pondence which happily prevails between the two parties, have determined to establish by a convention, several points, the settlement whereof will be productive of general advantage and reciprocal utility to both nations.

With this intention his Catholic Majesty has appointed the most excellent Lord don Manuel de Goday, and Alvarez de Faitia, Rios, Sanchez, Zarzas, Prince de Paz, Duke de la Alcudia, Lord of the Roto de Roma, and of the state of Arbala, grandee of Spain of the first class, perpetual Regidor of the city of Santiajo, Knight of the illustrious order of the Golden Fleece, and Great Cross of the Royal and distinguished Spanish order of Charles III. Commander of Valencia, del Ventose, Rivera, and Acenchal in that of Santiajo: Knight and Great Cross of the religious order of St. John: Counsellor of State, First Secretary of State, and Dispatch Secretary to the Queen: Superintendant Gen. of the Posts and Highways: Protector of the Royal Academy of the Noble Arts, and of the Royal Societies of Natural History, Botany, Chemistry and Astronomy: Gentlemen of the Bed-Chamber in employment: Captain General of his Armies: Inspector and Major of the Royal Corps of Body Guards, &c. &c. &c. And the President of the United States of America, with the advice and consent of the Senate, has appointed Thomas Pinckney, a citizen of the United States, and their Envoy Extraordinary to his Catholic Majesty. And the Plenipotentiaries have agreed upon and concluded the following articles.

Art. I. There shall be a firm and inviolable peace and sincere friendship between his Catholic Majesty, his successors and subjects, and the United States, and their citizens, without exception of persons or places.

Art. II. To prevent all dispute on the subject of the boundaries which separate the territories of the two high contracting parties, it is hereby declared and agreed as follows, to wit. The southern boundaries of the United States which divides their territory from the Spanish colonies of East and West Florida, shall be designated by a line beginning on the River Mississippi, at the northernmost part of the thirty first degree of latitude north of the equator, which from thence shall be drawn due east to the middle of the river Apalachicola or Catahouche, thence along the middle thereof to its junction with the Flint, then straight to the head of St. Mary's river, and thence down the middle thereof to the Atlantic Ocean. And it is agreed that if there should be any troops, garrisons or settlements of either party on the said territory of the other according to the above mentioned boundaries, they shall be withdrawn from the said territory within the term of six months after the ratification of this Treaty, or sooner if it be possible; and that they shall be permitted to take with them all the goods and effects which they possess.

Art. III. In order to carry the preceding article into effect, one commissioner and one surveyor shall be appointed by each of the contracting parties, who shall meet at the Natches on the left side of the River Mississippi before the expiration of six months from the ratification of this Convention, and they shall proceed to run and make this boundary according to the stipulations of the said article. They shall make plans and keep journals of their proceedings, which shall be considered as part of this Convention, and shall have the same force as if this were inserted therein. And if on any account it should be found necessary that the said commissioners and surveyors should be accompanied by guards, they shall be furnished in equal proportion by the commanding officer of his Majesty's troops in the two Floridas and the commanding officer of the troops of the United States in the south western territory, who shall act by common consent and amicable as well with respect to this point, as to the furnishing of provisions and instruments, and making every other arrangement which may be necessary or useful for the execution of this article.

Art. IV. It is likewise agreed that the western boundary of the United States which separate them from the Spanish colony of Louisiana, is in the middle of the channel or bed of the river Mississippi from the northern boundary of the said States, to the completion of the thirty first degree of the latitude north of the equator. And his Catholic Majesty has likewise agreed, that the navigation of the said river from its source to the ocean, shall be free only to his subjects and the citizens of the United States, unless he should extend this privilege to the subjects of other powers by a special convention.

Art. V. The two high contracting parties shall by all means in their power maintain peace and harmony amongst the several Indian nations who inhabit the country adjacent to the lines and rivers which by the preceding Article, form the boundaries of the two Floridas, and the better to attain this effect, both parties oblige themselves expressly to restrain by force, all hostilities on the part of the Indian nations living within their boundary: So that Spain will not suffer their Indians inhabiting their territory, nor will the United States permit their last mentioned Indians to Commence hostilities against his Catholic Majesty, or his Indians, in any manner whatsoever.

And whereas several treaties of friendship exist between the two contracting parties and the said nations of Indians, it is hereby agreed, that in future no treaty of Alliance or other whatsoever (except Treaties of Peace) shall be made by either party with the Indians living within the boundary of the other, but both parties will endeavour to make the advantages of the Indian trade common and mutually beneficial to their respective subjects and citizens, observing in all things the most complete reciprocity, so that both parties may obtain the advantages arising from a good understanding with the said nation without being subject to the expence which they have hitherto occasioned.

Art. VI. Each party shall endeavour by all the means in their power to protect and defend all vessels and other effects belonging to the citizens or subjects of the other, which shall be within the extent of their jurisdiction by sea, or by land, and shall use all their efforts to recover and cause to be recovered to the right owners, their vessels and effects which may have been taken from them within the extent of their said jurisdiction, whether they are at war or not with the subjects who have taken possession of the said effects.

