

Vattel says positively that "effects belonging to an enemy found on board a neutral ship, are seizable by the rights of war." Agreeably to this long established rule of the law of nations, France herself, in her marine laws, has directed that the merchandises and effects belonging to her enemies which shall be found on board neutral vessels shall be good prize. By a former law, indeed, the neutral vessels themselves, as well as the effects of her enemies on board, were declared to be good prize. Valin remarks, however, that this regulation was peculiar to France and Spain; and that elsewhere the goods of the enemy were alone subjected to confiscation. And in the treaty of France with the city of Hamburg in 1769, it was stipulated that "all effects, provisions and merchandise whatsoever belonging to her enemies, and found on board the vessels of Hamburg should be confiscated."

Mr. ADET remarks, that one of his predecessors, in July 1793, applied on this subject to the government of the United States, but was unsuccessful. He must refer to Mr. Genet's letter to Mr. Jefferson, dated July 9, 1793. [The subject was referred in terms still more extraordinary in his letter of July 25th, 1793.] to which Mr. Jefferson answered on the 24th, declaring "his belief that it cannot be doubted, but that by the general law of nations, the goods of a friend found in the vessel of an enemy are lawful prize. It is true that sundry nations, desirous of avoiding the inconveniences of having their vessels stopped at sea, ransacked, carried into port and detained, under pretence of having enemy goods on board, have, in many instances, introduced, by their special treaties, another principle between them, that enemy bottoms shall make enemy goods, and friendly bottoms friendly goods;—but this is altogether the effect of particular treaty, controlling, in special cases, the general principle of the law of nations, and therefore taking effect between such nations only as have so agreed to control it." And it is plain, that it was to avoid the inconveniences resulting from this general rule of the law of nations, that France and the United States stipulated, in the 23d article of their commercial treaty, "That free ships should give freedom to goods; and that every thing should be deemed free which should 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 plain that this stipulation was intended to operate (indeed it was its sole object, and otherwise could have no operation at all) when one of the parties should be at war with a nation, or nations, with whom the other should be at peace. France, therefore, has now no right to complain if the goods of her enemies find protection on board American ships, or to pretend, that in order "to restore the balance of neutrality to its equilibrium," she may seize on such goods: the just equilibrium between her and the United States will be restored when we are at war and the at peace; at which time the goods of our enemies will find protection on board the vessels of her citizens.

2d. It is alleged that we have abandoned the modern public law on contraband, and by our treaty with Great-Britain granted to that power exclusively the free carriage of articles for the equipment and armament of vessels. Here, as in the former case, the question recurs, what is the law of nations on the point in dispute? Vattel defines contraband goods to be "commodities particularly used in war—such as arms, military and naval stores, timber, horses, and even provisions in certain junctures, when there are hopes of reducing the enemy by famine." In the treaty between France and Denmark, concluded on the 23d of August, 1742—"Tar was declared contraband, together with resin, sails, hemp, cordage, masts, and timber for ship building." Thus, on this account (says Valin) "there would have been no cause for complaining of the conduct of the English, if they had not infringed particular treaties; for of right these things are now contraband, and have been so since the beginning of this century, which, however, was not the case formerly." "The modern public law on contraband," mentioned by Mr. ADET and his predecessors, probably refers to the principles declared by the armed neutrality during the American War. This transaction is too remarkable to be passed unnoticed.

During that war, Great-Britain, and the other belligerent powers, exercising the rights assured to them by the law of nations, made prize of enemies property on board neutral vessels, and of contraband goods belonging to neutrals. Eager as neutral nations must be to seize the opportunity which war presents, of becoming the carriers for the belligerent nations, where ships and mariners are wanted for military operations, it was perfectly natural that the former should desire to establish as a rule, that free ships should make free goods; or in other words, that neutral bottoms should protect the goods on board, to whomsoever these belonged; and it was equally natural for them to desire to diminish the list of contraband. In respect to the latter, it must have been particularly interesting to the three northern maritime powers, from whose dominions chiefly the other maritime nations of Europe received supplies of timber and naval stores, to strike these from the list of contraband, or by some means to exempt them from capture.

[To be Continued.]

House of Representatives of the United States.

Friday, January 20. After some private petitions had been read, the House took up the Resolution passed in the committee of the whole yesterday, on the subject of further revenue, when, after some observations on the propriety of dividing the resolution, it was agreed to be divided, and the yeas and nays having been called for on the first part, viz. "for laying direct tax on the land with its improvements, including town lots," they were as follows:

YEAS.

Messrs. Baldwin, Blount, Brent, Buck, Cabell, Coit, Cates, Cooper, Craik, Dent, Ege, Findley, Gallatin, Gilman, Glenn, Goodrich, Greenup, Groves, Hamont, Harrison, Hartley, Hathorn, Havens, Hindman, Kin-

tera, Livingston, Maclain, Millidge, Moore, Mublenberg, Murray, New, Nicholas, Orr, Page, Patten, Preston, Rutherford, Sewall, Sitgreaves, Isaac Smith, Wm. Smith, R. Sprigg, Swanwick, Van Allen, Van Cortlandt, Venable, Williams.—48.

NAYS.

Messrs. Ames, Bailey, Bradbury, Bryan, Burgess, Christie, Dana, Dawson, Dearborn, A. Fellers, D. Foster, Franklin, Freeman, Gillespie, Griswold, Harper, Henderson, Holland, A. Jackson, G. Jackson, Locke, S. Lyman, W. Lyman, Maclay, Macon, Malbone, Potter, Read, Sherburne, J. Smith, N. Smith, Strudwick, Swift, Thatcher, Thomas, Thompson, Varnum, Wadsworth, Winn.—39.

After a considerable debate on the latter part of the resolution, viz. "for laying a direct tax on slaves with certain exceptions," the question was taken, by yeas and nays, as follows:

Yeas—Messrs. Ames, Baldwin, Blount, Bradbury, Brent, Buck, Cabell, Christie, Claiborne, Coles, Cooper, Craik, Dawson, Dent, Ege, Findley, A. Foster, Franklin, Gallatin, Gillespie, Gilman, Glenn, Greenup, Gregg, Groves, Hampton, Hancock, Harper, Harrison, Hartley, Hathorn, Havens, Hindman, Holland, A. Jackson, Kirtland, Leck, S. Lyman, Maclay, Macon, Madison, Millidge, Moore, Mublenberg, Murray, New, Nicholas, Orr, Page, Parker, Patten, Preston, Rutherford, Sewall, Sitgreaves, Isaac Smith, Wm. Smith, S. Smith, W. Smith, Sprigg, Strudwick, Swanwick, Van Allen, Van Cortlandt, Venable, Wadsworth, Williams, Winn.—68.

Nays—Messrs. Bryan, Burgess, Coit, Dana, Dearborn, D. Foster, Freeman, Goodrich, Griswold, Henderson, G. Jackson, W. Lyman, Malboe, Potter, Read, Sherburne, Jeremiah Smith, N. Smith, Swift, Thatcher, Thomas, Thompson, Varnum.—23.

The main question was then put on the resolution together, and the yeas and nays, thereupon, when it was carried 49 to 39, the same members voting in the affirmative and negative as upon the first question, except that Messrs. Baldwin, Cooper and Livingston, who voted in the affirmative on the first question, were absent when this was taken, and Messrs. Claiborne, Gregg, Parker, and S. Smith, were present and voted in the yeas on this question. In the yeas, Mr. Strudwick who voted on the first question was absent on this, and Mr. Hampton was present in this and absent on the first call.

The resolution was then referred to the committee of ways and means to bring in a bill accordingly.

The House went into a committee of the whole on the bill for carrying into effect the laws of the United States in the state of Tennessee, and after some debate, the committee rose and had leave to sit again.

Adjourned to Monday.

By this day's Mail.

CHARLESTON, December 30.

Ship	Days
Ship George, Rice	Philadelphia 7
Dauphin, Barklay	Cape-Nichols-Mole 29
Brig Clinton, Norris	Surinam 33
Schooner Amity, Hammond	Man-hiss 28
Sloop Joana, Briggs	Norfolk 6
Capt. Rice law the South-Carolina at anchor in the river on the 21st, where he had lain from the 15th. The extremity of the weather was so great, as to leave no doubt in Capt. Rice's mind of the river being closed.	
Mole-St. Nicholas, 27th November, 1796. List of American vessels now in this port, and wishing for a convey to Port-au-Prince, viz.	
Snow Harmony, Marshall, from Charleston	do.
Schooner Venus, Hazard,	do.
Brig Hannah, Hatten,	Norfolk
Schooner Eliza, Moffat,	do.
Brig Gruger, Tinker,	Philadelphia
Polly, Rolth,	do.
Emilia, Hulings,	do.
Ship Helena, Skinner,	New-York
Schooner John, Lambeth,	Norfolk

NORFOLK, January 12.

The schooner Sisters of Baltimore, arrived here on Monday evening last, in 19 days from Cape-Francois, we are informed, that the commissioners from the French republic at the Cape have declared, all the southern parts of St. Domingo in a state of revolt, and that the respective ports are considered in a state of blockade. All vessels and cargoes bound to or coming from that part of the island are considered liable to capture and condemnation.

BALTIMORE, January 19.

Yesterday arrived captain Webb, of the schooner Polina, after a passage of 28 days from Boston, via Norfolk and Annapolis; he informs that the Prevoyante was (on Monday last) lying in Hampton Roads, and that commodore Barney's frigates were at Norfolk; one of which was heaving down.

NEW-YORK, January 20.

The canva of the votes of this state is now finished, and the following gentlemen are elected to represent this state in the Congress of the United States, for two years from the 4th of March next.

* James Cochran,	David Brooks,
Henry Glenn,	* Lucas Elmendorph
John Williams,	P. Van Cortlandt,
John E. Van Allen,	Jona. Haven,
* Hezekiah L. Holmer,	Edward Livingston.

Those marked thus \* are new members.

ARRIVALS.

Days	
Brig Gen. Warren, Rice	Gottenberg 97
Schooner Liberty, Buckley	Hipaniola 15
Anny, Woodman	Cape-Francois 27
Sloop Polly, Boardman	do. 21

From the log-book of the schooner Hawk, Capt. Hunt from Barbadoes.

On Friday, 23d December, at 4, P. M. the island of Defeada bearing E. S. E. saw a small sail to windward, in company with a large brig, who immediately bore down upon me, and after running about an hour, finding it impossible to escape him, I have two—Upon her coming along side, I was hailed, and in broken English, desired to hoist out my boat and come on board, with my papers—Upon my arrival on board the privateer, they detained me, and sent me to the schooner, with six men, armed with pistols and cutlasses, to examine her. In the intermediate time, the captain overhauled my papers, examined and returned them, without saying any thing to me. I asked him what that brig was to windward—he informed me she was a brig from Portland, laden with provisions, bound to Martinique, which he

had taken and sent for Guadalupe. I asked the name of the vessel and captain, but he would inform me of neither—he would give me no intelligence relative to the situation of Guadalupe; but said they had five American vessels at Point-a-Petre under condemnation. Upon the return of the boat, I found they had brought with them a French gentleman, who had been taken at St. Lucia, was then upon his parole, and had taken his passage with me to Philadelphia for the recovery of his health: they detained him on board, but desired me to depart with the rest, and make the best of my way. Upon my return on board, I found they had examined the trunks of two passengers, and overhauled every thing, but taken nothing—only threatening to carry them into Guadalupe as Englishmen, and put them in jail.

Late Foreign Intelligence.

From the London Gazette Extraordinary.

[Continued from our last.]

Admiralty Office, November 3, 1796. Dispatches, of which the following are copies, (bro't by Captain John Aylmer, of his Majesty's ship Tremendous) were this day received from the honorable Vice Admiral, Sir George Keith Iphigstone, K. B. Monarch, Saldanha Bay, August 19, 1796.

SIR, I have the honor to inclose a list of a Dutch Squadron under the command of Rear Admiral Engelbertus Lucas, sent hither for the reduction of this colony, but which were compelled to surrender by capitulation, on the 17th instant, to the detachment of his Majesty's ships under my command, named in the margin\*, on the terms also inclosed. For further particulars I beg leave to refer you to the accompanying detail of the proceedings of the Squadron from the 4th to the 8th inst. and I hope the Lords Commissioners of the Admiralty will approve the measures I have taken, so essential to the British commercial interest in the East.

The ships are all copped and in good condition, except the Callor, whose rudder is defective.

In justice to the officers and men I have the honor to command, it is my duty to observe, that, in consequence of the most violent tempestuous weather I ever beheld, and the very unpleasant situation in which the Squadron was at times placed, they cheerfully, and much to their credit, underwent a degree of fatigue hardly credible.

Captain Aylmer will have the honor of presenting these dispatches. I beg leave to mention him to their Lordships, as a respectable Gentleman and an active officer.

I have the honor to be, with great respect,  
Sir,  
Your most obedient humble servant,  
G. K. ELPHINSTON.

Evan Nepean, Esq.  
Monarch, Saldanha Bay, August 19, 1796.

SIR, I have the honor to inform you, that intelligence was received at Cape Town, on the 3d inst. of a number of ships having been seen in the offing at Saldanha Bay, which was confirmed on the 5th. In consequence of this every preparation was made for putting to sea immediately, with the Squadron under my command; but from the Monarch's main mast being out, and the tempestuous weather, I was not able to quit the anchorage in Simon's Bay until the 6th, when we proceeded to sea.

On getting under way an officer from the shore, came on board to inform me that a number of sails had been seen the preceding night in the offing, near False-bay: I then resolved to steer to the southward and west, in expectation of their having taken that course.

The Squadron continued cruising in the most tempestuous weather I have ever experienced, which damaged many of the ships, and at one time the Ruby had five feet water in her hold. We were joined at sea by his Majesty's ship Stately, Rattlesnake and Echo sloops. On the 12th I returned, with a fresh breeze blowing from the south east, and, upon anchoring in Simon's Bay, the master attendant came off with information that the ships seen, consisting of nine sail, had put into Saldanha Bay on the 6th, the same day on which I had proceeded to sea; that they remained there by the last advice, and that four ships had been dispatched in quest of me to communicate this welcome intelligence.

I immediately made the signal to sail, but the Crescent had got ashore; the wind blew strong and increased on the following day to a perfect tempest, in which the Tremendous parted two cables, drove, and was in great danger of being lost, so that, notwithstanding every exertion, and the most anxious moments of my life, we could not get out until the 15th.

On the 16th the Squadron arrived off Saldanha Bay at sun-set, and the Crescent, which had been ordered a-head, to discover information and to report, made the signal for the enemy, consisting of three ships of the line, three frigates, and other ships, being moored in the bay.

The Squadron stood on into the Bay in the order of sailing, but the night coming on, and the rear being too far extended for action, I judged it expedient to come to an anchor within shot of the enemy's ships, and perceiving their numbers very inconsiderable in comparison to the forces under my command, I considered it my duty, and an incumbent act of humanity, to address the Dutch officer in command, and consequently forwarded the letter to him, of which the enclosure, No. 3; is a copy, by lieutenant Coffin, of the Monarch, with a flag of truce; to this I received a verbal return, that a positive reply should be sent in the morning at day-break. I was fearful the enemy might attempt to injure the ships, and therefore ordered lieutenant Coffin to return immediately with my letter No. 4. to which he brought back the reply No. 5.

On the 17th, at nine in the morning, a Dutch officer came on board with a flag, and presented proposals of terms for capitulation, which you will observe in the correspondence, with my remarks and definitive letter; and at five P. M. the terms contained in the inclosed copy were ultimately agreed upon, but it was impossible to take possession of the ships until the 18th, on account of the stormy weather.

It affords me the highest satisfaction, therefore, to communicate to your lords commissioners of the admiralty, that a Squadron of ships belonging to the United States, under the command of his excellency rear admiral Engelbertus Lucas, has surrendered to the British force under my command, consisting of three ships of the line, two fine fri-

gates, two of 28 guns, and a sloop of 18 guns, all completely copped, stored and victualled, together with a large laden store ship, the names of which are described in the inclosure No. 6, and the British ships, to whom they are prizes, in the inclosure No. 7.

The consequent joy of this fortunate event is much augmented from the consulatory reflection on it's accomplishment without effusion of human blood, or injury to either of the enemy's or British ships, not a single shot having been fired.

I must, however, beg leave to observe, that any resistance on the part of the enemy could only have occasioned the wanton sacrifice of a few lives; and I doubt not, that had their numbers been adequate to contention, their conduct would have confirmed the acknowledged merit at all times recorded to the martial spirit of subjects of the United States; and I can with similar confidence assure you, that the officers and men under my command would have exhibited a conduct equally creditable to themselves.

The repeated advices communicated in your letters, respecting the enemy's forces declined to this quarter, agreed so correctly with the intelligence I obtained by other means, that I have long been expecting this arrival, and was thereby enabled to be perfectly prepared to receive them, and constantly to keep a vigilant look out.

