

You demand next, that Mr. Toledo and others, whom you mention, charged with promoting revolt in the Spanish provinces, and exciting citizens of the United States to join it, shall be arrested and tried—their troops disarmed and dispersed.

You intimate that troops are levying in Kentucky, Tennessee, Louisiana and Georgia, for the invasion of the Spanish provinces, of whom one thousand are from Kentucky, and three hundred from Tennessee, to be commanded by American citizens, but you do not state at what points these men are collected, or by whom commanded; and as to the forces said to be raised in Louisiana & Georgia, your communication is still more indefinite. The information recently obtained by this department, from persons of high consideration, is of a very different character. It is stated that no men are collected, nor is there any evidence of an attempt or design to collect any in Kentucky, Tennessee or Georgia, for the purpose stated; and the force said to be assembled under Mr. Toledo is very inconsiderable, and composed principally of Spaniards and Frenchmen. If any portion of it consists of citizens of the United States, their conduct is unauthorized and illegal. This force is not within the settled parts of Louisiana, but in the wilderness, between the settlements of the United States and Spain, beyond the actual operation of our laws. I have to request that you will have the goodness to state, at what points in Kentucky, Tennessee, Georgia, and Louisiana, any force is collected, the number in each instance, and by whom commanded. If such force is collected, or collecting, within the U. States, for the purpose suggested, or other illegal purpose, it will be dispersed, and the parties prosecuted according to law.

This government is under no obligation, nor has it the power, by any law or treaty, to surrender any inhabitant of Spain or the Spanish provinces, on the demand of the government of Spain; nor is any such inhabitant punishable by the laws of the United States for acts committed beyond their jurisdiction. This is a fundamental law of our system. It is not, however, confined to us. It is believed to be the law of all civilized nations, where not particularly varied by treaty.

In reply to your third demand, the exclusion of the flag of the revolting provinces, I have to observe, that in consequence of the unsettled state of many countries, and repeated changes of the ruling authority in each, there being, at the same time, several competitors, and each party bearing its appropriate flag, the President thought it proper, some time past, to give orders to the collectors, not to make the flag of any vessel a criterion or condition of its admission into the ports of the U. States. Having taken no part in the differences & convulsions which have disturbed these countries, it is consistent with the just principles, as it is with the interests of the U. States, to receive the vessels of all countries into their ports, to whatever party belonging, and under whatever flag sailing, pirates excepted, requiring of them only the payment of the duties, and obedience to the laws while under their jurisdiction; without advertent to the question, whether they had committed any violation of the allegiance or laws obligatory on them in the countries to which they belonged, either in assuming such flag, or in any other respect. In the differences which have subsisted between Spain and her colonies, the United States have observed all proper respect to their friendly relations with Spain. They took no measures to indemnify themselves for losses and injuries; none to guard against the occupancy of the Spanish territory by the British forces in the late war, or to occupy the territory to which the United States consider their title good, except in the instance of West-Florida, and in that instance under circumstances which made their interposition as much an act of accommodation to the Spanish authority there, as of security to themselves. They have also prohibited their citizens from taking any part in the war; and the inhabitants of the colonies, and other foreigners connected with them, from recruiting men in the United States for that purpose. The proclamations which have been issued by the governors of some of the states and territories, at the instance of the President, and the proclamation lately issued by the President himself, are not unknown to your government. This conduct, under such circumstances, & at such a time, is of a character too marked to be mistaken by the impartial world.

What will be the final result of the civil war, which prevails between Spain and the Spanish provinces in America, is beyond the reach of human foresight. It has already existed many years, and with various success, sometimes one party prevailing, and then the other. In some of the provinces, the success of the revolutionists appears to have given to their cause more stability than others. All that your government had to claim of the United States was, that they should not interfere in the contest, or promote by any active service, the success of the revolution, admitting that they continued to overlook the in-

juries received from Spain, and refrained at peace. This right was common to the colonists. With equal justice might they claim, that we would not interfere to their disadvantage; that our ports should remain open to both parties, as they were before the commencement of the struggle; that our laws regulating commerce with foreign nations should not be changed to their injury. On these principles the United States have acted.

So much I have thought proper to state, respecting the relations existing between the United States and Spain. The restoration of the diplomatic intercourse between our governments, forms an epoch which cannot fail to be important to both nations. If it does not produce a result favorable to their future friendship and good understanding, to your government will the failure be imputable. The United States have at all times been willing to settle their differences on just principles and conditions, and they still are. Of this I informed you in my letter of the 5th of May, as I likewise did Mr. Cevallos, in a letter of the 17th of July. It will be very satisfactory to the President, to find, that your government entertains now the same disposition, and has given you full power to conclude a treaty for these purposes.

I have the honor to be, with great consideration, sir, your very obedient servant,

JAMES MONROE.

LATEST FROM FRANCE.

New-York, Dec. 24.

By the fast sailing sch. Maria, Capt. Copeland, which arrived at this post last evening in 30 days from Bordeaux, the Editors of the Mercantile Advertiser have received a file of Paris papers to the 15th December, containing London dates to the 10th of the same month; and Bordeaux papers to the 19th. The trial of Marshal Ney was closed on the 9th, and he was shot on the 7th of December. At the close of the trial the Marshal observed:—

Gentlemen, I am a Frenchman, and I will die as one. They have not been willing to hear my defenders; I thank them for what they have done for me, and what they may still do; but I prefer not being defended at all, to be imperfectly defended; I will do as Moreau did;—appeal to Europe and Posterity.

M. Bellart spoke to prevent further delays.

The chancellor. Defenders, you may use every argument, except such as the Chamber has interdicted.

The Marshal since the Chamber will not hear—(mes moyens) I forbid my Advocates to add any thing; the Chamber will judge me as they think proper.

The final Requisition was then read.

The President addressing the Accused:—

Accused, have you any observations to make on the requisition?

The Marshal, noting at all my Lord.

The witness ordered the Accused to retire, as well as the witness and the auditory.

At five o'clock, we left the Chamber sitting for deliberation.

Messenger Office, 1 o'clock, A. M. Dec. 7.

From five o'clock the Chamber remained in deliberation upon the judgement, and at a quarter before twelve they decided by majority that Marshal Ney was guilty of High Treason against the State, 131 voices condemned him to death, and 29 voted for banishment. The Marshal was not present at the time the verdict was delivered. We had thought he could not have been shot, but it appears that there is a law that can shoot him, as has been proved by an able lawyer present.

The Marshal is to be shot to-morrow, (this day.)

PARIS, Dec. 8.—The following are the principal details subsequent to the judgement of Marshal Ney.—We decline offering any comments and merely state facts:—

The Marshal on entering his chamber at the time the sentence was deliberated on his sentence, he appeared highly animated, and supported by the strongest resolution. He embraced his council (M. Berryer) who said to the Marshal, "You would have it so."—"Well my dear friend," answered the marshal—"It is finished, we shall see each other in another world"—He then asked to dine, and ate with a great appetite; he noticed a small knife lying on the table, which on finding it attracted attention and caused uneasiness to the persons appointed to guard him; do you think said he, on looking at them, that I fear death, and instantly threw the knife far from him. After dinner the Marshal smoked a cigar, and then threw himself on the bed, where he slept quietly for two hours.

According to the terms of the process, the Chevallier Cauchy read the sentence to the Marshal, who asked for the consolation of religion, and expressed a desire to be assisted by M. Pierre, a relation of the Cardinal of Bernis, and curate of St. Sulpice.—The estimable ecclesiastic hastened to attend him, they passed the night together, the Marshal still retained the same degree of fortitude and resig-

tion to his fate which had actuated him throughout the whole of the proceedings.

At 9 o'clock yesterday morning, the Marshal was informed that all was ready for the execution of his sentence;—he put on a blue coat and a round hat and entered a hackney coach, brought for him from the place St. Micheal; the Curate of St. Sulpice occupied the back seat of the coach with him—two officers of the Gendmerie were in front—a great number of veterans, royal grenadiers, and gendarmes, accompanied the ceremony, which crossed the garden of the Palace and left it by the iron gate on the side of the Observatoire; on arriving at the gate, the ceremony turned to the left and stopped at about fifty paces further, under the walls of the avenue of the Observatoire.