Art. VII. And it is agreed that the subjects or citizens of each of the said contracting parties, their vessels or effects, shall not be liable to any embargo or detention on the part of the other for any military expedition or other public or private purpose whatsoever. And in all cases of seizure, detention, or arrest for debt contracted, or offences committed by any citizen or subject of the one party within the jurisdiction of the other, the same shall be made and prosecuted by order and authority of law only, and according to the regular course of proceedings usual in such cases. The citizens and subjects of both parties shall be allowed such advocates, solicitors, notaries, agents and factors, as they judge proper in all their affairs, and in all their trials at law, in which they may be concerned before the tribunal of the other party, and such agents shall have free access to be present at the proceedings in such causes, and at the taking of examinations and evidences which may be exhibited in the said trials.

Art. VIII. In case the subjects and inhabitants of either party with their shipping, whether public, and of war, or private and of merchant's, be forced through stress of weather, pursuit of pirates or enemies, or any other urgent necessity for taking shelter and harbour, to retreat and enter into any of the rivers, bays, roads or ports belonging to the other party, they shall be received and treated with all humanity, and enjoy all favour, protection and help, and they shall be permited to provide themselves at reasonable rates with victuals and all things needful for the sustenance of their persons, or reparation of their ships and prosecution of their voyage; and they shall no ways be hindered from returning out of the said ports or roads, but may remove and depart when and whether they please without any let or hindrance.

Art. IX. All ships and merchandize of what ever nature soever which shall be rescued out of the hands of any pirates or robbers on the high seas, shall be brought into some port of either state, and shall be delivered to the custody of the officers of that port in order to be taken care of and restored to the true proprietor, as soon as due and sufficient proof shall be made concerning the property thereof.

Art. X. When any vessel of either party, shall be wrecked, foundered or otherwise damaged on the coasts, or within the dominion of the other, their respective subjects and citizens shall receive as well for themselves as for their vessels and effects, the same assistance which would be due to the inhabitants of the country where the damage happens and shall pay the same charges and dues only as the said inhabitants would be subject to pay in a like case; and if the operation of repairs would require that the whole or any part of the cargo be unladen, they shall pay no duties, charges or fees on the part which shall relade and carry away.

Art. XI. The citizens and subjects of each party shall have power to dispose of their personal goods within the jurisdiction of the other by testaments, donation or otherwise, and their representatives being subjects or citizens of the other party shall succeed to their said personal goods, whether by testament or an intestato, and they may take possession thereof either by themselves or others acting for them, and dispose of the same at their will, paying sale duties only as the inhabitants of the country wherein the same goods are, or shall be subject to pay in like cases. And in case of the absence of the representatives such care shall be taken of the said goods as of a native in like case, until the lawful owner may take measures for receiving them. And if questions should arise among several claimants to which of them the goods belong, the same shall be decided by the laws and judges of the land wherein the said goods are. And whereas the death of any person holding real estate within the territories of the one party, such real estate would by the law of the land descend on a citizen or subject of the other were he not disqualified by being an alien, such subject shall be allowed a reasonable time to sell the same and withdraw the proceeds without molestation on the part of the government of the respective states.

Art. XII. The merchant ships of either parties which shall be making into ports or into a port belonging to the enemy of the other party, and concerning whose voyage and the species of goods on board her, there shall be just grounds of suspicion, shall be obliged to exhibit as well upon the high seas as in the ports and havens, not only her passport, but likewise certificates expresly shewing that her goods are not of the number of those which have been prohibited contraband.

Art. XIII. For the better promotion of commerce on both sides, it is agreed that if war shall break out between the two said nations, one year after the proclamation of war shall be allowed to the merchants in the cities and towns where they shall live for collecting and transporting their goods and merchandize: and if any thing be taken from them or any injury be done them within that term, by either party, or the people or subjects of either, full satisfaction shall be made by the government.

Art. XIV. No subject of his Catholic Majesty shall apply for, or take any commission or letters of marque for arming any ship or ships to act as privateers against the United States, or against the citizens, people or inhabitants of the United States, or against the property of any of the inhabitants of any of them from any Prince or State with which the United States shall be at war. Nor shall any citizen, subject or inhabitant of the said United States apply for or take any commission or letters of marque for arming any ship or ships to act as privateers against the subjects of his Catholic Majesty or the property of any of them from any Prince or State with which the said King shall be at war. And if any person of either nation shall take such commission or letters of marque he shall be punished as a pirate.

Art. XV. It shall be lawful for all and singular the subjects of his Catholic Majesty, and the citizens, people and inhabitants of the United States, to sail with their ships with all manner of liberty and security, no distinction being made who are the proprietors of the merchandizes laden therein from any part to the places of those who now are, or hereafter shall be at enmity with his Catholic Majesty or the United States. It shall be likewise lawful for the subjects and inhabitants aforementioned, and to trade with the same liberty and security from the places, ports or havens of those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only from the places of the enemy aforementioned, to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of the same prince or under several; and it is hereby stipulated that the free ships shall also give freedom to goods, and that every thing shall be deemed free and exempt which shall be found on board the ships belonging to the subjects of either of the contracting parties, although the whole lading or any part thereof should appertain to the enemies of either: contraband goods being always excepted. It is also agreed, that the same liberty be granted to persons who are on board a free ship, so that although they be enemies to either party; they shall not be made prisoners or taken out of that free ship, unless they are soldiers and in actual service of the enemies.

Art. XVI. This liberty of navigation and commerce shall extend to all kinds of merchandizes, excepting those only which are distinguished by the name of contraband; and under this name of contraband or prohibited goods shall be comprehended arms, great guns, bombs, with their fuses, and the other things belonging to them, cannon balls, gun powder, match, pikes, swords, lances, spears, halberts, mortars, petards, grenades, saltpetre, muskets, musketballs, bucklers, helmets, breast plates, coats of mail, and the like kinds of arms, proper for arming soldiers muskets rests, belts, horses with their furniture, and all other warlike instruments whatever. These merchandizes which follow shall not be reckoned amongst contraband or prohibited goods: that is to say, all sorts of cloths, and all manufactures woven of any wool, flax, silk, cotton or any other material whatever, all kinds of wearing apparel, together with all species whereof they are used to be made: gold and silver, as well coined as uncoined, tin, iron, latten, brass, copper, coals, as also wheat, barley and oats, and any other kind of corn and pulse; tobacco, and likewise all manner of spices, salted and smoked flesh, salted fish, cheese and butter, beer, oils, wines, sugar and all sorts of salt: and in general all provisions which serve for the sustenance of life, furthermore, all kinds of cotton, hemp, flax, tar, pitch, ropes, cables, sail cloths, anchors, or any part of anchors, also ship masts, planks and wood of all kinds, and all things proper either for building or repairing ships, and all other goods whatever which have not been worked into the form of any instrument prepared for war by land or by sea, shall not be reputed contraband, much less such as have been already wrought and made up for other use; all which shall be wholly reckoned amongst free goods; as likewise all other merchandizes and things which are not comprehended, and particularly mentioned in the foregoing enumeration of contraband goods; so that they may be transported and carried in the freest manner by the subjects of both parties, even to places belonging to an enemy, such towns or places being only excepted as are at that time besieged, blocked up or invested. And except the cases in which any ship of war, or squadron shall in consequence of storms or other accidents at seas be under the necessity of taking the cargo of any trading vessel or vessels, in which case they may stop the said vessel or vessels, and furnish themselves with necessaries giving a receipt in order that the power to whom the said ship of war belongs, may pay for the article so taken, according to the price thereof at the port to which they may appear to have been destined by the ship's papers; & the two contracting parties engage, that the vessels shall not be detained longer than may be absolutely necessary for their said ships to supply themselves with necessaries: that they will immediately pay the value of the receipts, and indemnify the propriety for all losses which may have sustained in consequence of such transaction.

Art. XVII. To the end that all manner of dissensions and quarrels may be avoided and prevented on the one side and on the other, it is agreed, that in case of either of the parties hereto should be engaged in a war, the ships and vessels belonging to the subjects or people of other party must be furnished with sea letters of passport, expressing the name, property and bulk of the ship, as also the name and place of habitation of the master or commander of the said ship that it may appear thereby that the ship really and truly belongs to the subjects of one of the parties, which passport shall be made out and granted according to the form annexed to this treaty. They shall likewise be recalled every year, that is, if the ship happens to return home within the space of a year.

It is likewise agreed, that such ships being laden, are to be provided not only with passports as above-mentioned, but also with certificates, containing the several particulars of the cargo, the place whence the ship sailed, and so it may be known whether any forbidden or contraband goods be on board the same; which certificates shall be made out by the officers of the place, whence the ship sailed in the accustomed form, & if any one shall think it fit or advisable to express in the said certificates, the person to whom the goods on board belong, he may do so: without which requisites they may be sent to one of the ports of the other contracting party, and adjudged by the competent tribunal, according to what is above set forth, that all the circumstances of this omission having been well examined, they shall be adjudged to be legal prizes, unless they shall give legal satisfaction of their property by testimony entirely equivalent.

Art. XVIII. If the ships of the said subjects, people, or inhabitants of either of the parties shall be met with sailing along the coasts or on the high seas by any ships of war of the other, or by any privateer, the said ship of war or privateer, for avoiding any disorder, shall remain out of cannon shot, and may send their boats on board the merchant ship which they shall so meet with, and may enter her to the number of two or three men only, to whom the master or commander of such ship or vessel, shall exhibit his passport concerning the property of the ship made out according to the form inserted in this present treaty, and the ship when she shall have shewed such passport shall be free and at liberty to pursue her voyage, so as it shall not be lawful to molest or give her chace in any manner or force her to quit her intended course.

Art. XIX. Consuls shall be reciprocally established with the privileges and power which those of the most favoured nations enjoy in the ports where their consuls reside, or are permitted to be.

Art. XX. It is also agreed that the inhabitants of the territories of each party shall respectively have free access to the courts of justice of the other, and they shall be permitted to prosecute suits for the recovery of their property, the payment of their debts, and for obtaining satisfaction for the damages which they may have sustained, whether the persons whom they may sue be subjects or citizens of the country in which they may be found, or any other persons whatever who may have taken refuge therein; and the proceedings and sentences of the said courts shall be the same as if the contending parties had been subjects or citizens of the said country.

Art. XXI. In order to terminate all differences on account of the losses sustained by the citizens of the United States, in consequence of their vessels and cargoes having been taken by the subjects of his Catholic Majesty during the late war between Spain and France, it is agreed that all such cases shall be referred to the final decision of commissioners to be appointed in the following manner. His Catholic Majesty shall appoint one commissioner, and the President of the United States, by and with the advice and consent of the Senate, shall appoint another, and the said two commissioners shall agree on the choice of a third, or if they cannot agree so they shall each propose one person, and of the two names so proposed, one shall be drawn by lot in the presence of the two original commissioners; and the person whose name shall be drawn shall be the third commissioner; and the three commissioners so appointed shall be sworn impartially to examine and decide the claims in question according to the merits of the several cases, and to justice, equity, and the laws of nations. The said commissioners shall meet and sit at Philadelphia; and in case of the death, sickness, or necessary absence of any such commissioner, his place shall be supplied in the same manner as he was first appointed, and the new commissioner shall take the same oath, & do the same duties. They shall receive all complaints and applications, authorized by this article during 18 months from the day on which they shall assemble. They shall have power to examine all such persons as come before them on oath or affirmation, touching the complaints in question, and also to receive in evidence all written testimony authenticated in such a manner as they shall think proper to require or admit. The reward of the said commissioners, or any two of them, shall be final and conclusive, both as to the justice of the claim and the amount of the sum to be paid to the claimant; and his Catholic Majesty undertakes to cause the same to be paid in specie, without deduction, at such times and places and under such conditions as shall be awarded by the same commissioners.

Art. XXII. The two high contracting parties hoping that good correspondence and friendship which happily reigns between them, will be further encreased by this treaty, and that it will contribute to augment their prosperity and opulence, will in future give to their mutual commerce, all the extention and favour which the advantage of both countries may require.

And in consequence of the stipulations contained in the fourth article, his Catholic Majesty will permit the citizens of the United States for the space of three years from this time to deposit their merchandizes and effects in the port of New Orleans, and to export them from thence without paying any other duty than a fair price for the hire of the stores, and his majesty promises either to continue this permission if he finds during that time, that it is not prejudicial to the interest of Spain, or if he should not agree to continue here, will assign to them on another part of the banks of the Mississippi an equivalent establishment.

Art. XXIII. The present treaty shall not be in force until ratified by the contracting parties, & the ratification shall be exchanged in six months from this time, and sooner, if possible.

In witness whereof we the underwritten Plenipotentiaries of his Catholic Majesty and of the United States of America, have signed this present treaty of friendship, limits, and navigation, and have thereunto affixed our seals respectively.

Done at San Lorenzo el Real, this seven and twentieth day of October, one thousand, seven hundred and ninety five.

THOMAS PINCKNEY, [L. S.]
PRINCE DE LA PAZ, [L. S.]

FEDERAL LEGISLATURE.

HOUSE OF REPRESENTATIVES,
March 30.

CHIEF of the sitting was employed on the subject of Mr. Varnum's contested election. The following resolutions were finally agreed to:

Resolved, That the allegation of Aaron Brown, agent to the petitioners to 55 votes given by proxy, is sufficiently certain.

Resolved, That the allegation of the said Aaron Brown, as to persons not qualified to vote, is not sufficiently certain; and that the name of the persons objected to, for want of sufficient qualifications, ought to be set forth prior to the taking of the testimony.

Mr. Blount moved, to refer the message received yesterday from the President, in answer to the call for papers, to a committee of the whole.

Mr. Cooper said, that the further the gentlemen travelled a wrong road, the further they would get out of the true course, and the more difficult it would be to return.

Mr. Harper observed, that this was not the first attempt to get the house to do something further. A motion is now made to refer the message to a committee of the whole, and the house are told that if the motion be carried, it is nothing, it is decidedly nothing but will only lead to an enquiry whether the house ought to act. He insisted that such a reference would in fact be determining that they would act, and then in committee they would determine how, and in that committee he said they would be asked, why did the house resolve itself into a committee of the whole if not to act. So when the Indian treaty was ratified, a motion was made to request the President to lay it before the House. When it was laid before them, it was then contended that the house had a right to interfere in the treaty, or why ask for it. It could not be supposed, that gentlemen of any understanding could be imposed upon by such flimsy sophistry. It was now the proper time and the proper place, he contended, to submit to the house the proper place, he contended, to settle the principal whether the house would sanction any further proceedings on the message. What reason could be adduced for asking? It is said, that the President has not only refused the papers, but given his reasons for the refusal, and that his reference to the debate and the statement he made about the motives of the house might be found incorrect; that the President may have attributed to the majority motives they were not willing to avow. The motives had been avowed by the gentleman who led the business from Pennsylvania.

Mr. H. was called to order.—He concluded by declaring that he would vote against the reference.

Mr. Varnum observed, that a great constitutional question was to be decided; two branches of the government differed and they had joined issue. The President had given the reasons of his opinion, it was right also, that the people should know the sense of the House. Should the house, he asked, take no further measures on the subject and receive the answer of the President as obligatory with regard to the question. He believed every member of the house has, as well as the President, the right to avow his principles and to judge of the different parts of the constitution. The house, he conceived under an obligation to consider the question: if they found upon consideration reason to recede from their opinions he hoped they would. He wished the subject examined with temper and candor.

Mr. ——— chiefly dwelt on the length of time, which if the motion was agreed to, would be consumed in the business. He also touched on the impropriety of entering into a discussion on the means of this question on the journals.

Mr. Crabb.

Mr. Speaker, I hope the message received from the President, in answer to the resolution of this house, calling for certain papers relative to the British treaty, will be referred to a committee of the whole house. My reasons for this wish are, because the President has refused the papers on constitutional principles, and has thought proper to go into a detail of the reasons which lead to a formation of his opinion, therefore I apprehend it proper to make the reference, in order, that if the reasons urged by the President, are such as to convince this house that he is right, as to the constitutional question, that they may have an opportunity to acknowledge it, that it may be so known and understood abroad, in as much as the contrary opinion has been promulgated; and again I wish the reference, that this house may with respect and calm deliberation, consider the President's message and the reasons on which his refusal to send the papers is grounded; that if those reasons are not such as to convince or change the opinion of this house, they in that case may have an opportunity so to express themselves, and to introduce resolutions to that effect, that the opinion of this house, on this great constitutional question, after the receipt and consideration of the President's message, may be fully known, clearly understood, and stamped on your journals. I think this a necessary measure, in as much as sundry treaties lately negociated are now before this house, and by a declaratory resolution as before stated, this house may have the constitutional principle, and feel themselves at perfect liberty to pass the necessary laws to carry these treaties into compleat effect; without conveying the implication, that they think they are bound so to do, and have not a constitutional right, to reject and refuse when even they shall judge the general prosperity of the Union and the interest of their constituents may be promoted by that refusal.

Mr. Giles said he had not expected the subject would have been treated with ridicule, and that members in reply should advise others to go and write pamphlets. The motives of a branch of government, he observed, must necessarily differ from the motives of individuals expressed in their speeches. A majority of the house when their sentiments are collected speak the sense of the house. He adverted to the practice of the house when the President returns a bill which had been mentioned by the opposers of the motion, and observed that in cases of that kind the message of the President was acted upon. He observed on the importance of the subject, and insisted on the propriety of the house expressing their reasons for their vote. They owe it to themselves to the United States, to the whole world to exhibit their reasons for what the President has declared to be an unconstitutional call. For this purpose the message should be referred to a committee of the whole, where a proper motion would be brought forward, and could be freely discussed. It had been proposed to refer the message to a select committee, to place the business into a few hands, there might have been an objection, but a reference to a committee of the whole he considered quite unexceptionable.

Mess. N. Smith, Thatcher, and W. Smith spoke against the motion. A few words dropt from Mr. Findley and Claibourne in its favor. The question was then decided by yeas and nays as follows:

YEAS.

Messrs. Baily, Baird, Baldwin, Benton, Blount, Bryan, Burgess, Cabell, Christie, Claibourne, Clopton, Coles, Crabb, Dearborne, Earle, Findley, Franklin, Gallatin, Gillespie, Giles, Gregg, Greenup, Grove, Hampton, Hancock, Harrison, Hathorn, Heath, Havens, Holland, Jackson, Kitchell, Locke, Maclay, Macon, Madison, Milledge, Moore, Muhlenberg, New, Nicholas, Orr, Page, Parker, Patten, Preston, Rutherford, IsraelSmith, Sam. Smith, Sprigg, Swanwick, Tatom, Van Cortlandt, Varnum, Venable. 55

NAYS.

Messrs Bourne, Bradbury, Buck, Coit, Cooper, Dent, D. Foster, J. Foster, Gilman, Gilbert, Glen, Goodhue, Goodrich, Griswold, Harper, Hartley, Hillhouse, Hindman, Kittera, Lyman, Malbone, Murray, Reed, Sedgwick, Sitgreaves, J. Smith, N. Smith, Isaac Smith, Wm. Smith, Swift, Thatcher, Thomas, Thompson, Tracy, Van Allen, Wadsworth, Williams. 37

This business was made the order of the day for Wednesday next. An earlier day was proposed, but Wednesday was carried by the Speaker's casting vote. Adjourned.

PITTSBURGH, April 2.

On Tuesday last at Fayette county, Union town the Grand Jury presented to the Court a petition for carrying into effect the British and Spanish treaties, signed by them unanimously. It was then signed by the court, which adjourned to give the suitors of the court, and other inhabitants of the county then attending an opportunity to consider the petition. The meeting in the Court house was large and consisted of a great number of the principal people; several publications were read; and persons present spoke on the occasion. It was then moved and resolved unanimously, That it is the sense of this meeting, that the late treaties with Britain and Spain ought to be carried into complete execution speedily, that there may be no impediment to objects in which this country is so greatly interested, the possession of the Western Posts, and the free navigation of the river Mississippi.

On Monday week last the Grand Jury, Court, Bar, and Suitors of the court attending at Somerset, had presented and signed with unanimity petitions to the same effect, with great earnestness soliciting a ready concurrence in passing all laws necessary to the execution of the treaties.

PHILADELPHIA, April 5.

A letter from Falmouth, dated Feb. 22, mentions the arrival of the ship Sally Capt. Wicks, in 22 days from Philadelphia. The letter was bro't by the Packet arrived at N. Y. The writer says that "all prospect of peace has vanished."

A gentleman lately from Martinique was requested to make known in Philadelphia for the information of those concerned that a complete collection is made, of all documentary papers relative to captures and adjudications on the part of the British government, and, that the same may be expected shortly to arrive in the brig Venus, Captain Borrows for this port.

In the Federal House of Representatives yesterday the following resolutions were agreed to.

Resolved, That the Secretary of the Treasury be directed to prepare and report to the House of Representatives at the next session, a plan for laying and collecting direct taxes, by apportionment among the several states, agreeably to the rule prescribed by the constitution; adapting the same as nearly as may be to such objects of direct taxation, and such modes of collection as may appear by the laws and practice of the states respectively, to be most eligible in each.

Resolved, That the sum of dollars ought to be obtained to discharge the debt due to the bank of the United States, by creating stock bearing an interest at six per cent and irredeemable for years: the redemption thereof to commence thereafter and to be payable in yearly instalments.

The committee of ways and means were directed to report a Bill in pursuance thereto.

Extract of a letter from Samuel Bayard, Esq. agent of the United States in London, to a gentleman in this city, dated Jan. 17, 1796.

As soon as ministry learn the line of conduct, which the house of Representatives mean to pursue, I am persuaded their conduct, as it regards us, will be less fluctuating. Should the house coincide with the President and Senate, every thing here will go well: should obstacles, on the other hand be thrown in the way by the popular branch of the government, I doubt whether the western posts will be surrendered; or restitution made of our captured property. However, I trust that every man who has any regard to the honour, the faith, or interest of his country, will see the necessity of carrying the treaty fully into effect, so far as regards the United States."

Extract from a genuine letter from an American in London to his friend in Philadelphia, dated Feb. 2, 1796.

"I am much pleased to understand from your last letter, and from others lately received from Philadelphia, that the present session of Congress promises to be more temperate than was apprehended some time since. The British ministry are at this time looking to the conduct of the House of Representatives, as that which is to govern their conduct towards the United States. I have reason to believe that the appeals are suspended until the measures of this branch of the Legislature are known: Whether afterwards they will be favourable, it is impossible to say; but I rather think such an event is to be expected.

"I was informed by Mr. Pinckney, that a gentleman had just been with him, who has purchased a considerable tract of land on the Ohio in Pennsylvania, who this spring will take out with him fifteen hundred settlers, chiefly farmers, who are all engaged and ready to embark. I cannot tell you the effect which the President's speech has produced through this country; I speak, I think correctly when I say, it will be the means of pouring some millions sterling into the lap of the United States; it has excited admiration, inspired confidence, and reflected a degree of consequence on every one who bears the name of an American: indeed there is no national character so high in Europe at this time as the American—every one who has ever been in the United States, seems eager to claim the rights of citizenship, and to be considered as an American."

April 10.

Accounts from the West Indies mention, that three of the vessels which lately sailed from Norfolk with horses were carried into Cape Francois, and that others had arrived at the Mole with the loss of half their cargoes, and what remained were very sickly.

The ship Dominick, Terry, arrived here yesterday, left Lisbon on the 10th February. Capt. De Hart says that two shocks of an earthquake split the wall of several houses, there. But he gives no account of the calamity said to have befallen the city of Cadiz.

NEW YORK, April 6.

In the Legislature of France, members have repeatedly complained, that the name of *republican*, in the departments, is held in detestation. This is a melancholy fact; yet in America we ought to draw useful truths from every fact of this kind. The intolerance of the Jacobins, who arrogated the sole title of *republican* and *patriot*; their tyranny, cruelty, murders and robberies, of all who differed from them in opinion, have made those people *odious*, and from a connection easily formed between men and their titles, the persons who have suffered under their barbarous despotism, have been led to shudder at the sound of *republican* and *patriot*. For a time these names were synonimous with butcher, hangman and executioner.

A similar effect, though in a less degree, have the violations of property had, in America. Lives have not been lost, but the ex post facto laws, for shielding real estates from creditors, or modifying payments, have been so frequent in America, and attended with such aggravated infractions of private contracts and public engagements, as to make many great and good patriots doubt whether such governments can long exist. The vile lies and calumny propagated by the democrats in this country, about its ablest defenders, and especially about our good President, have made those people extremely odious, and if any thing can speedily bring them into utter contempt, it will be their intemperate attacks on our greatest, wisest and best men and our excellent Constitution.

The National Convention of Holland was finally agreed to be held Feb. 18.

The Chester mail was lately robbed within 100 yards of the gibbet on which a person was hung two years ago for the same offence. Of what use are public punishments?

The Emperor has sequestrated the property of the Elector Palatine, to indemnify himself for the expenses of retaking Manheim, which the Elector is charged with having traitorously surrendered to the French.

April 7.

MELANCHOLY.

Yesterday a child of Nicholas Cruger Esq. 7 or 8 years of age, died in consequence of poison administered by mistake.

This morning, a Mr. Van Gelder of William street put an end to his life, supposed in consequence of frenzy.

April 13.

The Legislature having adjourned, Mr. Keteltas was yesterday liberated from prison by a writ of *habeas corpus*. On this occasion a number of citizens attended at the prison, and forced him into a *phaeton*, in which they paraded him *in triumph*. On the phaeton were displayed the *American* and *French flags*, the *cap of liberty*, supported by Mr. Keteltas, and a painted representation of a man *whipped* at the whipping post, after the Bridewell mode, with a scroll in these words, over the head of the whipper—"*What, you rascal, insult your superiors!*" The phaeton was drawn by citizens through the principal streets in the city, drums beating, with a numerous body of attendants, to the Tontine, from thence up Wall street into Broad-way, down by the government-house, and back to Hunter's Hotel, where Mr. Keteltas made a short speech to the people in nearly the following words:

Fellow Citizens,

"I thank you for the respect which you have this day paid me; in a particular manner for the honour of bearing the *standard of liberty*, which you have placed in my hands. Your decorum, combined with all your insignias, evidence to me your attachment to the constitution and the laws of your country—they are the best supporters of liberty, and I am sure you revere them."

BOSTON, April 6.

Extract of a letter from Mr. Bayard, dated at London, 29th December, and received by Mr. Fitzsimons, at Philadelphia.

"In the course of this next month, the Judge of the Admiralty has authorised us to expect an order for the restitution of the vessels and cargoes, seized and sold by Sir J. Jervis and Sir C. Grey, at Martinico, St. Lucia, and Guadaloupe.

"In the course of Appeals, two illegal sentences of the Vice Admiralty Courts in the West-Indies, have lately been annulled, and the conduct of the Judges severely censured, by the Lords Commissioners of Appeals."

The gentleman who forwarded the above, observes, "Mr. Fitzsimons tells me, he fears our people have not been mindful of sending to England the best proof of the value of the property which has been taken from them, he means the best the nature of the case will admit."

Several officers of the Western army of the United States, have arrived in town from Head Quarters, at Greenville. They mention, that every thing was tranquil in camp, and the Indians very friendly. The troops in service at the various posts, amount to about 2500—They are well supplied and paid. There is a regular mail conveyance from Philadelphia, to Head Quarters; where General Wilkinson commands, in absence of General Wayne.

April 9.

SEVEN STUBBORN FACTS!

1st. *It is a fact*, That the Treaty Papers called for by Mr. LIVINGSTON's motion, were *laid before the Senate* by THE PRESIDENT, as the *constitutional* body before whom they ought to be laid.—2d. *It is a fact*, that those papers are *on the files* of the *Senate*.—3d. *It is a fact*, that those files always remain accessible.—4th. *It is a fact*, that it is the custom of the House to request papers of the Senate.—5th. *It is a fact*, that the Members of the House knew those papers were then in the Building they occupied, during the whole debate on the subject.—6th. *It is a fact*, that in the debate, a Member declared *he had seen* those papers ten or twelve weeks before.—And 7th. *It is a fact*, that all the essentials of those papers were *promulgated* in RANDOLPH's much talked of defence.—These being FACTS, what can the *manly* and *independent* FREEMEN of the *United States*, think of Men, who can waste ten or twelve days, in inventing plausible reasons for demanding, what they could with the utmost ease attain, (either by asking them of the Senate, or examining their files,) merely to betray into a *breach of confidence*, and a *dereliction from duty*, a MAN, whose services, integrity and patriotism, have been *experienced* in the *New*, and who is the point of eulogium of an ERSKINE, a FOX, a SHERIDAN, and ALL the champions of Liberty in the *Old* World. *Let the people of America consider these things.*

With unfeigned regret we announce to the publick the death of that truely good and honourable man, THOMAS RUSSEL, Esq. which took place yesterday morning, in the 56th year of his age.

NEWBURYPORT, April 5.

Extract of a letter from an American Gentleman, at Havre, dated Feb. 21, 1796.

"What intelligence there is stirring relates principally to the Peace, much talked of; but as I think the present Government firm and steadfast, there is little chance that France will accept the terms that Great-Britain may advance.—The French are making every exertion for another Campaign. The forced loan has been tolerably well paid, and we have heard but few murmurs on that head; there likewise appears a greater exertion in the Marine, and we often calculate here, the fleets of France, Spain, and Holland, in a great superiority for John Bull. The finances of this country seem now to be the only difficulty which she has to encounter; for too true it is, there is little cash in the Treasury; but such a country as this, is not without resources. They are now framing a bank, and exerting themselves with such energy, as leaves no room to doubt, but they will soon have friends to carry on the war, or make Peace to great advantage."

On Wednesday last, as Mr. Joseph Lunt, Nathaniel Law, Benjamin Dawes, and John Colby, of Newbury, were returning to town from fishing, slipped a fez on the bar, and unfortunately perished. Their bodies were brought to town in the afternoon of the same day, and decently interred on Friday following.

April 9.

Copy of a letter from the Secretary of State, to the Collector of this port.

Department of State, March 25, 1796.

SIR,

THE Newspapers frequently give accounts of impressment of American seamen, and of other outrages committed upon our citizens by British ships of war. But however well founded these relations may be, yet other documents will be required, whenever reparations for these wrongs shall be demanded. I am, therefore, directed by the President of the United States, to endeavour to obtain correct information on this subject, verified by the oaths of the informants.——Such of these as shall enter the port of Newburyport, will fall under your notice; and I must request you to have their depositions taken, at the publick expense, in the most fair and impartial manner, before a Notary Publick, and transmitted from time to time to this office. I am, respectfully, Sir your obedient servant,

TIMOTHY PICKERING.

NORTHAMPTON, April 20.

FROM the best information we have received from the different parts of the state, it appears that Mr. ADAMS will be re-elected Governor, for the year ensuing, by quite a small majority of the votes; and that Mr. GILL will come in as Lieut. Governor, almost unanimously.

DIED.] In this town on Wednesday last, Mrs. *Abigail Graves*, consort of Mr. *Elisha Graves*, aged 36 years.

Isaac Gere,

Watch and Clock Maker.

RESPECTFULLY informs his friends and the public, that he has removed from his old stand, to the store adjoining *Robert Breck and Son*——where he manufactures Musical, Alarm, Moon and Plain Eight-day Clocks, in the most approved manner.

He has just received from Philadelphia a large assortment of warranted and low prized Watches, which will be sold as low for cash as in Boston or New-York—Ladies Gilt Pendants, Lockets and Pins, Watch Chains, Seals and Keys, by the dozen, &c. &c.

N. B. Watches repaired in the best manner—The utmost value in cash, given for old Watches, and old Brass.

Northampton, April 19th, 1796.

WHEREAS the Honourable Judge of Probate, for the county of Hampshire, has allowed a further time of six months from the 27th day of February last, for the creditors to the estate of Major *Joshua Lamb Woodbridge*, late of Northfield, in said county, deceased, (represented insolvent) to exhibit and support their claims against said estate——We the subscribers, Commissioners on said estate, hereby give notice, that we shall meet at the dwelling house of *John Stone*, Innholder in Chesterfield, in said county, on Wednesday, the 29th day of June next, at 10 o'clock in the forenoon, and on Friday the 26th day of August next, at the same time in the day, for the purpose of attending to said business.

JONA. WOODBRIDGE,
SAMUEL BUFFINTON, } *Commissioners.*
TIMOTHY MEECH,

Worthington, April 18, 1796.

LOST,

BETWEEN Hadley and Northampton Landing, a Leather POCKET BOOK, containing two Notes of hand, signed by Jesse Eames, witnessed by Aaron Rand and John Printess, one Note of five Dollars, signed by Moses Wells, and one Bank Note of ten dollars——Whoever has found said Pocket-Book, and will return it to the subscriber, or to Lt. Lem. Warner, shall receive a generous reward, and all necessary charges paid, by me

DANIEL TAYLOR.

Hadley, April 15, 1796.

For Sale,

A *VALUABLE FARM, lying in the town of Chester, county of Hampshire, containing 150 acres of excellent land, well proportioned into mowing, ploughing, pasturing and wood land, with a large commodious dwelling house and barn, standing on the premises, a small orchard of fruit, together with an excellent sugar orchard, of near 300 trees, being the estate of the late* Eleazer Wales, *Esq. deceased—Any person inclining to purchase, may hear of the particulars, by applying to* James Bascom, *living on the premises—or the subscriber*

HENRY WALES.

April 20, 1796

GARDEN SEEDS,

FOR sale at the Widow Esther Wright's adjoining the Burying ground.

Northampton, April 20, 1796.

WHEREAS Abigail my wife, has conducted in a scandalous manner for some time past, and has now absconded from my bed and board, I therefore forbid any and every person trusting her for any thing whatever on my account, as I will pay no debt of her contracting after this date. WILLIAM PHELPS.

Easthampton, April 19, 1796.