

which also destroyed the water cistern. The British troops were commanded by General Beckwith. There was but one French frigate at Fort Royal, and she was destroyed before the surrender of the place; her commander had been previously killed by the explosion of a bomb.—A sloop of war was immediately dispatched for England with an account of the surrender of the island.

The Diamond frigate had arrived at St. Christophers in a short passage from Cadiz; it was reported that the British and Spanish had defeated the French, and retaken Madrid, but nothing certain had transpired. It was also reported that the Rochefort squadron were at sea.

March 21.

By the arrival of the British schooner Intrepid, Captain Basey, we have been favoured with Havana papers to the 13th instant. From the difficulty of procuring translations, our extracts are necessarily limited.

In addition to the accounts published this evening, it is stated, that the Duke de la Infantado, with 25,000 men, was at Perales, about 4 leagues from Madrid, on the advance for that city—while the united British and Spanish armies of 70,000 men were advancing from Burgos. A report is prevalent that the French had previously advanced to Saragossa, where it is said they were defeated, with the loss of 12,000 men. We have not however, seen any thing to warrant a belief in this rumour.

Madrid was evacuated on the 23d December. The Spanish accounts say, that their army had possession of the celebrated pass of Somosierra, the only road by which the French army could retreat, and they were very sanguine in the hope of cutting them off completely.

It does not appear that Buonaparte had more than 30,000 men in Madrid.

(TRANSLATIONS.)

HAVANNA, March 13.

Don Juan Domecq de Victor, a gentleman well known in this city, and as remarkable for his probity, as the public situation he holds, has received a letter from his brother Don Josef Victor, an inhabitant of the city of Xeres de la Frontera, of the following tenor:

XERES, 29th Dec. 1808.

"Dear Domecq,

"I have received by General Gregori, at seven o'clock this morning, an extraordinary dispatch, containing various and important news from Madrid, of which I had not time to send you a copy, as it is very long, and there is barely time to take one for the Captain General, to whom I am about to forward it. The substance of it may be reduced to this—The French who garrisoned and surrounded Madrid, alarmed by the failure of nine mails from Bayonne, and informed of the junction of the Marquis de Romana, and of the Duke de la Infantado, with their armies, had resolved to evacuate Madrid, which they did in two divisions, leaving very few of their people behind them, and took the road to Somosierra, on their way to which they must inevitably be cut off, and not one would remain.

"The accounts state, that the military and private property which they had plundered, was sufficient to load 1500 waggons. They also assert, that the news from Arragon and Catalonia has filled with consternation both Joseph Buonaparte and his brother. This is all that my time permits me to communicate. "I remain, &c."

From the Cadiz Diary of the 13th Jan. 1809.

MURCIA, Dec. 29.

The arrival at Valencia of General Don Joseph Caro, with some troops, has cheered the drooping spirits of that city, by the good news he brings and which he communicated on the night of the 22d, to the Junta governing there. He states, that his brother the Marquis de la Romana, writes him from Burgos, that he is at the head of an army of seventy thousand men, Spanish, and English, all choice troops, and in excellent discipline; and that his destination is to recover Madrid. He adds, that we may now depend upon the co-operation of the Emperor of Russia, to whom in order to induce him to join our cause, England has ceded Malta and Spain Mahon.

The news is confirmed by letters from Seville, which mention further, that the Marquis de la Romana, is about to establish his head-quarters at Valladolid, and that the supreme Junta established at Seville, has entrusted to him the entire direction of the military operations in the present crisis—having communicated their plans to the Duke de la Infantado, who commands the central army, and is marching with the same object in view.

It is also asserted, that the Emperor of Russia has transmitted a note to the Emperor of the French, notifying to him, that he must immediately think of withdrawing his troops from the Spanish territory, as otherwise the treaties and conventions between them could not be carried into effect.

BALTIMORE, March 25.

LATEST FROM SPAIN.

The editor of the Federal Gazette has received from his New-York correspondents, very late news from Spain, by the arrival at New-York of the British brig George from Havana.

Our correspondents enclose an extract of a letter from Havana, and the Havana Aurora extra of the eighth of March; their contents are below. It appears from these accounts, to the 21st or 23d February.

That Buonaparte, by intrigue and by hard fighting, has gained considerable advantages at Madrid, &c.

That the Patriot army under Palafox, has gained, perhaps equal advantages in a bloody and hard fought battle at Saragossa, where the French division under Marshal Moncey was completely routed.

The Spaniards are sorely oppressed, and many thousands have been murdered since the tyrant has invaded their country; the British auxiliaries have also suffered. But the blood-hounds of Gaul have paid full amount for their partial and occasional triumphs. Eighty-four thousand French prisoners are at Cadiz! what strange Bulletin accounts Buonaparte has given us! Can the most credulous believe the French accounts in its fullest extent!

"New-York, March 23.

Extract of a letter from a gentleman of the first respectability, dated Havana, March 8, 1809.

"By the British brig George, I have only time to send you an extra Gazette, containing the afflicting news of yesterday, by a vessel in 35 days from Cadiz.—MORLA, Governor of Cadiz, has proved a traitor, and invited the French to Madrid, which place Buonaparte left on the 23d December, to attack Romana's army; since which time nothing official had been received from the armies. The whole of the Spanish forces are drawing to a point, and hopes are entertained that they will surround and take Buonaparte.

"The supreme Junta was at Seville, but it was expected they would remove to Cadiz in a few days.

"At Cadiz they had eighty-four thousand French prisoners.

"The British have been roughly handled. One army is marching towards Corunna, from prudential motives; and the other towards the borders of Portugal.

"These movements indicate an expectation of the necessity of embarking at these points, to sail round to another more tenable.

"I do not like the information received, although many do, and believe that Spain will soon be cleared of the monster of Europe and his army. Indeed, I consider the news to be more afflicting to the cause of humanity than any which has before reached us.

TRANSLATIONS.

From the Havana Aurora of March 8, received at the office of the Federal Gazette.

SEVILLE, Jan. 27.—On the 30th December, died in this city, aged 81 years and 2 months, his Excellency Don Joseph Monino, Count of Florida Blanca, President of the supreme Junta of the kingdom, &c. &c. &c.

FROM SARAGOSSA.

On the 21st, in the morning, the columns of the enemy appeared on the heights which command Mount Torrero and the battery of Bonavista; at the same time two strong corps of infantry and cavalry advanced to the attack through the defiles on our left; whilst on our right they attacked with impetuosity the Casa Blanca and carried it.—The battery of Bonavista, thus become flanked and a grando of the enemy setting fire to a magazine of powder, it blew up; upon which the artillery retired to take another position and set fire to the bridge of America, this accident compelled our troops to retire within the redoubt of the Pelar situated at the head of the bridge de la Sierba, which they effected in good order. About mid-day seven columns of the enemy's infantry with a proportion of cavalry and a strong train of artillery shewed themselves coming round the Arabel, on the opposite side of the river. Our Captain-General detached the Brigadier, Captain of the royal guards to take possession of this point, which he so well managed that he was able to sustain the hottest fire of the enemy for five hours. Don Manuel Velasco, Colonel of artillery, pointed his guns so well and kept up so well directed a fire from the three batteries attacked by the French, that such was the havoc thus made, that this division of the enemy retreated in the greatest disorder; a corps of reserve then coming up, renewed the attack with great impetuosity, in which a partial but temporary advantage was gained over a portion of our troops. Our General accompanied by Lieut. Gen. Don Juan O'Neilly and Field Marshal Don Philip Santmarc, placed himself at the head of our broken line, and sword in hand, rallied his troops, led them again to the attack; when, encouraged by the presence and undaunted valour of their chief, our troops rushed forward with an irresistible ardour, and gained a complete victory; in which the French were completely dispersed, leaving on the field and under the walls more than 4000 dead, and as many more taken prisoners, among whom were the grenadiers who fought so desperately. The field of battle afforded our troops immense booty, besides the most honorable triumph of war, the humiliation of those who came from the north.

This triumph, so honorable for this valiant city, has rendered it impregnable. It can only be taken when it wants arms to defend it; every house is a castle; each heart a strong fortress, and each battery a testimony of art, of talents and of valour.

[Here follows a list of the officers and corps who particularly distinguished themselves.]

Some skirmishing continued several days after the battle above, in the course of which many were taken and killed on both sides.

By latest accounts from Saragossa, it appears that while the enemy has not altogether relinquished his designs on that brave city,

the besieged feel confident of ultimate success, as all classes are inspired with unconquerable courage, relying on the protection of God and the justice of their cause.

On the 23d December, the day after the unsuccessful attack, Marshal Moncey addressed the following letter to the Captain General and Magistrates of Saragossa.

"Sirs,

The city of Saragossa is now completely invested, and all communication with the country cut off. I can now employ against it all the means which are sanctioned by the laws of war. The 5th division of the grand army, under Marshal Mortier, and the troops under my own command, are ready to renew the attack. The city of Madrid has capitulated, and thus preserved itself from the misfortunes which must have resulted from longer resistance. Should not Saragossa imitate the example of the capital, its total destruction is inevitable.

Marshal Mortier and myself indulge the hope that you will prevent the effusion of blood and the destruction of this beautiful city; so respectable for its population, its commerce and its wealth, by an immediate surrender; and thus entitle yourselves to the veneration and benedictions of its inhabitants. Be assured, gentlemen, that every thing will be done, compatible with my honor and duty to the Emperor, to ensure to you, and to the inhabitants, the undisturbed enjoyment of peace and tranquillity.

I propose to you by this flag of truce the appointment of commissioners to meet those whom I may authorize, to treat for the accomplishment of this desirable purpose.

With great consideration, &c.

MARSHAL MONCEY.

Head-quarters, Torrero, Dec. 22, 1808.

ANSWER.

The General in Chief of the army of reserve answers from Saragossa. This city cannot think of surrendering. Marshal M. may therefore observe the laws of war, and measure his strength with mine. I have opened an uninterrupted communication with all parts of Spain, and have abundance of every thing. Sixty thousand brave men, whom I am proud of the honor to command, who pant for battle, seeking no reward but honor and the deliverance of their country, forbid the listening to your proposal.

M. Moncey will immortalize himself if, by a strict observance of the laws of war, he can obtain a victory which no one here will suppose. My glory will not be less in having preserved this city, by the valour of our soldiers, opposed to a system of despicable oppression, unknown to the ancient Marshals of France. Having sustained a siege of 61 days, the commander, who fears not death nor privations, will not now, when his army by reinforcements equals in numbers their besiegers, shrink from the glorious task imposed upon him.

The blood of generous Spaniards so plentifully shed is as glorious to the cause of Spain as it is execrable to the avarice and cruelty of those who would enslave them.

Marshal M. is assured that for 11,000,000 of people to be free it is sufficient to win it. Their enthusiasm and loyalty cannot be subdued. I would not willingly sacrifice the brave men whom I command; but there is not one of them who would not joyfully shed his blood in defence of the last inch of his beloved country.

Yesterday must have convinced your Excellency that, I might with equal propriety offer terms to your army, who will all perish under the walls of Saragossa, ere it surrenders.

The Commander in Chief cannot credit the account of the surrender of Madrid, unless indeed he were informed of the treachery which alone could have proved the destruction of the brave, united and loyal inhabitants of that capital.

With respect, I am

Your Excellency's, &c.

EI GENERAL PALAFOX.

Head-Quarters, Saragossa,

22d December, 1808.

MURCIA, January 12.

The commissioner of the Supreme Council, near the armies of the enemy, has this day communicated the following intelligence:

This morning was published in this army by order of the general, the news of the French having been completely routed between Segovia and the plains of San Antonio, by the Marquis de la Romana, leaving on the field of battle, in killed, wounded and prisoners, 21,000 Frenchmen, with all their artillery and baggage; and that the rest of the army, with a great personage, (said to be Napoleon) is surrounded by our troops in the Paular de Sagovia. I know not whether this pleasing information has reached your Excellency, but if not I communicate it to fulfil my duty.

Persons who have come from Madrid assert that the French are disappearing from this city without knowing for what reason, nor whither they go, and that the few who remain do not exhibit the same haughty appearance as formerly.

We expect to be joined by the new troops of Ucles and Cuenca, when the army will advance in pursuit of the enemy.

TABAGON, January 6.

The present notice having the character of veracity, the Supreme Junta ordered it to be proclaimed with firing of cannon and ringing of bells.

Signed by the Marquis of Villa Francy, los Velez, Duke de Medinacideia. By order of his Excellency.

