

# The Gazette.

PHILADELPHIA,  
WEDNESDAY EVENING, JUNE 7.

John Strickney Merchant of Worcester, (Massachusetts) has invented an Arch Bridge, for which he has received a Patent from the Government of the United States.

The improvements made in this construction are in the first instance, a saving of one third the quantity of Timber commonly used in structures of this kind, but a small quantity of Iron will be required. The timber being very compact will not only add to the beauty, but greatly to the strength of the arch. The distance to which it may be carried is indeterminate, as it may with ease and safety be extended from one hundred to eight hundred feet. The length of the largest bridge required would be only thirty-two feet for an Arch of any length, and in the manner they are united, no part can ever get asunder until taken apart by the workmen, they may with ease at any time take out any one or more Ricks, and replace them without any detriment to the standing party, therefore a bridge of this kind might at very small expense be kept in repair for ages.

It is well known that Arch Bridges are extremely beneficial. At the common accidents which throw down pile bridges, such as torrents of floods, loads of ice, or floating timbers, which beat with irresistible violence against the piers, will have no power over a fabric of this kind.

No bridge is more beautiful than one of a single arch, nor any more convenient and firm than these when properly constructed, nor more agreeable to pass over when the ascent is very gradual, and no masonry timbers over head to impede the prospect.

Besides the numerous advantages of this new construction, from the ease and safety in which they can be repaired there refutes a promise of their being of great utility to the Country.

The following is the article of our treaty with Sweden, produced and read by Mr. W. Smith on Monday.

"If in any future war at sea, the contracting powers resolve to remain neutral, and as such, to observe the strictest neutrality, then it is agreed, that if the merchant ships of either party should happen to be in a part of the sea, where the ships of war of the same nation are not stationed, or if they are met on the high sea, without being able to have recourse to their own convoys, in that case the commander of the ships of war of the other party, if required, shall in good faith and sincerity give them all necessary assistance, and, in such case, the ships of war and frigates of either of the powers, shall protect and support the merchant ships of the other, provided nevertheless that the ships claiming assistance are not engaged in any illicit commerce contrary to the principles of neutrality."

Mr. W. SMITH, in the debate on Monday, denied the assertion of Mr. GILLES, that France had declared certain BRITISH PORTS in the West-Indies to be in a state of REBELLION; it was VICTOR HUGUES who had issued the declaration. Mr. SMITH did not suppose the government of France could hazard such a ridiculous doctrine.

The following is a correct Copy of the Resolutions of Mr. W. SMITH, depending in the House of Representatives:

1. Resolved—That further provision ought to be made by law, for fortifying the ports and harbours of the United States.

2. Resolved—That further provision be made by law, for completing and manning the frigates United States, Constitution and Constellation.

3. Resolved—That provision be made by law, for procuring by purchase, a further naval force, to consist of frigates, of guns, and sloops of war, of guns.

4. Resolved—That provision be made by law, for empowering the President to employ the naval force of the United States, as convoys, to protect the trade thereof.

5. Resolved—That provision be made by law, for regulating the arming of the merchant vessels, of the United States.

6. Resolved—That the existing Military establishment ought to be augmented by an addition of one regiment or corps of artillery and engineers, and companies of dragoons.

7. Resolved—That provision be made by law, for empowering the President to raise a provisional army, to consist of regiments of infantry, one regiment of artillery, and one regiment of dragoons, by commissioning the officers, and by volunteers or enlistments, whenever the circumstances of the country shall, in his opinion, render the said army necessary for the protection and defence of the United States: Provided, that neither the officers or soldiers shall receive any pay or emoluments until called into actual service.

8. Resolved—That provision be made by law, to authorize the President to borrow, on the credit of the United States, a sum not exceeding dollars, to defray the expense which may arise in providing for the defence and security of the United States.

9. Resolved—That provision be made by law, to raise a revenue adequate to the reimbursement, within years, of such sum as may be borrowed, as aforesaid.

10. Resolved—That provision be made by law, to prohibit, for a limited time, the exportation of arms, ammunition, and military and naval stores.

Those Printers who have published the Resolves in an incorrect shape, are requested to publish the above.

FROM THE AURORA.

Philadelphia, May 31, 1797.