I have the honor to be, with great esteem,  
Sir,  
Your most obedient humble servant,  
G. K. ELPHINSTON.

Evan Nepean, Esq.  
[To be continued.]

Mr. Fenno,

PLEASE to infer for the consideration of the Stockholders, the following names in your paper, as suitable characters for Directors of the Bank of Pennsylvania—And oblige a STOCKHOLDER.

- |                   |                 |
|-------------------|-----------------|
| Samuel Howell,    | George Pennock, |
| Robert Ralston,   | Mathew Lawler,  |
| Joseph P. Norris, | Andrew Bayard,  |
| Godfrey Haga,     | Joseph Ball,    |
| George Plumstead, | Henry Pratt,    |
| William Saxon,    | Thomas Norton,  |
| Thomas L. Moore,  | John Craig,     |
| Wm. Montgomery,   | Robert Wharton, |
| Philip Nicklin,   | Jacob Downing,  |
| John C. Stocker,  |                 |

NOTICE.

Persons having Goods on board the Ship Perseverance, James Williams, master, bound from Hamburg to this Port, and lately put into New-York, where the Vessel is discharging, will please apply to THOMAS and JOHN KETLAND. Philadelphia, Jan. 21, 1797.

Hibernian Society.

Such of the Members of this society as are entitled to Diplomas, are requested to apply for them to Mr. Hugh Hulmer, Vice President; Mr. David M. Cormick, Treasurer; Mr. Robert H. Drinker, Counsellor; Mr. Joseph Brown; Mr. Edward Fox; Or to MATHEW CAREY, Sec. Philad. Jan. 21, 1797.

Lost or Mislaid,

At the Bank of the United States, Joseph Higbee's Note, dated 29th December last, for twelve hundred dollars, payable at 60 days to Nathaniel Lewis & Son. Whoever may find the same will please return it to said Bank, or to the subscribers, who will allow a reward. Payment being barred, it cannot be of use to any other person. NATHANIEL LEWIS & SON. January 5. J. 21, 31

Canal Lottery, No. II.

Scheme of a Lottery, authorized by an act entitled "An act to enable the President and Managers of the Schuylkill and Susquehanna navigation, to raise, by way of Lottery, the sum of Four Hundred Thousand Dollars, for the purpose of completing the works, in their acts of incorporation mentioned."

	Dollars
1 Prize of twenty thousand dollars,	20,000
1 of ten thousand dollars,	10,000
5 of four thousand dollars each, to be paid to the possessors of the five numbers first out of the wheel on the last day's drawing, at which time there shall not be less than 500 numbers undrawn,	20,000
10 of two thousand dollars each,	20,000
20 of one thousand dollars each,	20,000
43 of five hundred dollars each,	21,500
100 of two hundred dollars each,	20,000
100 of one hundred dollars each,	10,000
220 of fifty dollars each,	11,000
29,500 of five dollars each,	147,500
30,000 Tickets at ten dollars each.	300,000

Six dollars for each ticket will only be demanded at the time of sale.

All prizes shall be paid ten days after the drawing is finished, upon the demand of the possessor of a fortunate ticket, subject to a deduction of fifteen per cent.

Such prizes as are not demanded within 12 months after the Drawing is finished, of which public notice will be given, shall be considered as relinquished for the use of the Canal and applied accordingly. At a meeting of the President and Managers of the Schuylkill and Susquehanna Canal Navigation—and the President and Managers of the Delaware and Schuylkill Canal,

Resolved, That Joseph Ball, John Steinmetz, Standish Forde, Francis Well, James M'Crea, John Miller, junr. and William Montgomery be a committee to arrange and direct the mode of disposing of the tickets; which committee shall deposit the money in Bank, to be carried to the credit of an account to be opened for the Lottery.

At a meeting of the Canal Board, held January 16, '97, Resolved, That the committee for conducting the Lottery be directed to commence the drawing on the first day of March next.

Extract from the minutes,  
Wm. M. Smith, Secretary.

- |                     |           |
|---------------------|-----------|
| Joseph Ball,        | Managers. |
| John Steinmetz,     |           |
| Standish Forde,     |           |
| Francis Well,       |           |
| James M'Crea,       |           |
| John Miller, jun.   |           |
| William Montgomery, |           |