The Marshal descended from the coach, advanced at quick pace about eight paces from the wall, and asked the officer at his side if that was the place chosen for his execution; on receiving an answer in the affirmative, the Marshal turned and fronted the veterans, who were to be upon him; he took off his hat with his left hand, put his right on his heart, and said to the soldiers—"My comrades, fire at me"—at that moment the officer gave the signal with his sword, and the Marshal fell under their fire without moving. The body was placed on a litter and remained exposed to the public view for a quarter of an hour; three balls entered his head. The venerable ecclesiastic who had attended the Marshal at his last moments, remained during the execution near the coach, praying with fervor.—There were very few people present, on account of its being supposed that the execution would have taken place on the plain of Genelle, where a great multitude had assembled.

Boston, Jan. 31.

One of the latest French papers contains the Law of Amnesty which has been proposed to the French Parliament.

The persons excepted from the amnesty are Lallemand, Drouet, d'Erlon, Lefebvre, Desnoettes, Grouchy, Laborde, Clausel, Debelle, Bertrand, Cambonne, Lavalette, Rovigo. These to be arrested and tried.

The following are ordered to quit France in two months, not to return without leave: Soult, Afix, Excelmans, Bassano, Marbot, Felix, Lepelletier, Boulay, (de la Meurthe) Mence, Fresinet, Thiebaudeau, Carnot, Vandamme, Lamarque, Lebeau, Havel, Pire, Barre, Arnault, Pommereuil, Regnault, Arrighi, Dejean, Garraun, Reul, Bouvier, Dumoriard, Merlin, Durbac, Dirat, Defermont, Bory St. Vincent, Felix Desportes, Garnier, Malinet, Hullin, Bluy, Courtin, Forbing, Janson, Lelorgne, Dideval.

Bonaparte's relations are all to leave France within a month, under pain of death.

FALL OF CARTHAGENA.

CHARLESTON, Jan. 29.

Captain PRINCE, of the schooner Rover, in 15 days from St Domingo, has favored us with the following particulars of the FALL OF CARTHAGENA:—A few days before he sailed, General BOLLIVAR, who commanded the Patriot army, arrived at Port-au-Prince, with his Aids. Capt. P. says that before he left St Domingo, several Carthaginian schooners had arrived, in the greatest distress imaginable; that, on their passage, being short of provisions one vessel was obliged to throw overboard one hundred of their passengers: another, fifty. Provisions were so scarce at Carthagena, that the inhabitants were in a state of starvation; and were leaving the place as fast as opportunity offered. Carthagena had surrendered to the Spanish army.

The duke of Richelieu presented to the Chamber of Peers the royal ordinance for the trial of marshal Ney, and the following remarkable passage is contained in his speech: "We say that the Chamber owes to the world a striking reparation; it must be prompt in order to repress the indignation that springs up on every side; you will not permit his impunity to be any longer protracted, and to engender new scourges, more terrible perhaps than those we have just escaped. The decision of the court martial is a triumph for the factious. Their joy must be made short, or it will become fatal. We conjure you, to proceed immediately to the trial of marshal Ney." This furious denunciation may be regarded as the deathwarrant of this great captain, who falls at the mandate of a man who has been governor of a Russian province, whilst Ney was the ornament of the French army and the terror of its enemies.

It appears from the proceedings of Congress, that it is probable, the Direct Tax, will not be wholly repealed, but that it will be reduced to one half its present amount. It is said, the bill repealing the law laying taxes on mechanics and manufacturers will pass the lower house. If it should finally pass both houses in its present shape it will take effect immediately.

WINCHESTER,

SATURDAY...FEBRUARY 17, 1816.

The Legislature of this state closed their session on Saturday evening last, having sat ten weeks. During this time they passed 125 Acts, most of which are of a local nature. The bill to remove the Trustees of the Transylvania University, and to appoint new ones by the legislature, was not reported to the Senate in time to be passed before the adjournment. The bill to establish two Independent Banks, one at Louisville and the other at Lexington, was left in a similar situation.

The bill which passed the House of Representatives of Congress, some time since, providing compensation for horses and other property lost during the late war, is yet before the Senate undetermined.

