

### Case of the Russian Consul.

We copy the following from the Aurora, trusting that the official documents accompanying the president's message will set this affair in a light more honorable to our government. We regret, however, that since Kosloff was accused of a criminal offence, the law did not take its course.—COL.

(THE EXTRACT.)

This Russian minister's business is a very curious one—it unites in its origin undoubted depravity on the Russian side of the question, and its consequences gross folly and imbecility on the part of our government. The story is this: A Mr. Kosloff, the accredited Russian consul residing near Philadelphia, was charged by the father of a female child of 12 or 14 years old, with having either debauched or attempted to debauch this innocent child. Whether he accomplished his purpose or not we do not know—that the child was in the house, and as she says, seduced into it, no doubt. What the purpose was of this seduction we shall not enquire. We leave it as we find it. The father of the child took legal measures to bring Mr. Kosloff to answer for the offence charged—and a magistrate, to his honor, and to the honor of public justice, arrested him, and committed him, to be dealt with according to law.

Now comes the tug of legal war.—The Russian consul is committed, as all other persons charged with such offences are committed, to prison; and there he is detained that night, as he ought to be, upon such a charge; on next morning, bail is entered, and he is released—pledged to stand trial for the offence charged.

Upon this committal to the prison and detention for the one night, it is, that all the recent noise and all the recent folly has arisen. The ambassador of Russia, who some how had not satisfied our government that his intentions towards the United States were as amicable as those of the emperor his master, and who some how appears not to have found stabling for his horses nor other accommodations at Washington to his liking, this minister of the sovereign of Siberia, not liking the dreary winter aspect of Washington, had, under the influence of umbrage swallowed in large doses, taken himself to regions more populous and better accommodations, in Philadelphia and New-York, where the delicacies of a fine taste are more abundant and comfortable.

In this temper, the case of Mr. Kosloff excited the keenest sympathies of the minister himself; and thus a little girl of 12 or 14 years old, who in Russia would never have been heard complaining on such an occasion—for there things of that kind are mere ordinary affairs—but here, it seems, a father had sufficient sensibility and courage, and the magistrate sufficient honesty, to get the crime charged down as a brutal outrage, leaving it to the course of law to try the accusation, and to acquit or condemn the accused.

What appears most remarkable in the popular view of this subject, is that the father of the child, the child herself, the magistrate who had the firmness to submit—and the government of the United States, appear in the face of the country, as if they were placed in the wrong, as if it had been criminal in the father to claim justice, or the magistrate to perform his duty, which he was sworn to do! It is really astonishing to see and hear the baseness of spirit with which this vile transaction has been treated: and that on the side of this man, who, it was sworn, had at least seduced the child, whether he accomplished his purpose or not, is not necessary to the present consideration; but that accused of such a crime, the public resentment should be endeavored to be turned against the wretched parent and the injured daughter—and the feelings of a religious and moral people, should be enlisted on the side of the accused! This is, indeed, a prodigy in the history of social meanness or depravity, which could not be palliated by any honest or generous mind.

But it does not stop even there—for it seems the attorney of the United States for the district, as soon as he heard of the imprisonment of Mr. Kosloff, took the measures to obtain his release voluntarily and unsolicited, as a matter of kindness and favor, merely because the Russian government has always been, and justly has been, considered as friendly to the United States. Yet the Russian ambassador thinks this transaction a subject upon which it is his duty to manifest resentment against our government—to address his own court—and our government sends a stoop of war and a special messenger, the president's secretary, to explain! What rational and dispassionate minds may think on this whole affair, may be easily imagined. But there is an extraordinary trait in the very mode in which our government views it—and in the very different consideration which has been bestowed on Mr. Kosloff, compared with other foreign consuls, in other periods of our government.

Those who have bestowed that attention on our public history, which every man should do on the history of his

country, must recollect instances, in which foreign consuls and even diplomatic agents, have been seized and brought under the jurisdiction of the national tribunals, for transactions neither odious in a moral sense, nor very well defined in a legal.