Angru Fernandez Costa.

The following Circular has been transmitted by the Secretary of the Treasury to the Collectors.

CIRCULAR.

TREASURY DEPARTMENT,

March 18, 1809.

SIR,

I sent you on the third inst. together with the non-intercourse act, some general instructions which, on a first impression, appeared necessary in order to preserve uniformity in its execution. Some of those may not be sufficiently explicit: On one important point I have, from a further consideration of the several sections of the act, been induced to alter my opinion; and new questions have arisen on which several of the Collectors have applied for instructions.

The expressions, used in the sixteenth section of the act, had at first impressed a belief, that vessels owned in whole or in part by foreigners, could not be cleared for English or French ports. But on more minute investigation of the thirteenth section of the act, and of the proviso of the first section of the Embargo act, passed on the twenty-second December, one thousand eight hundred and seven, I think that opinion to have been erroneous. Vessels owned in whole or in part by foreigners, are still permitted, in conformity with the said proviso, to depart either in ballast, or with the cargoes which they had brought in, and which have not been landed, for any foreign port whatever, if they shall clear for a port with which commercial intercourse is permitted to American vessels by the act of first inst. they must give bond, in conformity with the thirteenth section of the said act, that they shall not proceed to a forbidden port; but if they are bound to a forbidden port no bond is necessary; and they may be permitted to clear accordingly. This applies as well to English or French, as to any other foreign vessel. But the proviso of the act of twenty-second of December, one thousand eight hundred and seven, being still unrepealed in all its parts, and the act itself being repealed in part only, so far as relates to vessels owned by citizens of the United States; vessels owned in whole or in part by foreigners are still forbidden to take on board any new cargo. American vessels are permitted to go only to the ports not forbidden by the act of the 1st inst. and may export there every species of merchandise. Foreign vessels may depart to any foreign port whatever, but cannot take on board or export any merchandise either foreign or domestic, other than was on board when notified of the Embargo, or in other words, as relates to all foreign vessels now in the United States, other than the cargoes which they may have brought in, and which have not been landed.

On the subject of ports for which clearances may be granted, or must be refused to American vessels, I will observe, that as the legality or illegality of the voyage can, in doubtful cases, be determined only by the courts of the U. S. that question can never be affected either by granting or refusing a clearance. The forms of bonds which have been transmitted by the controller, are in conformity with the expressions used in the act; and it must be clearly understood that as, on the one hand, the condition of the bond may not, on trial, be deemed forfeited in every instance where a vessel shall have proceeded to a port for which a clearance had been refused; so, on the other hand, errors, may be committed in granting clearances for ports which the courts may ultimately adjudge to have been forbidden by law, and it is not intended that the mere act of thus granting a clearance shall release the party from the penalty which may be incurred by pursuing an illegal voyage.

I am still of opinion that no clearance can be granted for any part of the island of San Domingo, or of the kingdom of Italy. The independence of San Domingo has not been acknowledged by any act of government; and if not independent, it is a dependency of France. The kingdom of Italy, which now includes Venice and Leghorn, though not annexed to France, is governed in the name of the French Emperor, and is not only in fact, but in name, one of his dependencies. There are ports in Spain and Portugal, which may hereafter be exclusively in the possession of Great-Britain or France, and for which clearances should according to circumstances be refused. It is understood that at present they are all under the nominal government of a Spanish sovereign, or of the Prince Regent of Portugal, and that therefore clearances may be granted for all. The rule must be that places held in the name of the sovereign of the country, though garrisoned by British or French troops, are not to be considered as forbidden ports. But if conquered by either, as in the case of Lisbon before its evacuation by the French, they are exclusively in the possession of the conquerors and therefore forbidden.

There is nothing in the law which forbids the sale of American vessels abroad; but the condition of the bond required by the thirteenth section is, that they shall not proceed to any British or French port.—The condition of this bond will be considered by this department as forfeited and the bond put in suit, if prior to their return to the United States, and during the continuance of the act they shall proceed to such port, whether they have been sold or remain the property of the same owners. The provisions in that section which relate to the production of a certificate of the landing of the cargo, only establish the species of proof requisite in that respect, but do not affect that part of the bond by which the vessels are altogether forbidden to proceed to sea.