Fellow Citizens,  
THE charge of Judge Iredell to the jury at Richmond, and the consequent presentment of myself and others—I have lately read with every sentiment of indignation which could be inspired in the bosom of a free man: If my countrymen do not feel the same resentment it must be because they have forgotten those sentiments so favourable to the freedom of opinion which a few years ago we fought and bled for. The judiciary institutions of the United States are valuable only as they tend to preserve the public peace and individual rights, by a regular and just execution of the laws:—If no law has been violated, there can be no business for the federal judiciary, and it is as yet a feature of liberty we enjoy, that no law has made it culpable to entertain or to express our opinions either in matters of religion or politics: It has, however, been a regular practice of the federal

judges, to make political disclosures to the grand jurors throughout the United States: They have become a band of political preachers; instead of a sage body to administer the law:—They do not complain of violations of any law and point out the true course of redress, but they complain of opinions which they seem to think tend to defeat their system of politics; the next thing I suppose will be, their system of religion. They seem to be making use of their power and influence both personally and officially to control the freedom of individual opinion, and these things excite a suspicion that if they are continued, the time will come, when men of different political and religious sentiments from the judges, will not find that easy access to justice which those of different opinions may expect. Besides the impropriety of these kinds of charges to jurors as they are a departure from the immediate province of the judges—they show a political influence over the judges by the executive, which is calculated to do irretrievable harm. Judge Iredell's charge at Richmond not only countenances these remarks, but will give rise to the most serious train of reflections, that can engage the mind of any man devoted to the freedom of opinion.—The jury who acted under this charge, appear by their presentment to have considered it as an authority for enforcing the independence of private opinion. They have presented as a real evil the circular letters of several members of Congress, without name, and particularly mine by name, because they disseminate unfounded calumnies against the government, tending to separate the people from it, and increase or produce a foreign influence. If these letters contained calumnies that were illegal, if they produced, or increased a foreign influence in our country contrary to law, the authors were fit subjects for a presentment and for punishment. The omission to present the authors as culprits, and confining presentment to the opinions contained in the letters, afford the most unanswerable proof that these letters were not the evidences of any illegal act; if they were, neither the court or jury seem to have understood the proper manner of doing their duty; if they were not they have judicially annulled upon the freedom of opinion, with a view either to suppress it, or to counteract its beneficial effects. At a distance from my constituents, charged with their best interests, and bound to give them such information relative to their public concerns, as I possessed, I never before knew it was criminal to execute this duty. If I have written falsely with a view to deceive my countrymen, why did not this enlightened jury state the facts which I have misrepresented? I could then have acquitted myself by the proofs I possess; but when they attack my political opinions, which are but the result of facts, they do but oppose opinion to opinion. If they can draw better conclusions from all necessary evidence relative to the points upon which I have spoken than myself, they should have presented to you that course of reasoning by which they were satisfied, and thus by addressing themselves to your judgments have satisfied you in opposition to the opinions which I have given; but this would not have answered their purpose. They were armed with an awful power, and a naked presentment succeeding a political charge from the bench was better calculated to overawe than a manly course of argument. I need not say to my fellow-citizens, that I love my country and will support its government, upon the principles of a freeman:—I do not believe any branch of its administrators is infallible, and whenever they appear to me to encroach on the principles which are necessary to support our freedom and independence, I will continue to act the part of a watchful sentinel at the post where you have placed me: a charge that I was attempting by my letters to produce, or increase a foreign influence destructive of my country's interests, seems to be but the result of an act too often and too successfully used by those who are meditating the object they prescribe, while by alarms they are diminishing the affection of the public towards a nation they dread, they are but secretly making way for a new attachment towards a nation they love; and in proportion as they succeed in the first view, they are sure in the course of human events of obtaining their wishes in the latter view. Look at the names of the grand jury who have made this unexampled presentment although you will find some native Americans who have been attached to the independence of their country, you will readily perceive what they mean by foreign influence: I, like you, my fellow-citizens, can have no views of this sort. I have felt, and I still do feel, an attachment for the French nation: They assisted my country to establish its independence, and they aided us in securing peace: They have founded a republic on the overthrow of monarchy and tyranny; I therefore feel interested in their favour: I look with a friendly eye on their faults, but I admire their heroic and military prowess. Still if that nation or any other on earth, shall invade the independence and freedom of my country, I shall view the attempt as an independent American. It is British influence that we have most to dread. In proportion as our commerce and intercourse with England has become more necessary to them, by the events in Europe, a stronger desire has been manifested to stop our intercourse with France and engage it in favor of Great Britain. Whenever our commerce has turned in favor of France, England has oppressed it; whenever it has turned in favor of England, France has oppressed it. Our commerce has become a subject of contest between these two nations: It is injured and oppressed by both. England was appealed for a moment by Mr. Jay's treaty: As a neutral nation we are bound to place France on the same footing: But the occasion has offered a favourable opportunity to England, to irritate us with France, and France with us, with a view to establish an incurable quarrel, the consequence of which must be a complete monopoly of us and our interests by Great Britain.—In this view it is that alarms are spread about French influence; for if a quarrel can be kindled between France and America, no moral truth can be more true, than this political one, that the United States will be thrown into an alliance offensive and defensive with Great Britain. My wishes and my determinations have always been to maintain the neutrality of the United States, and regardless of the interest of other nations to keep free from connecting our national fortunes with those of any European power.—For these things and for these endeavours my opinions have been held up by a grand jury at Richmond as derogatory to the happiness and peace of my country: You my fellow citizens will view this attempt to influence opinion with the indignation it deserves, and I promise you most sincerely I shall not intimidate me from pursuing the same means of informing you which has incurred the censure of this political court and jury.

I am with every sentiment of respect,  
my Fellow Citizens,  
your faithful servant,  
SAM. J. CABELL.

The printers who are friends to freedom of opinion, and especially such as may have published the charge and presentment alluded to are requested to give the above place in their papers.

## CONGRESS.

### HOUSE OF REPRESENTATIVES.

#### Debate on Mr. KITTERA's Motion.

FRIDAY, JUNE 2.

A communication was received from the Treasurer of the United States, with his accounts up to the 31st of March last, which was ordered to be printed.

The house again entered upon the consideration of the answer to the President's speech; when the Speaker having stated the question under discussion at the time the house last adjourned, viz. the previous question upon the motion of Mr. Kittera, for inserting a clause in the address in reference to the spoliation committed upon our fellow citizens.

Mr. J. WILLIAMS expressed his concern that this motion had been brought forward at all. In order to extricate the house from the difficulty, he had proposed to insert the word "justice," which he believed would have had the desired effect. He did not think it was the business of that house to take into consideration the losses sustained by our merchants from the spoliation of the French; if they chose to run risks, they must take the consequences. But the question having been brought before the house, if it were negative our merchants would have a claim upon government for their losses. He wished, therefore, to have kept the subject out of sight, since our citizens would not like to be taxed to pay for these spoliation. It was the opinion of one part of the house, that the proposition for placing France on an equal footing with other nations would have the effect to preserve us in peace; he wished, therefore, that it should go out unclogged. He hoped the mover would withdraw his motion; he thought it would be a conciliatory step, and his proposition, he was of opinion, would answer every purpose.

Mr. SEWALL would not have troubled the house on this question, but that part of his constituents being interested in the question, he felt himself called upon to make a few remarks upon it. If this motion had not been brought forward, he himself should have thought it his duty to have introduced something of the sort, since the former amendment was carried. He did not think with the gentleman last up, that the bare admitting of the question would pledge them to pay for the spoliation. He was of opinion that merchants carrying on trade, under the sanction of the government, were entitled to protection and to be shielded from insult every where; but he did not understand that this protection went to the making good of losses, but only to protect them with the public force in their defence. The injuries committed against them might, indeed, be so great as to be a just cause of war, or of a partial war of retaliation; or for a call upon the nation committing the injury for redress. It had been denied, when the former question was under consideration, that they were dictating any terms to the executive; it was then said that they were only about to offer him their opinion; but now, when only a single article was to be added in behalf of our fellow-citizens, it is said to be an ultimatum. This was changing of ground, and brought the amendment, which he did not think very hurtful before, to give them the power of making peace or war in the country; we might force the executive and Senate into a war against their inclination. The constitution had provided otherwise; the executive was to take measures for preserving peace. This was sufficient to show the absurdity of their undertaking the business.—If, said Mr. S. gentlemen refuse to consider the question, it will be adding insult to injury upon our fellow citizens. A treaty without this stipulation would be absurd. Were the President to go on with the idea that the only suggestion in this answer was the ground upon which he was to go? If so, and he were to do any thing more, and war were to be the consequence, he would have to bear the opprobrium. Gentlemen said they had no objection to this amendment, provided it was not an ultimatum; he had no idea that it could be so considered. It was the more hazardous, since (as he before observed) he believed that no steps that they could take would secure peace. With respect to the consistency of members who voted against the former amendment, from constitutional scruples, voting in favor of this, he always held it good, that when a measure was carried contrary to their wishes, they ought to endeavor, in justice to themselves and their constituents, to prevent the thing from doing injury as much as possible; and upon this ground, he should vote for the main question, and against the previous one.

Mr. WILLIAMS (after leave was obtained to speak a second time to a previous question, which was obtained by every member who spoke twice on this question) observed that there seemed to be a difficulty in so amending the address, as to attend to the claims of their fellow citizens, without appearing to impair their desire for peace. In order to promote conciliation in the house, he should move to recommit the address and amendments to the select committee who prepared it, and if he were successful, he should move to add some new members to it. The motion was put and negatived, there being only 24 votes in favor of it.

Mr. S. SMITH said that, in the language of Mr. BARRAS, they presented a novel spectacle to the world. They had been called together by the President to do some act, but they were waiting that time which should be employed in effectual measures—how? To get clear of what he could not tell how to get clear of, without a recommitment. The object of calling congress together was to take into consideration the spoliation committed upon our commerce, and the indignities shown to our minister. They had proofs of the latter fact, but none of the former. He had mentioned this the other day, when the secretary of state was pre-

ent, expecting that he would have remedied the deficiency. He would again say, that when British spoliation was the subject of complaint, they had documents before them. At present they had none, for the representations made by Mr. Skipwith long ago, and which were in a train of settlement, could not now be the object, but something recent. He wished to know whether these were irregular depredations, or regular captures. They had been told of certain claims of our merchants. He asked what they were. It was true that a number of merchants (and he amongst them) had contracted with M. Fauchet and others to deliver flour in France, and some of them had got paid and others not. Many of their vessels had been, it was true, improperly embargoed in French ports, for which they had claimed payment, whether it would be obtained or not he knew not. He trusted they were not to go to war to obtain this payment; he was persuaded that when the treasury of France got into a better state than it was at present that our merchants would be paid; but if war was to be gone into there would be an end of payment. Americans, he said, had been in the habit of trading to what the French called *rebel ports*, in the West Indies, and when the French took our vessels going to those ports, would it be right to go to war to get redress? No neutral power was permitted to trade with this country when we were declared by Great Britain to be *rebels*. Vessels taken in going to British islands, in the West Indies, would be looked upon as regular captures, but those captured in going to rebel ports could not be expected to be compensated for. He knew the French had taken vessels bound to these regular ports; but he also knew that their numbers were small, and that, instead of *several millions*, it might be found that there had not been to the amount of *half a million*, or a *million* at most, taken in this way. And, said he, shall we go to war to recover this? he trusted not, but that the same course would be followed which had been taken with respect to British spoliation.

At that time a negotiator was sent over to Great Britain to settle the business (and a proper person he was, since it was not always well known to have a friendly disposition for the nation with whom they go to treat.) He wondered the sec. of state should have left the gentleman from South Carolina to refer them to Mr. Skipwith's documents. The man who carried on trade from this country with British ports (which was mostly the case at Philadelphia and New York) was subject to French spoliation; he who traded to French ports was in like manner subject to the spoliation of the British. Both countries plundered us. (Mr. Harper wished to have interrupted Mr. Smith; but Mr. S. would not give way, he said, to a man who had told him, the other day, he knew what he was going to say better than he did before he uttered his words. Besides, he knew it was the practice in country courts to endeavor to confuse a speaker by interruption, but he had been too long in public life to be thus affected.)

The SPEAKER said, any member had a right to call another to order. Mr. H. said he did not mean to call the gentleman to order; then, replied the Speaker, "You, Sir, are out of order."

Mr. SMITH proceeded.—He said he had lately seen papers, which he meant to lay before the secretary of state, from which he found that orders had been issued in April last by admiral Harvey and general Simcoe, for taking all American vessels bound for Hispaniola, and to carry them into Cape Nicholas Mole. He had mentioned on a former occasion, the manner in which col. Talbot had been treated by the British admiral, the gentleman from South Carolina at that time apologized for his conduct, by saying col. Talbot had behaved improperly. He now informed that gentleman, that so far from this col. Talbot was not permitted to speak to the admiral.

The indignity shown to our minister, Mr. S. said, seemed to be more dwelt upon than the spoliation. But, suppose, said he, we were to complain to the French government, might not M. De la Croix say "What injury has been done to you; your minister could not diplomatically be received, since our minister has been recalled—you have merely mistaken an article in diplomatic proceedings." Suppose this were found to be the case. The complaint would then only be, "You did not show a sufficient degree of politeness to our minister." The answer might be, "We told him he might remain amongst us subject to the same laws with other strangers." And surely, said Mr. S. we who are tenacious of our own laws, shall not refuse to respect those of other countries. He confessed he was no diplomatic man, but he supposed this might be the course such a complaint would take.

With respect to the previous question, it appeared to him when principles had been fully determined upon, and an attempt was made to set them aside, this was the best way of preventing the measure. If the gentlemen who supported the proposition would vote for the whole, when amended he would also vote for it; if not, he would vote for the previous question; because he did not like tricking.

Mr. OTIS said he was not deterred from giving his opinion on this subject, from the high responsibility which was attached to it; he hoped that the previous question would not prevail, but that the main question would be put. If they were brought to a decision on this question, it was not the fault of gentlemen on his side. It appeared to him, there could only be three reasons for wishing to postpone a decision on the main question; they were, that gentlemen were ready to abandon the spoliation altogether, or that it was inexpedient to enter into the discussion of them at present, or they were not prepared to enter upon it. With respect to the first, he could not believe any gentleman wished seriously to give up the claims. As to the second, he believed it would have

been expedient, if they had not gone cap-tain lengths; but, if they were to dictate to the President one set of terms, he wished to add something to them which would render them less exceptionable. But this was called a *war proposition*, a *travelling of the Executive*. A *war proposition*! said Mr. O. to hope for a redress of wrongs! