesday, May 2.

The engrossed bill to prevent the commanders, and other officers in the naval service of the United States, from accepting of any present or emolument of any kind whatever, from any king, prince, or foreign state, and for other purposes; was read a third time, passed, and sent to the senate for concurrence.

The house having resolved itself into a committee of the whole, Mr. Taylor in the chair, on the bill for laying duties on sales at auction, the bill was read through.

Various amendments were successively offered to the details of the bill, some of which were accepted, and many rejected.

The bill having been gone through and the blanks filled up, the committee rose and reported the bill and amendments to the house, and the amendments were concurred in.

After several ineffectual motions were made to reduce the amount of duty, the question was taken on ordering the bill to be engrossed and read a third time, and decided in the negative—yeas 72, nays 77. So the bill was rejected.

A motion was then made by Mr. Butler of N. H. that the house do reconsider this vote; but before deciding this question—

At about 5 o'clock, the house adjourned.

[Mr. Darlington has not obtained leave of absence, as, from erroneous information, was stated in our last.]

Wednesday, May 3.

The speaker laid before the house, a letter from the secretary of war, transmitting a copy of the proceedings of the court martial, on the trial of col. William King of the 4th regiment of infantry, and a copy of the orders and documents connected therewith, communicated in obedience to the resolution of the 18th ultimo: which was referred to the committee on military affairs.

On motion of Mr. Williams of N. C. the house took up and proceeded to consider the resolve submitted by him on the 20th ult. for the appointment of a standing committee, to be denominated

"the committee on agriculture," and the resolution was agreed to.

Mr. Mercer moved that the house do now proceed to consider the bill to provide for clothing the militia when called into the service of the United States; which motion was negatived.

### ADJOURNMENT OF CONGRESS.

The house then proceeded to the consideration of the senate's resolution, proposing to fix a day for the adjournment of congress.

The bill was amended by inserting the 15th instant, as the day of adjournment, and returned to the senate for concurrence.

The bill from the senate "further to regulate the medical department of the army," was read a third time and passed.

### DUTIES ON AUCTIONS.

The house then took up the motion, depending on yesterday's adjournment, to reconsider the vote rejecting the bill for laying duties on all sales at auction. Whereupon,

Mr. Butler, of N. H. withdrew his motion, and submitted the following resolution:

Resolved, That the secretary of the treasury be directed to communicate to this house, at the next session of congress an estimate of the deficit in the revenue, which may ultimately arise from the adoption of the proposed tariff, and also what amount of revenue may be derived from a duty on sales at auction and on spirituous liquors distilled from grain and other domestic materials.

And the question being taken, that the house do now proceed to consider the said resolution, it was decided in the negative.

Mr. Storrs then renewed the motion to reconsider the vote rejecting the bill laying duties on certain sales at auction:

And after a few remarks from Mr. Metcalf and Mr. Wood in favour of reconsideration, and from Mr. Warfield in favor of a postponement till to-morrow (which was negatived) the question was taken, by yeas and nays, on Mr. Storrs's motion, and decided in the affirmative, yeas 84, nays 62.

The bill then received sundry amendments.

On motion of Mr. Baldwin, the duty of 10 per cent. on sales of certain enumerated articles (dry goods, &c.) was stricken out, so as to leave that item blank.

Various rates of duty were proposed by way of substitute to the 10 per cent.—viz.

Mr. Storrs proposed four per cent.  
Mr. Sergeant proposed seven and a half.

Mr. Dennison proposed three.  
Mr. Case proposed six.  
Mr. Tracy proposed two.  
Mr. Taylor proposed eight.

The question was first taken on the highest rate proposed, (eight per cent.) and negatived; the question on the two next highest rates proposed, as above, were also decided in the negative; but,

On the question to fill the blank with five per centum, it was decided in the affirmative.

The question was at length taken on ordering the bill to be engrossed for a third reading, and decided in the affirmative—yeas 93, nays 58.

And the house adjourned.

Thursday, May 4.

On motion of Mr. Woodbridge, it was resolved, that the secretary of the treasury be directed to prepare and report to this house, at the next session of congress, such modifications of the existing system regulating the commerce, navigation, and revenue of the United States, as he may consider necessary and peculiarly applicable to the northern and north western frontier.

The engrossed bill laying duties on certain sales at auction, was read the third time.

This bill proposes to lay a duty on all sales of foreign goods at auction, (except sales under judicial process, &c.) of one per cent. on the amount of sales of groceries, and that class of articles, and of five per cent. on the amount of sales of woollens, cottons, and certain other manufactured articles. The bill passed, 89 to 61.