The usages of all nations consider consuls as subject to the laws of the states where they are permitted to reside. Consuls sometimes are invested with diplomatic powers, in the absence of ministers of a higher grade; but as in the present case, where there was a diplomatic character in the person of Mr. Dashkoff, the functions of Mr. Kosloff were necessarily such as divested him of every privilege which did not concern the commercial agency of Russia.

This distinction is not only concurrent with the spirit of our national institutions, but with the practice under them. There have been numerous instances of legal proceedings within 30 years, which place the responsibility of consuls to the civil and criminal laws beyond dispute; and in which the consuls of foreign nations have been committed, and some of them tried and found guilty. We do not precisely recollect whether Anthony Charbonnet de la Plaine, the French consul at Boston, was ever tried for an offence, but, if we do not mistake, he was arrested and imprisoned, though it was not on a charge of a heinous but of a political nature.—The French consul La Tombe, we recollect, was sued on a bill of exchange, in which a distinction was made between acts performed on behalf of his government, and acts on his individual or personal account.—But in the case of Ravarra, the consul of Genoa, the question was decided in the most unequivocal manner.—He was accused of a criminal offence, and the district attorney of the United States was on that occasion the prosecuting counsel; and the supreme court decided upon exceptions taken to the liability, that though he was consul he was liable and not privileged from prosecution in virtue of his consular appointment, and he was tried for a criminal offence, and by a jury of the country found guilty.

The course pursued on that occasion was dignified, but the course now pursued is disgraceful to the jurisprudence and government of the country. It seems as if the whole difference of opinion depended upon the power of Russia and the want of power in Genoa—and it is further aggravated, that although Ravarra's conduct was criminal, that it still wanted the depraved and disgusting character of the charge against Mr. Kosloff.

It would be superfluous to go into the nature of consular functions. It is allowed on all hands that the acts of a consul which are done in the discharge of functions with which he is invested by a sovereign, and for the sovereign's service, the consul is not personally responsible unless where the act amounts to the higher species of crime; but that for acts not arising out of his functions or belonging to his ministerial duties, he is liable to be sued, and even for debt, and to be hanged for murder, or to be punished for any other enormity.

It has been said, this Mr. Kosloff was not tried; and how is this allegation treated! would an innocent man suffer a legal quibble to avert an investigation? and is it not the extravagance of meanness, or worse than meanness, to set off this evasion of trial, as proof of innocence; and to add the atrocity of injustice to the cruelty of the injury already inflicted on the unfortunate man and his daughter.

The tameness and obsequiousness of the press, of public justice and policy, on this occasion, is truly humiliating and disgusting. While it was a subject of legal inquiry we refrained from touching it; but we have considered it a duty to the public that the ignominy should not pass without at least one voice to execrate the whole transaction.

PHILADELPHIA, Dec. 26.

The whole of the U. States' squadron in the Mediterranean, (except the frigate U. States, which was at Port Mahon) arrived at Malaga about the 25th October from Algiers, and sailed again immediately for Gibraltar, in consequence of the lengthy quarantine they were subjected to at that place. No one permitted to land from the squadron. It was, however, understood that our affairs with Algiers had been settled, and peace once more established.

Office of the Baltimore Patriot, Dec. 21.

Mr. Faddon who came passenger in the Highflyer, 32 days from Boquilla de Piedras, has politely communicated to the editors, the following important intelligence.

The fort of Montebiane, which commands the King's Road near the cities of Orizava and Cordova, was captured November 15, by a force of 2,500 Spanish royalists, by means of treachery. Several attacks were repulsed by the fort; but two companies of the royalists, throwing down their arms, and rushing in the fort under pretence of joining the patriots, having arms put in their hands by the latter, in the night rose upon them, and in conjunction with the troops without, subdued the garrison.

mander of the province, was in his turn besieging the royalists—he had a force blockading the cities of Xalapa, Orizava, and Cordova.

The royalists were advancing from Vera Cruz, 1000 strong, upon Boquilla, which was garrisoned by only 75 men, and would probably have to surrender.

The fort of Guazaloos was attacked in the month of October last, by General Terant, who was defeated with the loss of 400 men—Wm. D. Robinson, Esq. was killed among them.

### CONGRESS.

TUESDAY, FEB. 24.

On motion of Mr. Harrison of Ohio, the committee of Commerce and Manufactures were instructed to inquire into the expediency of making provision by law to authorize the importers of any goods, wares or merchandize brought from any foreign port or place to the port of New-Orleans, & destined for Cincinnati, in the state of Ohio, to give bond for the same to a Collector, to be appointed at Cincinnati; which bonds shall specify the usual terms of credit, to commence at the time of the arrival of the goods at that place: the committee to report thereon by bill or otherwise.

A petition was presented by Mr. Archer, from sundry inhabitants of Cecil county, in Maryland; stating their apprehension of a scarcity, arising from the deficiency of crops, combined with other causes, and praying the prohibition by law of the distillation of spirits from grain, and the exportation of bread stuffs for a limited time.

On motion of Mr. Johnson of Ky. the committee of Military affairs were instructed to inquire into the expediency of authorizing the president of the United States to establish a manufactory of small arms at Newport, on Licking river, in the state of Kentucky.

On motion of Mr. Harrison, the committee on Roads and Canals were directed to inquire into the expediency of granting a sum of money, to be expended under the direction of the president of the United States in removing the obstruction to the navigation of the Ohio river, created by the Falls near Louisville, Kentucky.

Mr. Desha offered the following resolution:

Resolved, As the land south of Green river, now within the limits of the state of Kentucky, was by the state of Virginia set apart for the purpose of satisfying claims for revolutionary services, and a portion of which land has since been by the general government ceded by treaty, to the Chickasaw tribe of Indians, by which cession many of the revolutionary patriots have been deprived of the benefit arising from grants for meritorious services—that the president of the United States be requested to take the necessary steps to have the Indian title to the land lying within the limits of the state of Kentucky, extinguished as soon as practicable—Laid on the table.

It has been erroneously stated in some of the newspapers, that the nomination of Wm. Lee, to the office of Accountant of War, has been confirmed by the Senate. Mr. Lee has not been nominated to the Senate.

Nat. Int.

FROM THE GREENSBURG GAZETTE.

That men and women should marry, is not so strange but that any one might dream of it; that children should be born, can easily be accounted for by the principles of natural philosophy; but that people should die, in this age of knowledge and experience, appears to me to be one of the strangest whimsies of the human brain. If a box of pills, price only 50 cents, or a phial of cordial, price only 100 cents, will preserve health, or remove disease upon a death bed, he who refuses to purchase life for such a trifle, can be considered in no other light than as a self-murderer.

I was led to these reflections, Mr. Maclean, from the number of deaths recorded in the daily papers in Philadelphia, Baltimore and elsewhere, and from a conviction that the defuncts were in most cases, felo de se.—For in the same papers containing these melancholy accounts, you see advertised in large letters, speedy, effectual, yea, infallible, remedies for every disease, which flesh and blood is heir to; from the simple and titillating itch, up to the terrible and grimvisaged gout,—four cases only excepted, and even these I expect, in a short time, human ingenuity, if it cannot entirely cure, will at least be able considerably to relieve. The first of these four complaints is more common in Ireland than in any other part of the world. The symptoms are, dancing on nothing at all for the space of half an hour, or thereabouts. In this case, the faculty are of opinion that the patient dies for want of breath. The second case, very common in England, is when the patient claps a loaded pistol to each side of his knowledge-box, and fool hardly draws the triggers. Here the world are very much puzzled about the cause of death; one side strenuously insisting upon it, that when the brains are out the man must die; and the other

side no less obstinately contending that the brain is not the seat of life, for that they have known many respectable justices of the peace, and many eloquent orators who to their certain knowledge, never had a particle of brains in their lives. However, this is a knotty question; let doctors learned in the law decide upon it. I'll proceed to the third case, which is a very contagious disease in France at present. The symptoms are, first, chopping off a military character's hand then hugging it gracefully round his neck, and afterwards firing two or three platoons of musket bullets thro' his jacket. This complaint always proves mortal, for before medical assistance can be had the patient has went hop, step and jump, to that bourne from whence no traveller returns.—The fourth, and last case, is a dreadful one, "infandum regina jubeas renovare dolorem," and there is no place on the habitable globe so much afflicted with it as America. It is called Office Hunting. I have had the complaint twice myself, and at one time, last summer, I thought I felt it coming on again, but upon writing to Dr. Die-not, of Philadelphia, stating my symptoms, &c. he recommended to me a little patent brandy and water, which always gives me at least a temporary relief.—But I fear it will kill me at last.

SANGRADO.

FROM A FRENCH PAPER.

We this day publish some extracts from a New-Orleans Journal.

Louisiana now forms a part of the American Union, but it was originally founded by Frenchmen, and its inhabitants preserve the manners, the religion and the language of their Fathers. One thing remarkable is, that they are commencing like us, to enjoy under different forms, a representative government, and that they are strongly attached to their constitutional institutions. They are of opinion, that their repose, their liberty, and the prosperity of their country, are attached to the stability of those liberal institutions.

We learn from their Journals, that in July last they elected their representatives, both for the Legislature of Louisiana and for the Congress, which meets at Washington. In that country, in which the character of the press is subject only to legal restrictions, the merits of the candidates are publicly discussed, and the choice falls only on men of acknowledged merit. The principal qualifications they require for a representative, are an honest heart, a clear head, a frank and upright character. It must be difficult for intrigue to succeed in such a country. In vain would a candidate present himself at the elections with a portmanteau full of letters of recommendation, if he be not previously recommended by the esteem of his fellow-citizens.

It appears that in Louisiana men are judged of, not by their speeches, but by their conduct. In that country the finest phrases, the most brilliant style, have less weight than a good action & proofs of real patriotism. They would laugh at a man pronouncing a pompous eulogium on the constitution, & proposing at the same time to deprive the most numerous part of the people of its benefits.

When the inhabitants of Louisiana passed under the protection of the U States, some divisions arose among them. The privileged class of rich proprietors regretted the colonial system which favored their private interests; but the greater numbers rejoiced at an event, which rendered all citizens equal in the eye of the law, and guaranteed public liberty. These divisions no longer exist. The minority, after some vain attempts, wisely yielded to the general will. They considered that it was useless and dangerous to struggle against the irresistible force of things, and consented to be free and happy with the rest of the nation.

All men love liberty; but some love it so tenderly, that they wish to keep it altogether to themselves. None of these exclusives are any longer to be found in Louisiana, or at least they have good sense and modesty enough to keep silence.

Louisiana, as we have already said, forms one of the principal states of the Federal Union. It is an important acquisition for the U. States. It completes the line of their defence on the West, and opens an advantageous and easy communication with the Atlantic ocean. The English who know perfectly well the value of military positions in all quarters of the world, attempted during the last war, to take New-Orleans. Their efforts were fruitless, and the inhabitants of Louisiana proved that the French blood had not been entirely drained from their veins. The English, who displayed much address and courage on that occasion, have done justice to the heroic valor of the militia of Louisiana.

Clarke County, to wit.

TAKEN UP by George Fry, living on Stoner, near Peter Schull's, about seven miles from Winchester, a BAY MAKE, supposed to be 18 or 20 years old, upwards of 15 hands high, the near eye out, has some white in her face, both hind feet white: Appraised to \$10. Posted before me the 28th of October, 1816.

JOHN WARD, J. P. C.

### Notice.

ON Wednesday the 22d inst. will be left to the highest bidder, upon the premises, for a term of one year commencing on the 1st day of March next, all the

### Plow Lands and Pasture Ground,

belonging to the infant heirs of Jacob Constant, deceased, situate on Constant's Fork, in Clarke county, being part of the farm whereon the said decedent last resided. Bond and approved security will be required.

JOHN CONSTANT, Guardian for said heirs.

Jan 11

128 2w

### LAND FOR SALE.

I WISH to sell THREE HUNDRED AND SIXTEEN ACRES OF

### LAND,

lying on the waters of Four Mile, and within three miles of Winchester. About twenty acres of said Land is cleared, the balance heavily timbered. Any person wishing to purchase, can know the terms by applying to Willis Collins, or the subscriber, (at Taliaferro's tavern) who will at any time shew the land to those wishing to purchase.

LUNSFORD LINDSAY.

Winchester, Jan 11

128 3w

### Notice.

ALL those indebted to the subscriber (excepting those with whom he may have made agreements or contracts) are requested to come forward and make immediate payment, as longer indulgence cannot be given.

WILLIAM NICHOLS.

Winchester, Jan 11

128 5w

### Last Notice.

ALL those indebted to the subscriber, either by note or book account, it is hoped will avail themselves of this opportunity to discharge their respective accounts—otherwise they will be put in the hands of an officer for collection. As the subscriber is desirous of closing his accounts as soon as possible, he is unable to give longer indulgence.

JOHN J. BUSH.

Jan 11

128 tf

### Ran Away.

FROM the subscriber on the 10th inst. a Negro Boy by the name of

### AARON,

about 14 or 15 years of age—had on when he went away a Roundabout of blue cloth, and linsey overalls, mixed with black. Any person delivering said boy to the subscriber, or confining him so that he shall get him shall be handsomely rewarded for his trouble, and expences paid.

N. B. It is supposed he is in town.

JOHN WILSON.

Winchester, Jan 11

128 tf

### EDUCATION.

THE SCHOOL for Young Ladies in this place will commence on Monday the 6th of January, at the rooms hitherto occupied by them in the Seminary.

### TERMS.

Small scholars learning to read,	6
Reading, Writing & Sewing,	8
Grammar,	5
Geography,	6
Rhetoric,	5
History,	5
Painting,	17
Do. with other branches,	7 50
Needlework,	17
Do. with other branches,	8

Any branch once commenced, the scholar pays for during the session, except sickness prevents pursuing it.

To prevent any misconception respecting the terms of tuition, as stated above, the following explanation is subjoined, viz: Any student attending to one branch only, during the session, shall be required to pay the price attached to that branch, as stated in the terms; and any student studying more than one branch shall pay in proportion to the time and the prices of the branches studied.

Winchester, Jan. 4.

127 tf

### REMOVAL.

Samuel Poston

TAKES this method of informing his friends and customers that he has removed to his old stand, lately occupied by B. H. Buckner & Co. where he has on hand

### A General Assortment of Merchandise,

which he will sell at the most reduced prices for Cash or Country Produce such as may suit.

He has also on hand all sizes of SPUN COTTON, of the best quality, which he will sell low for cash.

Jan 4

127 tf

### REMOVAL.

Benjamin H. Buckner & Co. HAVE REMOVED their Store to the house lately occupied by James Ritchie, adjoining the Hotel Tavern, occupied by Mr. Hay Taliaferro, where they have on hand

### A Handsome Assortment of Merchandise,

which they are determined to sell at the most reduced prices for Cash, Feathers, Country Linnen, and such other articles as may suit them.

They continue to keep on hand a supply of the best IRON and CASTINGS.

Winchester, Jan 4

127 tf

The Rev. HENRY TOLER, from Virginia, will preach in this place on Wednesday the 15th inst. on his way to Bryant's Station, and the two succeeding days, as the brethren may wish, on his route to that place.

Winchester, Jan. 4.