

was defeated;—his coolness and intrepidity in the midst of a most bloody scene, finally sustained his character above censure, and added credit to the American arms.

In 1778 he shared in the honor of the victory over the British army at Monmouth. In the same year he distinguished himself by a bold attack upon a block-house on the North River. It was rendered unsuccessful according to the account given of it by General Washington in his letter to Congress, only by the intemperate valor of his troops.

In 1779, he distinguished himself by surprising and storming Stony Point.—In effecting this business, he marched several miles through a deep morass in the middle of the night. In the attack upon the fort, he was struck down, by a ball which grazed his head. It was expected that he was killed; but he soon rose so as to rest on one knee. Feeling his situation, and believing his wound to be mortal, he cried out to one of his Aids, "Carry me forward, and let me die in the fort." When he entered it, he gave orders to stop the effusion of blood by the sword, and to make the garrison prisoners of war.—This humane command was the more generous as the garrison consisted of some of the troops who had used the bayonet without mercy, at the Paoli.

In the year 1781, he bore an active part in the campaign which reduced the army of Lord Cornwallis to the necessity of surrendering prisoners of war. After this event, he was sent by General Washington, to conduct the war in the State of Georgia. Here his prudence, courage, and military skill were amply tried. He contended with equal success with British soldiers, Indian savages, and American traitors. In a short time, he established peace and liberty in that once distracted state. As a reward for his eminent services, the legislature of Georgia presented him with a valuable farm.

Upon the return of peace he retired to private pursuits. In 1787 he subscribed as a member of the Pennsylvania convention the instrument which declared the present Federal Constitution of the United States to be part of the supreme law of the land.

In the year 1792, he accepted of the command of the American army, to be employed against the Indians, who for several years had carried on a successful and desolating war upon the frontiers of the United States. In this situation his military genius broke forth with accumulated lustre. He disciplined and created an army, and by uniting in his system of tactics Indian stratagems with civilized bravery, he led on his troops to victory over numerous and confederated tribes, and thereby gave peace in a single day to the United States.

He died of an acute disease, at Presqueville, in the service of his country, on the 15th of December, 1796.

Reader! whoever thou art, remember that the man whose name is hereby revived in the public mind, was thy friend. He endured hunger, cold, pain, watchfulness and fatigue, and he fought and bled, that thou mightest enjoy Liberty and Independence.—He died in a hut in the wilderness, remote from his friends, that his countrymen might enjoy in safety, beneath domestic shades, and in cultivated society, the peaceable fruits of their labours. Traveller! whoever thou art, that shall visit the shores of the lake, on which his body is interred, stop, and drop a tear in behalf of his country, over his grave. Plant near it a willow, which shall convey to it the dew of Heaven, and cut upon its bark, in letters that shall grow with time, the name of WAYNE, with the precious epithets, of PATRIOT, HERO and FRIEND.

CONTINUATION OF Late Foreign Intelligence.

By the arrival at New-London.

ABSTRACT,

From a Liverpool paper of November 15.

BY letters from R. Crauford, to the British minister, as late as the 27th of Oct. he says, after several defeats, Moreau was obliged to recross the Rhine on the night of the 26th of Oct. to Huningen. The last of his rear guard was this morning (the 27th) on the heights of Weillar, on which Moreau had constructed a large and solid work; but after a little skirmishing with the Hussars, they evacuated the heights and redoubt, before any infantry could come up, and nothing now remains on this side of the Rhine, but a few troops in a small Tete de Pont, behind which is a kind of horowork, lately constructed on the island, called Shuterinsel. The French are stated to have met with great losses in cannon, prisoners, &c. both by Mr. Crauford's letters, and the dispatches to the emperor's minister in London, which detail the particulars. It is further stated, by this minister's dispatches, that the defeat of the French by Wurmsfer, Oct. 7, was most complete. The Vienna Gazette of the 19th, merely states, that Wurmsfer, after two fruitless attacks on Gornobold, (near Mantua,) at last carried that place by assault, and put a whole French garrison to the sword. We are also to observe, that the official reports of the French generals and commissaries of the 15th and 17th of Oct. from the last Paris papers, make no mention of these affairs.

The news from the Lower Rhine is not important—it principally consists of alarms occasioned by the Austrian detachments now on the left banks of the Rhine. They make extensive incursions, and cause great alarm to the garrisons of Coblenz, Landau, &c.

The Imperial armies in Italy as well as upon the Rhine, receive daily reinforcements; and unless peace is concluded, the Imperialists will follow up their successes by a winter's campaign in France.

SWITZERLAND, Oct. 20.

A report prevailed that the army of Moreau was approaching our frontiers in its retreat from Swabia. Some cantons proposed to convoke an assembly of the states; but the canton of Basle declared with firmness, that troops ought to be assembled in the first instance. In fact, 15000 men marched to the frontiers, and this example was followed by the other Cantons.

