just then been appointed to an honorable command—that the U. S. flotilla for the defence of the upper part of the Chesapeake.

Knowing that officer to possess in a prominent degree *all* the qualities for command and believing that a vast majority of the community of the district which he was appointed to defend, and of the nation, would feel the same confidence in his skill, prowess, zeal and integrity; I could not but suspect that other motives and feelings than those avowed, had participated in the denunciation.

In Com. Barney I recognized an intrepid distinguished officer of the Revolutionary Navy; whose atchievements have been the theme of public admiration and the subject of the pencil, whose vivid representation of one of those scenes, has long been a prominent ornament in the chamber of the Navy Department.

I knew him as one of the six Captains first appointed under the administration of President Washington, and had he not resigned he would long since have been at the head of our present navy.

I also knew that President Washington had considered him a citizen so much entitled to public consideration, that a vessel and special messenger was sent to Jamaica to demand his release from confinement and menaced ignominy, for gallantly defending his ship against British depredations—and all this when his character was as perfectly known as at the present time. Under these circumstances, I could not in justice to Com. Barney or to the public, whose officer he is, have withheld from him the opportunity of vindicating his reputation; nor could I suffer the denunciation to remain secretly on the files of the Department; nor indeed had I the most distant idea that concealment was the wish of the writer, until his open avowal proved both his folly and his baseness. Com. Barney came to Washington—I read to him the slander from the original, and displayed to him the author. The result is known and I am happy it is no worse—it will improve the manners of Mr. T. and I hope without impairing his health.

Mr. Taylor had the audacity to charge me with a "flagrant breach of trust"—demanded an explanation through his friend. I gave in substance the reasons I have here assigned, and exhibited to his friend the original letter—this was not satisfactory—his passion or his vanity had prompted him to prepare an alternative. A challenge was produced, and, as every man of honor and common sense in my situation would have done, I declined the invitation.

The next resort was an abortive attempt to publish in the Baltimore papers the argumentative, and eloquent morsel, that appeared in the Federal Republican of this day. The good sense of *every* Editor in Baltimore rejected the flagitious libel, and it has at length been forced by the scavengers of detraction through the *common sewer*.

I ask pardon of the public for this momentary aberration from the elevated path which official duty would have prescribed, but truth and candour, rather than personal feelings, have urged the course which I have reluctantly pursued.

W. JONES.

Washington, Sept. 6, 1813.

From the Democratic Press.

NEW-ORLEANS BATTURE.

We are informed that this celebrated cause has at last been determined in favor of Mr. Livingston. After several fruitless applications to the national legislature, and an abortive attempt to recover damages from Mr. Jefferson, in the state of Virginia, Mr. Livingston took the course which we think that he should have pursued from the beginning, and brought a suit in the Federal Court at New-Orleans, against Mr. Durgenoy, the Marshal, who had dispossessed him in the year of 1808, by virtue of an illegal warrant. That gentleman appeared to the suit, and for his defence stated the authority under which he had acted. So that there was nothing to be decided but the point of law whether that authority was legal or not. But while matters were in that situation, and the case ready for a hearing, the District Attorney of the United States, acting, as is presumed, from the impulse of zeal, and without an express or direct authority from the government, filed a suggestion, stating that the suit had been instituted and managed by collision between the plaintiff and defendant, in order to effect in an indirect and improper manner the claims of the United States to the property in controversy, and moved the Court to dismiss the suit on that ground. After hearing affidavits on both sides, the Court decreed the dismission of Mr. Livingston's petition, which, in its effects, was tantamount to a final decision against him. He, however appealed to the Supreme Court of the United States, who, after a full hearing, by able counsel on both sides, reversed that decree, and remanded the cause back to be heard and determined on its real merits. Accordingly the cause was heard, and we understand, fully argued, on all the important points which it involves, and upon the whole, on the third of last month the Court decreed and ordered that Mr. Livingston should be restored to the possession of the Batture. The proceedings in this cause, are as we are informed, conformable to the rules and forms of the civil law, and are analagous to our inquisition of forcible entry and detainer.

FOREIGN NEWS.

Boston, September 4

Arrived, letter of marque schr. Sabine, Barnes of Baltimore, of 240 tons, 10 guns, and 46 men, 36 days from Nantz, via Gloucester, with a valuable cargo of silk goods, broadcloths, &c.

A British ship, with fish, had ar. at Bordeaux; and a schr. at Bayonne, cargo do. both prizes to the U. States frigate President, Comm. Rodgers.

The American privateer brig True Blooded Yankee, Haily had arrived at L'Orient. She had taken 4 prizes, two of which arrived in France. She bro't in 60,000 dolls. in specie, taken out of one of her prizes.—One of which was a rich homeward bound Indiaman, worth 500,000 dollars, which she took by boarding, and was convoying her to France, when she fell in with a sloop of war, which recaptured her. The privateersmen tried to sacrifice the privateer for the safety of their prize; but the sloop of war took no notice of them, and went in pursuit of the ship.

During the Armistice between Russia and France, Bonaparte was augmenting his army very much. As the armistice had been prolonged a month longer, it was said he would have the largest army, by the time of its expiration, that he had ever collected together.

It was the general opinion in France, that a peace soon would be concluded between that country and Russia.

After the success of the American frigates over those of the British, the commander of the French frigate Arethuse, was generally stigmatized as a coward &c. in France, for not capturing the British frigate Amelia, which she had a desperate engagement with.

The Sabine has been chased by 5 different ships of war on her passage, and escaped from them all with ease.

DRESDEN JULY 15.

The emperor left this place for Magdeburg on the 13th after having reviewed the troops under gen Vandamme, and had reached Leipsic, and reviewed the troops at that place; he then, after 5 hours set out for Dresden and reached it the same night.

The Duke of Vicence, and the Count of Narbonne, ambassadors of France at Vienna, have been appointed by the emperor his ministers plenipotentiary at Prague. The Count of Narbonne set out on the 9th. It was believed the Duke of Vicence would set out on the 18th. The counsellor of Anstelt, plenipotentiary of Russia, reached Prague on the 12th.

A convention was signed at Newmark for the continuance of the armistice till the middle of August.

On the 7th of July, the emperor of Austria was within two miles of Prague, where he will tarry some time.

The French emperor on the 12th July visited all the fortifications of Magdeburg, which is one of the strongest places in Europe. He left Wittenburg at 3 in the afternoon and reached Dessau in 6 hours, and reviewed the troops at that place. He left Dessau at 2 in the morning, and was at Magdeburg, at which are encamped the three divisions under gen. Vandamme.

LONDON, JULY 10.

We have news again of Commodore Rodgers, and we hope that the President will share the fate of the Chesapeake. Com. Rodgers was upon the coast of Norway. He took in water at Bergen, and left that place with intention to capture some English vessels from Greenland. We are told an English ship of the line & a frigate are upon that station.

JULY 13.

Two frigates passed Yarmouth yesterday; it was supposed in pursuit of the American Com. Rodgers.

Newport, September 4.

LATEST FROM ENGLAND & SPAIN.

Last evening arrived here, the ship Dumfries, Capt. Grosh, 39 days from Cadiz, bringing London papers to July 3, and Cadiz papers to July 25.

A passenger in the Dumfries, who left England on the 5th July, informs us, that the Duke of Montrose Packet taken by the frigate President, Com. Rogers, arrived at Falmouth about the last of June, as a cartel, with 80 prisoners, but the British government refused to acknowledge them as such, and ordered that the officer having charge of the cartel, should be kept on board the King's brig Mutine, to sail for Halifax in all July, and the Packet was restored to the original owners. He also informs that Com. Rogers had taken and destroyed 14 sail of British merchant vessels.

Nothing was known in England as to the determination of the British government respecting the Russian mediation. Although the arrival of our ministers at Gottenburg was known, the object of their mission appeared to excite but very little conversation. We do not observe a single article on the subject in our London papers.

FROM FRANCE.

By a mercantile gentleman, recently from Europe, we have been politely handed the following decree of the French Emperor. As we do not recollect to have seen it before, and presuming that it may be interesting to some of our commercial friends, we give it publicity.

PARIS, 5TH FEB. 1813.

His imperial and Royal Majesty held on Tuesday last a Council of Finances, at which the Duke of Gaete, Minister of Finance, and Count Mollien, Minister of the Treasury, assisted. Amongst other measures prescribed by his majesty, it was decided that the claims for supplies delivered at St. Domingo, which have been liquidated in the sum of 7,100,000 francs, should be paid by the Treasury in 5 per cent. stock; arising from property of this nature recovered by that department, as appears by their books. This payment will take place at the rate of 2,000,000 francs capital, or 100,000 francs interest per month, in March, April and May. The balance of 1,100,000 francs capital producing 33,000 francs interest, will be discharged in June.