On motion, the house resolved itself into a committee of the whole, Mr. Smith of N. C. in the chair, on the bill to authorise the president of the United States to borrow two millions of dollars, and for other purposes.

A debate arose on the provisions of this bill, which occupied the remainder of the day's sitting.

It was thought by some that two millions would not be sufficient, four or five were mentioned, and some objected to the surplus of the sinking fund being touched.

Friday, May 5.

On motion of Mr. Ford, of N. Y. after considerable debate, the vote on passing the bill imposing a duty on sales at auction was reconsidered, and the bill postponed to the next session of congress. The mover and former supporters of the bill urged this course, on the ground that as the tariff bill, and the bill providing for payment of duties in cash, had been rejected, and the proposed duty of ten per cent. on auctions reduced to five, the passage of this bill would have no effect but a transfer of the duty now paid on auctions to some of the states to the United States. The bill was postponed, 28 to 62.

The house again went into a committee on the loan bill. The motion to strike out two millions, after some debate, was carried; and, on motion of Mr. Smith, of Md. the blank was filled with three millions, and the bill passed.

The committee then proceeded to the consideration of the resolution which was referred to it, calling on the secretary of the treasury to prepare and lay before Congress, at its next session, a system of internal revenue.

Mr. Clay hoped the committee would reject this resolution. The executive, he said, had the power of the veto, and he thought it would be going too far, to give to it also the power of originating measures.

The resolution was rejected by the committee without a division.

## Late Foreign Intelligence.

### LATE FROM SPAIN.

The brig Edward Foster, Couthouy, arrived at Boston on the 2d instant, in 35 days from Malaga. In her came passenger, D. S. Hackley, esq. bearer of despatches from Mr. Forsyth, our minister at Madrid, to the secretary of state.

By this vessel we learn, that the ministry of Spain had been entirely changed, as well as all the officers, civil and military, with a few exceptions, throughout the kingdom; and all the ambassadors in foreign countries, except Gen. Vives to the United States, and constitutionalists appointed in their stead.

On the 9th and 10th, a massacre of a large number of the inhabitants of Cadiz took place.

On the 8th, Gen. Freyre arrived in Cadiz, and the people called for the constitution. He promised it should be proclaimed the following day. Accordingly the people assembled in a large square for the purpose, when they were fired upon by the troops of the garrison, (who had been joined by a number of deserters from the Isla) and shocking to relate, between 700 and 800 were killed on the spot, and between 1100 and 1200 wounded. It was supposed Gen. Freyre gave the order to fire, but he had denied it. It was considered he had acted the part of a double traitor. He had been deprived of his commission. In consequence of this unhappy affair, the people throughout Spain were highly exasperated against the government; and favored most decidedly the cause of the constitutional party.

The constitution was finally proclaimed in Cadiz on the evening of the 21st of March, amidst the acclamations of the people. Cadiz was about the last place in the kingdom in which the constitution was proclaimed.

A plot to bring about a counter revolution, was discovered in Madrid the 11th of March, and several persons were arrested and imprisoned. The duke del Infantado, who was suspected to have been concerned in it, had resigned the office he held.

The members of the cortes in 1812 were collecting in Spain, and expresses had been sent to those at a distance, requiring their attendance at a general assembly to be holden in Madrid, as soon as possible.

All was quiet when the Edward Foster sailed, and the people appeared to be extremely happy under the new order of things.

The following Americans, who have been imprisoned in Spain for nearly three years past, were liberated on the 24th March, viz: Conkling, Thompson, Weston, Cochran, Faucke, and Smith; and the following were liberated from the prison in Malaga on the 15th March: Cushing, Lapham, Wynans, Milner, Pryne and Piyer.

The king of Spain has named the duke de Frias, ambassador to London, vice the duke de San Carlos; the duke del Parque, to Paris, vice the duke de Fernam Nunez; don Luis de Onis, to Naples, vice don Pedro Labrador; count de Terenor, to Prussia, vice don Pascual Vallejo; don Manuel Gonzalez, Salmon, to Russia; don Joseph Maria de Pando, consul general to Lisbon.

A new ministry was formed at Madrid—the duke de San Fernando had been superseded. De Yrujo and the other exiled noblemen had been recalled.

The king had issued a decree to release all prisoners for political offences.

The most friendly sentiments for the United States are expressed by the constitutionalists, and it is thought no difficulty in the negotiation would be caused by this party.