LONDON, Nov. 15.

A corvette of 24 guns, one of Richery's fleet, is mentioned to be taken by an English frigate. There are 3 English squadrons cruising for Richery in the channel, Mann's, Thompson's, and Curtius's.

By the papers it appears that Lord Malmesbury was still at Paris; and it is observed, under London head of 15th Nov. from the total silence for some days on the subject of Lord M's negotiations, they hope, that things are going on in a train which promises fair for a speedy adjustment.

PHILADELPHIA,

FRIDAY EVENING, JANUARY 13, 1797.

MARRIED last evening, by the Reverend Mr. Abercrombie, Doctor JAMES GALLAGHER, to Miss MARGARET DOBSON, daughter of Mr. Thomas Dobson.

DIED, at Lancaster, Pennsylvania, after labouring under many hard struggles, Mr. DEMOCRATIC SOCIETY, of that place, in the 2d year of his age—His stock in trade will be sold at public auction.

The passengers and crew of the ship Barrington, Captain Stewart, lost on the Isle of Sables on the 22d of last September, are arrived at New-York from Halifax in 14 days.

The Common Council has resolved, unanimously, that the address of the President of the United States to the People be printed with their resolves and ordinances. Also, that an address be presented to him expressive of their high sense of the services he has rendered to his country, and their deep regret at his relinquishing that high office which for eight years he has filled with so much honor to himself and advantage to his country. These resolutions have been sent to the Select Council for concurrence.

Agreeable to the plan laid before Congress of a direct tax of one million, four hundred and eighty-four thousand dollars, to be laid upon the United States, the apportionment of the several States is as follows:

To the State of	Dollars
Vermont,	28,000
New-Hampshire,	56,000
Massachusetts,	196,000
Rhode-Island,	28,000
Connecticut,	98,000
New-York,	140,000
New-Jersey,	70,000
Pennsylvania,	182,000
Delaware,	14,000
Maryland,	112,000
Virginia,	266,000
Kentucky,	28,000
North-Carolina,	140,000
Tennessee,	14,000
South Carolina,	84,000
Georgia,	28,000

Amounts to 1,843,000
From which there being deducted for abatements, erroneous assessments and charges of collection, fifteen per cent. 222,600
There will remain the estimated net proceeds of the proposed tax, being 1,620,400

CIRCULAR.

Boston, December 22, 1796.

Gentlemen, I am informed that "Winterbotham's Historical, Geographical, and Philosophical View of the United States of America," first published in England, has been reprinted in this country.

It is apparent to every intelligent reader, and in the English edition it is acknowledged, that the author "has availed himself of the labours and abilities" of others; and that "he has often no other merit than what arises from selection and a few connecting sentences."

Part of my literary property has been in this manner invaded; and I am advised that the laws of the United States will give me a sufficient remedy against any person who shall reprint, import, publish, sell, or expose to sale, any part of the above work, which may comprehend any considerable portion of my publications.

As it is probable that some copies of the above work may be transmitted to you for sale, I have thought it friendly and proper to apprise you of my intention to apply the provisions of the law upon this subject to my relief, if it should become necessary.

I am, Gentlemen,

Your humble servant,
JEREMY BELKNAP.

To the Booksellers of the United States of North-America.

Yesterday the Senate of this Commonwealth waited on the President of the United States and presented to him the following address:

To GEORGE WASHINGTON,
PRESIDENT of the UNITED STATES.

SIR,

YOUR late address to the people of the United States, whilst it awakens every sentiment of gratitude, deeply affects our feelings with regret.

The friendly counsel you have offered to your fellow citizens, to induce them to adhere steadfastly to their present union; to repress the spirit of party; to cherish religion, knowledge, and public credit; and to maintain a dispassionate and impartial, though amicable disposition towards foreign nations, meets with our warmest approbation. In your forcible exposition of the dangers which will result to their freedom, safety and prosperity, from a dereliction of these salutary maxims, we recognize that just discernment of the real interests of our country, and that firm adherence to the principles of true patriotism, which have always distinguished your public conduct. Your fellow-citizens, sensible that with your measures their dearest interests were intimately connected, have regarded them with anxious attention; they have beheld you, under the auspices of divine providence, leading your armies to victory, and guiding their councils to prosperity and peace; nor has the closest examination of your conduct produced any other effect, than to strengthen their reliance on your wisdom and virtue.

The various testimonials of attachment, which you have received from the people of the United States, must have fully convinced you, that those affectionate sensations towards them, which are so feelingly expressed in your address, are reciprocated by correspondent sentiments on their part. The signal instance of steady approbation, with which they have supported your administration, and the success which has attended it, have exhibited to the world a striking proof, that the most effectual method of securing the confidence, and accomplishing the welfare of an enlightened nation, is, to pursue, with undeviating firmness, a policy founded on the purest integrity.