Private letters from Paris state, that the above 7,100,000 francs are to be appropriated to the payment of claims originating under the administrations of governors Le Clerc to Rochambeau inclusively, and represent the sum of 31 to 32,000,000 francs. All demands or claims of a prior date are null. *Nat. Int.*

FROM HALIFAX.

Yesterday arrived here, the cartel brig Orion, Jubin, 10 days from Halifax.—From Capt. Jubin and an officer of the privateer Yorktown, we learn, that they were informed at Halifax, by an officer of the Rattle sloop of war, that they spoke a neutral vessel, which had spoken a prize brig to Commodore Rodgers, bound to the United States, who informed that Commodore Rodgers had captured the Magicienne frigate, 36 guns, off Lisbon. They further state, that the report was generally credited at Halifax. The Orion has 50 prisoners. The cartel brig Agnss, from Portland, was going into Halifax.

THE WAR.

Copy of a letter from William H. Allen, commanding the U. S. brig Argus, to the Secretary of the Navy, dated

L'Orient, (France,) June 12, 1812.

SIR—I have the honor to inform you, that the United States' brig Argus, has arrived here in a passage of 23 days, all well. On our passage fell in with (in pursuing our course) the British schooner Salamanca (formerly the King of Rome, of N. York) of two hundred & sixty tons, pierced for eighteen guns, mounting six and manned with sixteen men—she was from Oporto, bound to Newfoundland, in ballast; captured and burnt her.

I shall immediately proceed to put in execution your orders as to our ulterior destination.

I have the honor to be, &c.

WM. H. ALLEN.

Hon. WM. JONES,
Secretary of the Navy.

Extract of a letter from an officer in command on Lake Ontario, to his friend in this city, dated,

"Sackett's Harbor, Aug. 27, 1813.

"One of the pilots and some of the men from Mr. Trant's vessel who was taken in our late rencontre with Sir James Yeo, have arrived here; they made their escape from Kingston and brought off their guard with them. The pilot states that our fire in that instance proved very destructive and that the Wolf (Sir James' flag ship) was very much cut to pieces. They could not ascertain the loss of men, because the prisoners were hurried below as soon as they came on board, & were not permitted to come on deck until all was clear the morning after the action. He says the British officers speak highly of our conduct on that occasion, and of the desperate valor of Trant and Deacon, although in their official account they have thought proper to give a different construction. He says that Mr. Trant did not surrender until within half pistol shot. The enemy then told him to strike or they would sink him. His answer was, "fire away, I am loading my two *long Toms*," which he did, and in that situation fired his guns double charged, with great effect. Lieut. Deacon, with a perseverance not to be surpassed, tacked and run down their line, and would have escaped, had not the rear vessel unfortunately cut away his halyards and rigging in such a way as to leave him a mere unmanageable wreck.—Eckford (the Master builder) has built and launched a new schooner of 548 tons in 21 days. She is now ready to proceed with us on our cruise, and I trust in God, before we return, we shall have better luck than we have had. Sir James must look to it.—The winds will not always favor him."

☞ Commodore Chauncey did not sail on the 26th ult. but on the 28th. We have a letter from Sackett's Harbor of the latter date, which says, "the fleet is now getting under way,"

THE ONTARIO FLEET.

The Sylph, pierced for 24 guns and carrying 20, of the burthen of 340 tons schooner rigged, was built and ready for service in "*thirty three days from the stump.*" An instance of ex ry of ship building. She accompanied the fleet in the cruise which com menced on the 21st August. A fine brig is also nearly ready for the lake.

On the 14th Aug. com. Chauncy sailed from Sackett's Harbor and fell pedition, perhaps unknown in the histo- in with the enemy's squadron, of whom after a good deal of manœuvring, he got the weather gage—the *British* then bore away and he chased them to *Kingston*. Our fleet then returned to port and sailed again on the 28th, the Sylph in company. But it was tho't the enemy would not give them a chance of the combat so earnestly desired by the officers and crews.

Norfolk, September 3

On Sunday last, six negro fellows belonging to different farmers in the vicinity of Cape Henry, went down to the beach and made signals to the Plantagenet and Dotterell, when a boat immediately put off and took them on board. A great many others have eloped in the same way, which induces us to believe, that the enemy holds a secret correspondence with the negroes on shore. This proceeding of the enemy suggested to some of the inhabitants a plan, which if it had been managed with more circumspection, would have made him pay dearly for the negroes. A party of the militia, (17 in number) stationed themselves behind the Sand hills, while two white men with their faces and hands blacked, went down upon the beach and waved their hand kerchiefs to the ships when a boat with 6 men immediately came ashore, followed at the same distance, by two others full of men. Just as the men from the first boat were preparing to land, one of those disguised in walking a few steps shewed his bare ancles which he omitted to blacken, when the enemy exclaimed—"*White men in disguise by ——! Let us push off*; which they did, and at the same moment the militia ran out and fired upon them until they were out of gun shot; they killed two out of six. Had real negroes been made use of, the deception would have been complete and effectual.

Richmond, September 11.

DEPATURE OF THE ENEMY.

The last despatch to the Governor, received last evening by a vidette from Hampton, reports that there remained in Lynhaven on the 9th inst. only 3 of the enemy's fleet, a 74, a brig and a sloop of war, with several small vessels. Those ships which had returned within the Capes on Tuesday last, did so we presume, merely in consequence of the wind's being at east, light and unfavorable, and doubtless sailed again the first change. Whether they are gone to Halifax, or to reinforce the squadron off New-London, or, in a different direction, to make depredations along our southern coast, cannot be ascertained.

FROM THE NEW-YORK COLUMBIAN.

TORPEDOES.

In Sir Thomas Hardy's Correspondence with Major Case, we have his confession that he much fears Torpedoes. And are they fortunately become of such importance in our means of defence? Is the Ramilies' crew of 600 men alarmed and made uneasy by Thomas Weldon and 5 sailors, in a common whale boat? Yet they are not afraid of our fleet at N. London. This is paying a greater compliment to the invention and use of Torpedoes, than our own citizens have been disposed to bestow on them.

So agitated is Sir Thomas, that he betrays his fears in calling it "a mode of warfare practised by individuals from mercenary motives, and more novel than honorable." This assertion, however, only shews that he is not so perfect an historian or natural philosopher, as he is a polished gentleman and seaman. Such invectives have been cast on all improvements in the art of war. The Chevalier Bayard said, cannon were invented by cowards, to put all men on a level. The first bomb shells, used in the time of Prince Maurice, were considered by those who felt their effects, an abominable invention, which destroyed more women and children than military men. Congreve Rockets, used against Copenhagen, is a new invention of 1805—more destructive than bomb-shells! Yet the British government use them without remorse.—Sharpnell shells are also a new invention, to kill *tens* instead of *units*. The British government use these inventions, and have pensioned the inventors. The British government also used Mr. Fulton's Torpedoes against the Boulogne flotilla, in 1804-5. The practice is, therefore, not quite novel, and is quite honorable in us, both by precedent and comparison with other engines of war. It cannot be denied that it would be as honorable for a row boat to destroy a 74, as for a 74 to destroy a defenceless coaster or wood sloop, which acts only distress poor innocent individuals, and produce no effects on the war. To these facts may be added, that the practice of torpedoes is authorised by a law of Congress of March 3d, 1813; hence it is a legal mode of warfare, and sir Thomas and all British commanders must be cautious how they treat persons taken in such legal enterprises. Retaliation is, and will be more in our power.

While on this interesting subject, I beg leave to suggest to our legislators, that the law for encouraging the practice of Torpedoes, [or modes for driving the enemy from our waters] is very defective and I hope will be improved at the next meeting of Congress. It grants to individuals one half the value of the vessel which shall be destroyed by *means other than the armed vessels of the United States.* Thus the officers who command the vessels, gun boats barges and craft of the United States, have no encouragement to use Torpedoes; yet there is a law granting a vessel of the United States, the whole value of any vessel she can take of superior force, and one half the value if inferior force, in which cases government is at all the expense. It must be obvious to every one that few individuals have capital or enterprize to fit out a powerful Torpedo expedition—and thus, perhaps, one of the most important inventions for the future independence and happiness of this country, has not a fair chance of success, although government have all the means without additional expense; they have the boats, vessels and men, and the men should have the reward for using torpedoes. Ten or twenty of the government's boats could drive in the boats of sir Thomas Hardy, and make it impossible to put one out from his ships. Thus they would clear the way for four or five torpedo attacks at the same instant; and to a certainty blow him up or drive him from our waters; beat his boats by boats, and the torpedoes will beat the ships. This is the object required, and it would certainly be of as much national utility, as honorable and worthy of reward, as if the same thing had been done by a frigate or 74 of equal force.

REFLECTOR.

P. S. As sir Thomas Hardy seems to have very accurate information of all our movements, a little Hemp well applied to those who communicate with the enemy, would have a good effect.—Traitors to their country should be punished with the utmost rigor—this is the usage of war.