In the contest between the royal and revolutionary forces at Malaga, Feb. 19, 60 or 70 were killed and wounded. A letter says, "the jails and dungeons are already lightened of their burdens, (prisoners of church and state,) and thousands are restored to the bosoms of their families."

It is reported that Ferdinand is unpopular in Spain—and a change of the dynasty is expected—or the establishment of a republic.

A provincial junta is formed, by whose direction the king acts. It is composed of the cardinal de Bourbon, president; General Ballesteros, vice president; the bishop of Valladolid, don Manuel Abadoy Quccipo, don Manuel

Lardizabel, don Mateo Valdemoro, don Vincente Sancho, don Francisco Crespo, don Bernardo Tarrus, and Ignacio Pezuela. Before whom the king has sworn to the constitution.

The mercantile Diario of Cadiz, March 21, announces that an election of twenty-five electors of members of the cortes was to be holden in the parishes of that city on the 23d. The same paper contains a statement of the killed and wounded in that city in the affair of the 10th of March, as follows—killed, men, 371; women, 36; children 29; total 436—Wounded, still in the hospital, 70, besides many who are at their own houses.

From Spain.—Our latest advices are only to the 15th of March, (although the schr. Midas, arrived at Baltimore from Smyrna, touched at Gibraltar as late as the 29th.)—A friend writes us under date of the 15th, as follows:—

"The revolution in Spain is over, and the King has declared the Constitution and summoned the Cortes.—Cadiz has been entered by the Constitutional Army of Quiroga, and all the other cities have espoused the cause—all this without bloodshed.

"Whether the people will receive a Cortes from the King, or any longer acknowledge him as their Sovereign, are questions yet to be determined—I think myself, it is likely the Revolution has just begun—All that is done has been done by the military—what interest they will allow the people in the new order of things remains to be seen.

"Nothing more about our Treaty, nor can I pretend to say what effect the revolution will produce in our political relation with Spain."

Extract of a letter to the editor of the Charleston City Gazette, dated

"St. Thomas, April 18, 1720.

The schooner Ann and Eliza, captain G. M'Carter, arrived here night before last from St. Vincents, and only 14 days from Angostura, but as capt. M'C. did not intend coming to this island when he left Angostura, he brings neither letters nor papers. But he brings very interesting verbal accounts of a very great and bloody action which had been fought between general Paetz, and the royalist army, 300 miles from that place—in which, he informs me, the Spaniards lost every man, amounting to 5000, in killed, wounded and prisoners. Great rejoicings were the order of the day when he left Guayana, such as ringing of bells, cannonading, &c. There was an American schooner there, which ought to have sailed the day after this vessel for St. Thomas, by which we impatiently wait to receive the important official account—which, so soon as I receive, I will forward to you without delay.—This action must have been fought near Calabozo with the royalist army of General Morales, who, with the whole of his forces, must have been annihilated. The evacuation of Caracas is a necessary consequence, and the entrance of the patriot army.—Strange as it may appear, we have not heard a word of the expedition that sailed from Margarita on the 8th of last month. True it is, that no vessels have arrived from any quarter that could give us intelligence of its success."

From the Boston Daily Advertiser.

A great moral revolution among the inhabitants of the earth, appears to be hastening on. We had occasion lately to mention that wonderful event, the late revolution in Spain, achieved almost without bloodshed—a nation born in a day! We have now to mention another most extraordinary transaction: two despotic sovereigns emancipating their slaves, and proclaiming publicly, by a herald, "all men are born free." Is not this the work of HIM, who holdeth the hearts of all men in his hands; who by a wise Providence, orders all things aright, and who is hastening the time when wars shall cease?

Translated for the Boston Daily Advertiser.

Frankfort, (Oder,) Feb. 24.

"The grand duke of Mecklenberg, and the duke of Mecklenburg Strelitz, have proclaimed the suppression of personal servitude. The 6th of Jan. the same benefit was granted to the peasants of the Island of Oesel. The ceremony of emancipation was preceded by divine service, all the constituted authorities were joined to the deputies of the peasants. The marshal of the province delivered a discourse in which we remarked the following passage. "All men are born free, the law alone can restrain the use of their liberty, arbitrary power must disappear and in future it will be no merit not to have been a tyrant."

"This is the wish of Alexander, [the grand duke,] our well beloved sovereign, this is demanded by the spirit of the age, that all powerful voice, which always makes itself heard. They day has arrived, when servitude is to be forever abolished, and when the first rights of humanity are to be rendered to the men whose labour and sweat procure for us the first necessities of life."

Paris, March 25.

Since the catastrophe of the Duc de Berri, this city has assumed quite a