The satisfaction we have derived from your salutary communications, is greatly alloyed by the information which has accompanied them, that we are so soon to be deprived of those faithful services from which such important benefits have resulted to this commonwealth with the other States. We are, at the same time, compelled to assent to the justice of your claim to that repose in the evening of your days, which has been so long sacrificed to the voice and interests of your country.

You will carry with you into retirement, the solid enjoyment arising from the applause of your grateful country, and the consciousness of a life devoted to virtue and public utility. In addition to these sources of happiness, may you long enjoy the blessings of health; may you largely partake of that national felicity, to the establishment of which you have so eminently contributed; and may your successors in office, be influenced by your example, in their efforts to promote the peace, safety, and dignity of the United States.

Signed by Order,
ROBERT HARE,
Speaker of the Senate of the Commonwealth of Pennsylvania.

To which the President returned the following answer.
Gentlemen, I RECEIVE with great pleasure the expressions of your approbation of my public services. The general marks of satisfaction, and the various testimonials of select and discerning bodies of men among my fellow citizens, respecting my public conduct, while they have stimulated my exertions to be useful to my country, the sole object of all my aims and wishes, have also enforced the justness of your remark, "that the most effectual method of securing the confidence, and accomplishing the welfare of an enlightened nation, is, to pursue with undeviating firmness, a policy founded in pure integrity." And I shall be pained when I add, that conscious integrity has been my unceasing support, and while it gave me confidence in the measures I pursued, the belief of it, by acquiring to me the confidence of my fellow citizens, ensured the success which they have had. This consciousness will accompany me in my retirement: Without it, public applause could be viewed only as proofs of public error, and felt as the upbraiding of personal demerit. In this retirement, to behold the national felicity will be largely to partake in it; and if with this felicity I enjoy health, which you kindly wish me, my hopes in this world will be consumed.

(Signed) G. WASHINGTON.
For the Gazette of the United States.
MR. FENNO.

It is proposed to submit a few observations on the question "Whether a citizen has a right to divest himself of his allegiance, without the consent of the society of which he is a member,"—as applicable to the case of captain Barney, who is said to be acting under a commission to capture the property of citizens of the United States. To acquit captain Barney, or any other American citizen, in his situation, it will be necessary to prove, either that the right to expatriate, is a natural right, which man cannot be deprived of, on entering into society; or if not a natural right, one stipulated for in the social compact, into which he entered, or permitted by some act of his associates.

Is it a natural right? We shall not apply to books for a solution of this problem. There is higher authority nearer at hand. We conceive that Americans, who have had a free intercourse with the savage tribes, and a pretty correct knowledge of the principles which govern them, are better able to determine, what are man's rights in a state of nature, than either Hobbes or Puffendorf. What do we learn from their experience? That the members of Indian tribes are attached each to his particular tribe—and that no instances are known of a savage leaving his associates, and connecting himself voluntarily with a different tribe to fight against his original tribe or nation? This fact, therefore, may be considered as a conclusive, though negative proof; that it does not belong to man, as an inherent right, to divest himself of his allegiance, or desert his tribe and turn his arms against those with whom he was an original associate.

Is it then under the constitution or laws of the United States, that her citizens acquire the right to abandon and plunder their associates? No—Neither the constitution nor laws favor or foster any such principle. On the contrary, the associates to the constitution, bind themselves "to a more perfect union," which cannot mean a right to desert each other, and thus dissolve the union—"to establish justice," which cannot mean a right to turn pirates—"to insure domestic tranquillity," which cannot mean a right to disturb it—"to provide for the common defence," which cannot mean a right to weaken it—"to promote the general welfare," which cannot mean a right to destroy it—"and to secure the blessings of liberty to themselves and their posterity," which cannot mean, to secure them to the people of France and their posterity.

Such are the objects and purposes, as expressed in their constitution, for which the citizens of the United States have associated. They have solemnly bound themselves to abide by this expression of their will, and they have not yet altered these particulars by any subsequent instrument. As to the laws, these emanate from the constitution, and must be subservient to it—they cannot contravene its objects, or authorize what is calculated to destroy the compact itself. For, if captain Barney may lawfully make a prize of the property of the citizens of the United States, under colour of a French commission, and an oath of allegiance to the republic of France, every other American citizen may act in the same manner towards their associates, which amounts to a breaking up of the society.

But does not this interpretation of the compact trench upon man's natural liberty and independence? Man does not derive from nature a right to violate engagements, into which he has freely entered; nor a right to prey upon his associates, whose welfare he is pledged to promote; nor has nature given to man faculties and powers, that can render him independent of others, or enable him to live without society.