The meek, the pious, & the legitimate Louis XVIII seems determined to persevere the work of proscription and blood. Not content with the murder of Labadoyer and Ney, for acts in which the whole people of France participated, he still continues the same career. Late papers state, that Gen. Dacacn, and Marshal Massena have been arrested; that Gen. Debelle and M. Lavalette will probably be executed, and that Soult, Carnot, Determon, Real, Arnault, St. Vincent, Maret, Bertrand, (now with Napoleon) Count Regnault St. Jean D'Angely and Gen. Clausel, (the two latter now in the United States) are with numerous other distinguished men, excepted out of a late act of amnesty. Marshal De Grouchy, also proscribed, has arrived at Washington City.

COMMUNICATION.

Messrs. PRINTERS,—If you think the following deserves a place in your paper you will please insert it and oblige a subscriber.

Being in a dry goods store not long since, where numbers of customers came to purchase goods, I was attracted by the extraordinary politeness of Mr. A—, who is a very handsome man. He accosted Mr. B—, a rich farmer, but little acquainted with the prices of goods, or of any other currency but that of this state, and that imperfectly, thus: "Do walk in the counting room, you must be cold, there is some good whiskey, pray help your self." This done, "Sir what will you buy to-day? I have an excellent assortment, the best and cheapest of any that has been bought in Philadelphia since the peace, which I will sell at the first cost"—viewing him from head to foot he resumed, "Sir, you really want a new suit of clothes; a man so rich as you are ought to wear better clothes; here is a superb cloth, do look at it; does the colour please you?" which was answered in the affirmative and the price asked; "twelve dollars per yard." "I cannot afford to give that price, it is very high." "Upon my honour, sir, it cost me that in Philadelphia; here clerk, bring me the invoice; there sir, you see that it cost £3 12 0, which is twelve dollars." The honest farmer thought he got a great bargain, therefore took it with a vest in the same manner; now returns Mr. A. your lady and daughters I presume want dresses; I have the most elegant assortment of silks, calicoes, and cambrics of any in the state, and at first cost, and if it should not be convenient to pay when you get them, any time will do."

"Thank you sir," replied Mr. B. "I will go home and talk with wife"; "do sir, (aside) that's right, leave it to the ladies and I am sure of success!"

Now, Messrs. Printers, I think it is highly requisite that all the farmers and mechanics should know the imposition practised on them by the merchants on account of the difference of the currency of this state and that of Pennsylvania, which is 76 to the dollar. New-York is 88: and they ought likewise to know that it is very common for the Kentucky merchants to have a discount on their bills in Philadelphia of 10 or 12 per cent. and some times more.

As there is such a difference in the currencies I wish that some mode may be devised so as to adopt the federal currency, whereby it may in some measure prevent the deception practised on them; but while the merchants of this state find it to their advantage to retain the old currency and insist on the Philadelphia merchants to make their invoices accordingly, a reform cannot be expected unless by an interposition of higher authority. It is certain that the Federal currency is by far the most easy, and less liable to mistakes, it being whole numbers.

A FARMER.

TREATY WITH ALGIERS.

This noble document consummates the brightest event in the history of our country. Search the archives of the Courts of Europe; trace the treaties which have been made with Barbary: and where is the compact which can parallel the present for the benefits it secures, or the lustre it reflects?—All tribute forever relinquished—Our prisoners exempted from labor—an exchange of them to be effected

our commerce to be respected in peace—our property on the eve of a war. Blush, Courtiers of Europe, at the example which a young republic has exhibited. To you, gallant Decatur—to you and your peerless companions do we owe this!—E. W. G.

TAKE NOTICE!

The drawing of the Winchester Engraving Lottery is postponed till the middle of March next. Those persons who intend purchasing tickets are requested to procure them immediately.

Feb. 17, 1816.

William Poston

REQUESTS those indebted to be punctual in discharging their accounts, as he has to send money to Philadelphia in a short time, and has an opportunity of laying out the surplus to great advantage by taking shares in the

WINCHESTER BRANCH BANK.

He is constantly receiving small additions to his assortment of GOODS.
Winchester, F. B. 17. 81—16

FOR SALE, A Nice Riding Horse.

Apply to THE PRINTER.

Fifty Dollars Reward.

WHEREAS a man who calls himself ROBERT ANDERSON was committed to my custody as Jailor of Floyd County, Ky. for the murder of a negro man in the state of Ohio, Clinton County, and for bringing off his wife and offering to sell her as a slave—he was demanded by a citizen of that state, to be taken to justice, and the subscriber was employed to aid in taking him to the said County of Clinton, when, on the 2d inst. near Falmouth, he made his escape, taking with him the subscriber's Horse, Saddle, Bridle, & Saddle-Bags, which contained all the subscriber's clothing, and about one hundred dollars in cash, 40 or 50 dollars in silver and the balance in Bank Notes.—The said Anderson is about six feet high, dark hair, thin visage and sickly (having the venereal) supposed to be about 45 years of age, grey headed, and short curly hair. His clothing, when he left me were—a brown big coat nearly worn out, a fringed hunting-shirt, a pair of lincey pantaloons, with a linen pair under them, a wool hat; but it is presumed he may change them. The horse is a sorrel, about 14 hands high, a star in his forehead, shod all round. The saddle is nearly new, double skirted, both of which are infold with cell skin coat pad. The saddle-bags are new, with false bottoms with buckles to fasten them, and with some spots of ink on them, they contained an English silver watch, a d. red morocco pocket book of the subscriber, with his name written in it, and some papers, which belong to the subscriber, such as notes, &c. a shirt and handkerchief together with the aforesaid cash. I will give \$25 for the above Anderson, if apprehended and secured in the course of one month, so that he may be brought to justice, and \$25 for the recovery of my property which he took away with him. It is probable he may make immediately for Shelby County, and from thence to the state of Tennessee.

Editors of Newspapers in this state, Tennessee and Ohio, will serve the cause of justice by giving this one or two insertions

JOHN HAVENS.

Floyd County, Ky. }
Feb. 6, 1815. } 81—3t

A Caution.

FORWARD all persons from trading for or taking an assignment on a note given by me to Wm. McDonald for the sum of \$50, due on the first day of March, 1816, with Wm. Moffett, sen. security, as the said note was obtained in a fraudulent manner.

WM. MOFFETT, Jun. }
Feb. 17, 1816. } 81—3w*

Notice.

J. & R. S. MACCOUN having disposed of their stock of goods request that those who are indebted to them, or to MOORE & MACCOUN, will call and settle their accounts; as they are making arrangements to go on to the east ward. They will be found at any time at the store of William N. Laird & Co. where their books are kept.

Winchester, Feb 3 79—3w

Bath County, Sct.

TAKEN UP by James Lawson, living in Bath County, an old gray MARE, about 15 hands high, very slow backed—appraised to \$10 before me this 5th Oct. 1815.

JAMER WADE, j p b c

TAKEN UP by Levi Lacey, living on Slate, above Yocom's mill, in Montgomery county, one brown MARE, six years old, 14 hands 3 inches high, branded on the near buttock shoulder and jaw with the letter N. Appraised to \$35, the 4th December 1815.

WILDS COOKE.

80—3w

CLARKE COUNTY, to wit.

TAKEN UP by James Young, living three miles from Winchester, on the road leading from Winchester to Lexington, a sorrel HORSE COLT, two years old past, about 13 hands high, both hind feet white, has a star in his face and snip on his nose. Appraised to \$22. Posted before me the 25th day of December 1815.

JOHN WARD, j p c c.

80—3w*

CLARK COUNTY, to wit

TAKEN UP by Robert Hutchison, living near Winchester, a Roan HORSE, four or five years old, 13 hands high, has a small white spot on each nostril, had a short tail.—Appraised to \$20. Posted before me the 28th November 1815.

JOHN WARD, j. p. c. c.

79—3w

CLARKE COUNTY.

TAKEN UP by Solomon Dumblow, living on the road leading from the mouth of Red River to Mount Sterling, one m. f. o. m. nearly fifteen hands high, some grey hairs in her flanks, 15 or 16 years old. Posted before me the 23d day of November 1815.

JAMES WOODS.