

# Edenton Gazette.

FRIDAY, MAY 19, 1809.

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**BOSTON, April 26.**  
**VERY LATE FROM FRANCE.**  
The French letter of marque L'Esperance, Capt. Deplace, arrived here yesterday, in a short passage from Bourdeaux. A French gentleman, a passenger, politely favored us with a file of French papers to the 19th of the month; and a manuscript copy of a new imperial decree. A few translations from the papers will be found below.

The accounts from the European continent, these papers, are nearly a month later than before received. War between France and Austria had not commenced, though the declaration of it was daily expected. The French Ambassador, and the Ministers of the confederation of the Rhine, had quitted Vienna; and all the troops in the North, under the control of Buonaparte, were in motion—100,000 of the troops, which were in Spain, had returned into France; and were moving towards Bavaria. The Emperor was in Paris at the last date. We find but little mention made of Russia; and that little does not indicate any thing like her taking a part in the war against Austria. The peace between Turkey and England is attributed in the Paris papers to the interference of Austria. The tidings from Spain are late. Saragosa surrendered the 24th Feb. after a memorable siege; the particulars of which fill 3 papers: About 10,000 of the garrison had passed Bayonne. The South of Spain had not been overrun; nor had Cadix been invested. The French had entered Oporto (Portugal) and were advancing on Lisbon. The Brest Fleet, at the latest date, remained near Rochefort.

On the subject of American affairs, these papers are wholly silent. An Imperial decree, affecting a part of our vessels in France, was inserted in our last. To understand it, it will be recollected, that the French have long detained American vessels under various pretences: But some time since an embargo was laid on all American vessels in the ports of France. The new decree only permits such as were detained by this general embargo. They are permitted to return direct to the United States, giving bonds. The others are still detained.

**TRANSLATIONS.**  
**Vienna, Feb. 23.**—The Wirtemberg and Bavarian Ambassadors are about to quit this capital. The different corps of our army are to be commanded by the Archduke, and by Generals Lichtenstein, Rosamburg, Kienast, Sollowart, and Bellegarde.  
**Feb. 26.** The great military promotions announced a few days since, have been followed by others.  
Gen. Meerfeldt has been sent into Galicia, where he will have a command.  
The enumeration of the horses in this city and environs is now making. Several thousands will be wanted by government for the service of the artillery.  
The young Counts de Kinsky and de Trausendorf, have demanded of the Archduke Charles, to serve near his person in quality of volunteers.  
**March 1.** His excellency Gen. Andreos has taken leave of our Court, on his return to Paris.—He passed Augsburg the 6th March, and continued his route without stopping.

**Petersburgh, Jan. 16.**—The Austrian Ambassador, Prince Schwartzenberg, has had his first audience of his Majesty, and had a conference of an hour and an half with him in his closet.  
**Paris, March 22.** The Vienna Court Gazette continues to give all the absurdities of the English journals. The manner in which the events in Turkey are recounted, prove evidently that Austria has contributed all in her power to the peace between the Porte and England. Mr. Adair, formerly Ambassador to the Austrian Court, when he left Vienna, had letters of recommendation to the Austrian Intendant at Constantinople.  
The Vienna Court Gazette states, that several Saxon regiments had marched into the city of Warsaw, while the Westphalians were marching towards Thuringo.

**Augsburg, March 1.**—The head-quarters of Gen. Oudinot's corps are in this city. 3 Bavarian corps are to be formed in the Tyrol, on the Inn, and in the Upper Palatinate.  
**March 7.** We learn that several English ships have arrived at Trieste, and shown themselves publicly. A British courier, lately departed there, and proceeded hastily to Vienna.—For some time very frequent communications have been made between Austria and England, by way of Trieste.  
An Austrian train of artillery has arrived at Egria, in Bohemia.  
We learn that an Austrian corps has shewn itself on the banks of the Inn, on the side of the sea. For this cause the Court of Munich has ordered its troops in Swabia and Franconia to join those in Bavaria, who are to concentrate on the Isar. The garrisons of Ulm

and Augsburg are already on their march.  
**Nuremberg, March 7.**—All the Bavarian troops are marching to the Inn.  
The famous intriguer Genz has arrived in Vienna; probably to draft the Austrian manifesto. M. Stein is also at Vienna.  
**Burgos, (Spain) March 3.**—Gen. Sebastiani pursues his success. Marshals Junot & St. Cyr are approaching Valencia, which it is expected will not make any defence.

**PHILADELPHIA, May 2.**  
The jury in the case of the United States, against Michael Bright, brought in a special verdict yesterday afternoon. The verdict states, the defendants to be guilty of knowingly and wilfully obstructing, resisting and opposing the Marshal, in his attempt to serve and execute the judicial writ of arrest mentioned in the indictment, but that the defendants acted under the order of the constituted authorities of Pennsylvania in so obstructing and resisting the Marshal.—The jury then leave to the court to say, whether upon the whole matter, thus found the law is in favor of the United States, or the defendants, and if the court are of opinion, that the law is with the United States, then the jury find the defendants, and every one of them *Guilty*, but if the court are of opinion that the law is with the defendants, then they find them and every one of them *not Guilty*.

**May 3.**  
In the case of the United States, vs. Michael Bright and others, the circuit court decided on the special verdict, that the defendants were *Guilty*, and yesterday afternoon the prisoners being placed at the bar, the district attorney addressed the court, and said, that in compliance with his duty, he called upon the court to pronounce the sentence of the law. This duty the most painful he had ever been called to perform, he would on his own responsibility, have omitted to perform for the present, if the Attorney-General of the state of Pennsylvania, on behalf of the constituted authorities of the state, had or would request it. No reply was made by the counsel for the defendants. Judge Washington then rose and addressed the court as follows:  
A concluding period has now arrived to the long and deplorable contest, in which you have been, we believe, under mistaken notions of duty, most unfortunate for the character of our common country, and peculiarly of this respectable part of it.—The origin of the controversy is lost sight of in the more important and dangerous consequences which have grown out of it. If the measure of which you unhappily permitted yourselves to be made the instruments, had not been checked in its commencement, it might by its effect and example have swelled into an irresistible torrent, prostrating in its course the liberties, the laws, the happiness and the safety of the nation.  
That such was the object, or that this was the melancholy catastrophe either intended or desired, we have not the most distant belief. But such must be the result when arms are opposed to laws, and force is resorted to in resistance to the deliberate and disinterested decrees of the tribunals of justice, or the lawful acts of the other departments of our government. In the members of this court, there exists no other feeling or recollection, than such as the most sincere regrets inspire; that the occurrences we so much deplore have arisen from decisions in which we have in our respective stations, had a share.  
We should be unworthy of the responsible stations in which we are placed, if we suffered any other than public motives connected with a sense of duty, to influence our conduct. Our task has been a painful one, but we have endeavored to perform it with impartiality. We reflect with pleasure that every opportunity was offered for discussion, and that this case has been conducted with greater latitude and range of arguments, than perhaps would have been strictly right on common occasions. Every thing has been done and said which could contribute to a clear understanding of the cases. The decision has been made on the law as it arises on the facts found by the jury, too plain and palpable to admit of difficulty or doubt, with the most entire conviction and belief of its rectitude.  
It is obvious that you have mistaken a supposed duty which you presumed you owed to the constituted authorities of your particular state, while you were opposing the laws of the United States and violating predominant obligations. None more highly appreciate than we do, the military spirit of our fellow citizens, and to discipline and subordination of our militia. These attributes, when required in laudable and necessary efforts for the support of the laws, or for the safety of our country, are highly commendable. But when employed, as yours have been, in measures of resistance to established principles of the constitution and in violation of the peace and good order of the nation, they be-

come destructive in their immediate effects, and widely mischievous in their example. We do not say this reproachfully being persuaded that you acted under mistaken notions of duty; it becomes us at the same time to express in pointed terms our disapprobation. As it has been your lot to be engaged in a measure which, on reflection hereafter, you cannot yourselves approve; it should alleviate any unpleasant consequences you may experience in your situations, that nothing will wipe away the unfortunate stain on our republican systems but submission to the correction of the laws, not vindictive, but exemplary and salutary. If physical force is rendered nerveless by the superior power of the laws, we need not regard the reproaches nor the predictions of those unfriendly to republican forms of government.

It does not lie with us to enter into those considerations which belong exclusively to another department of the government.—Our duty is prescribed and we must obey. Instances in other cases have occurred, wherein the imperative obligations of duty have induced decisions contrary to the wishes and feelings of those who gave them. Your case, and particularly that of the commanding officer, is less susceptible of apology than those alluded to. You were called upon to act in an enlightened city, where the means of information on legal and political subjects are particularly great, and where it was in your power at any moment to have obtained the best advice as to the obligation of the orders you received. If you listened to improper counsel we can only lament the circumstances.

It is our duty however unpleasant the exercise of it, to pronounce the following sentences in your several cases, and in fixing the degree of punishment, we have not been inattentive to every circumstance which has been offered in your favor. The triumph of the laws over military force arrayed against them, is sufficient for their objects.

The measure of punishment is in your unfortunate case particularly, of small comparative importance. Example and not severity is dictated by our duty and has been our aim.

The sentences of the court, are that you Michael Bright, be imprisoned for the term of three months and pay a fine of two hundred dollars, to the United States, and that you James Atkinson, Wm. Cole, Abraham Ogden, Daniel Phyle, Charles Hong and John Knipe, be severally imprisoned for the term of one month, and severally pay a fine of fifty dollars, to the United States, and stand committed till these sentences are complied with.

The Marshal immediately conducted the prisoners to Jail, where they are now confined. All was transacted in peace and tranquility, and to the honor of our city be it mentioned, that the demands of the laws have been satisfied without tumult or riot.

**LATEST FROM EUROPE.**  
*By the ship Recovery, Capt. Thomas Jefferson, from Liverpool, we have the following.*

**LONDON, March 9.**  
Yesterday Colonel Wardle moved, in the house of commons, an address to the King for the removal of the Duke of York from the command of the army. This motion was opposed by Mr. Buxton, and Mr. Percival (C. of E.) who declared his intention not only to oppose the motion, but to move an address highly approbatory of the conduct of the noble Duke as commander in chief; and that his removal would be highly injurious to the army, and public service. Mr. P. reprobated the connection with Mrs. C. No decision was had on the motion.

The Russians, we learn, have marched a body on the ice across the Gulf of Bothnia, captured the Swedish island of Aland, and were preparing ice boats for an expedition to Sweden Proper. The distance from Aland to the main is about 80 miles.

**March 12.**  
The Gazette of yesterday contains Lord Cochrane's official account of the defence of Rosas and the castle of Trinidad against the French; of the former by the Spaniards, and of the evacuation and destruction of the latter by his Lordship, and a party of seamen and marines belonging to the Imperieuse. Lord Collingwood speaks in high terms of the heroic spirit and ability which have been exhibited by Lord Cochrane, in the assistance he has endeavored to afford the Spanish patriots. Lord Collingwood was at Malta the 26th January.

The Gazette contains also a letter from Admiral Stopford, dated on board the Caesar, near Belsize-light-house, March 2d; which states, that the French Brest Fleet then remained at Isle d'Aix, consisting of 10 sail of the line, 4 frigates, and the Calcutta. The 11th sail of the line was bilged on the shoal within Isle d'Aix. She is the Warsaw, a

new 60. Of the 3 French frigates which ran under Sables d'Olonne, one was bilged and abandoned; and the other two up an inlet where they grounded every low water. A western swell which was set in would destroy them.

**March 13.**  
Our Falmouth letter says, "The Surveillante, on the 2d March, in lat. 40. 30, long. 10. 12, saw 4 sail of the line and 3 frigates lying to, to leeward, and in the act of burning a brig; but several large ships, apparently of the line, appearing to windward, they crowded all sail, and stood to the westward. The first is undoubtedly the L'Orient squadron; the latter supposed to be Admiral Duckworth in pursuit.

The French squadron at Flushing is said to consist of 12 sail of the line, which being joined by others, and a Russian and Danish force, is to attempt some great enterprise in the spring. So say the French papers.

**March 13.**  
The Hope sloop of war, from Lisbon is arrived at Plymouth with dispatches, brings nothing new, as the accounts by the last packet are of a later date; on the 6th inst. she fell in with the Surveillante frigate, and a fleet from Brazil, and were informed that on the 1st inst. they saw six sail of Frenchmen of war steering S. W. The Walsingham packet arrived from Lisbon, saw on the 1st inst. in lat. 47, six large ships steering N. W.

**OFFICIAL FROM SPAIN.**  
On the 12th Feb. the H. Q. of the Spanish army was at La Carolina, under Gen. Urbinet.—The Duke d'Infantado had been unfortunate, and was removed.—The Supreme Junta remained at Seville. Gen. Abidia had been appointed minister of war. A French army of 25,000 was preparing to enter Estremadura. Gen. Cula, with 16,000 Spanish troops, was at Truvilla. At Alacran there was a Portuguese and British division, amounting to 14,000. The French had advanced to Ciudad Rodrigo. Soul was at Betanzos, the 28th January. Romana had entered Portugal. The 40th and three other British regiments were at Seville, on the way to join Urbina's army, at La Carolina, and to defend the Sierra Morena. The Spanish army in La Mancha was looking their enemy in the face.

**March 14.**  
There is reason to believe, that the intelligence relative to Saragosa, in one of the unofficial papers, is not true, and that noble city still holds out. Letters have been received from the immediate neighbourhood of Saragosa which state that on the 25th ult. it was still in possession of the Patriots. The French papers had stated it to have surrendered on the 21st.

The amount of the Exchequer Bills presented to be funded, amounted at the close of yesterday being the third day to 6,000,000l. The whole sum to be funded is only 8,000,000l.

Private letters from Holland report, that according to a secret article of the recent treaty between Great-Britain and Turkey, the Porte is to join with Austria in the war against France, and Great-Britain is to furnish the Turkish government with arms and ammunition at Malta or the Morea. This intelligence it is said, comes from Malta.

The Cotton Planter arrived at Greenock Monday se'night from St. Mary's river, and brought American papers to the 20th January.

**March 15.**  
Though the British regiments which sailed from Lisbon for Cadiz have been permitted to land at Cadiz, they have been supplied with every convenience, and it is not supposed that any want of confidence on the part of the Spanish government in the English, has prevented their landing. Upwards of 400 British seamen have been invited by the government of Cadiz into Cadiz, to assist in rigging and trimming the French and Spanish vessels lying in the inner harbor, in order to bring them into the outer bay, and fit them for sea.

No immediate danger appears to threaten Cadiz. All the passes between it and the enemy are well watched and defended. The French have not yet advanced towards Andalusia.

The prevailing expectation at Hamburg was, that Russia would join the Emperor of Germany, should he be compelled to defend himself against the tyrannical demands of Buonaparte.

A statement has appeared in some newspapers, which we are happy in being able to say is wholly without foundation namely, that the King of Prussia had, in compliance with a mandate of Buonaparte, delivered up his minister, the Baron de Stein, as a victim to his resentment. We are informed from a credible source, that as soon as the Moniteur, containing the tyrant's decree against this pa-