If man may at all sever himself from those with whom he is an original associate, and enter into obligations with a foreign nation; the new obligations can be no farther binding on him, than as permitted by his associates, or as they do not clash with anterior and primary obligations. On this ground a government may naturalize the subjects or citizens of other governments—but cannot exact from them services, repugnant to their original obligations, unless they have been released from these, by some act of their associates.

These opinions are not new—they are but a transcript of the general sense of mankind touching this question, in all ages of the world. I shall only add to these short remarks, an extract of an ordinance of France on the same subject—with a commentary thereon by Valin.

ORDINANCE.

Article III. "We prohibit all our subjects, from taking commissions, from any foreign king, prince or state, to equip vessels of war and cruise under their flag, unless by our permission, under pain of being treated as pirates."

COMMENTARY.

"To these general and indefinite propositions, there is no exception. They extend to commissions taken from powers friendly or allied, neutral or suspected. They relate also as well to a time of peace as war.

"The reason for so general a prohibition is, because it amounts to a species of desertion, combined with an engagement to serve a foreign sovereign. That of imploring his protection to cruise under his flag, in preference to the protection and flag of their own sovereign.

"The alliance of the sovereign with the prince from whom the commission may be taken, cannot serve as an excuse, because though an ally, he is not less a foreign power. Besides, if the commission of the foreign prince, is to act against the power with whom he intends to remain neutral, it would be giving him just grounds of complaint—which might finally be the cause of a rupture.

"It is therefore evident, that such commissions cannot be taken without the permission of the sovereign; and that a contravention merits the punishment due to pirates—as decided the 4th article of the declaration of the 1st February 1650—the arrest of council of the 26th August of the same year—and that of the 31st October 1662.

"This same declaration, besides the words all our subjects, adds domiciliated or not domiciliated in our kingdom, or the countries under our dominion, which addition is to be understood of the above article—because Frenchmen having settled in a foreign country, are not less Frenchmen and subjects—at least they remain so far subjects that if they take up arms against the king or act against the French vessels—they deserve death as rebels to their king and traitors to their country."

LOCCENIUS.

By this day's Mail.

BOSTON, January 6.

By an arrival at Marblehead, which left Rotterdam November 14, it is said, news is received, that the French have rejected the terms of peace, which the British plenipotentiary, lord Malmesbury, was authorized to offer.

The schooner Phenix, arrived at Marblehead from Holland, brought French and Dutch papers of a late date.

By the arrival at New-London, letters have been received as late as November 30.

Tuesday, Jan. 3.

Arrived ship Financier, Parsons, Oporto, 54 days. Left there, brig Rebecca, Bruce, of New-York, likely to be condemned, as unfit for sea. Dec. 12, lat. 36, 42, long. 61, 40, spoke sloop—, Gardner, 30 days from Martinique for Newbury. Dec. 6, lat. 40, 56, long. 58, spoke brig Mary, Ward, 6 days from New-York for Amsterdam.

The brig Eliza, was spoke with Dec. 12, lat. 41, bound to Philadelphia, had sprung her fore-mast.

On the 26th ultimo, the following vessels sailed from the port of Bath in the District of Maine. It is a good proof of the astonishingly increased importance of the eastern part of this State.

Ships Nancy, Lord, for Liverpool; Oüris, Holbrook, for Trinidad; Mercury, Farnam for Demerara Schs. Polly, Martin, for Demerara; Hannibal, Fatterton, for do. and Guardian, Redman, for do.

NEW-YORK, January 12.

Captain Terry, of the brig Commerce, from Jacquemel, informs, that previous to his sailing, it was reported there, that the schooner Romp, Oliver Peck, master, belonging to Isaac Riley, was captured off the harbour of Jacquemel, by a British frigate, and supposed to have been sent to Jamaica; and that the captain, and Mr. Paul Richard Randall, supercargo on board, were put in irons, and sent to Mole St. Nicholas.

War between England and Spain, was declared at New-Orleans, on the 17th December.

Schooner Active, Wilcox, from New-Orleans, sailed 18th December; left there,

Ship Two Friends, Billings, to sail for the Havana in 7 days.

Brig Little George, Holden, to sail for New-York in 10 or 15 days.

Pantheon,
AND RICKETS'S AMPHITHEATRE.
Corner of Chestnut and Sixth-streets
FOR EQUESTRIAN AND STAGE PERFORMANCES.

To-Morrow Evening, Saturday January 14,

Will be presented a variety of Entertainments, as will be expressed in the bills of the day.

The whole to conclude with, for the first time, a new comic Pantomime (under the direction of Mr. JONES,) called

The Magic Feat.

For Sale,
Two Convenient BRICK HOUSES,

Three stories high, 26 feet front, and 45 feet deep each, and adjoining; situated on the east side of Front, between Race and Vine-streets; Nos. 161 and 163.

They will be sold on very reasonable terms, either separately or together. Apply to

JOHN MILLER, jun. & CO,
January 13
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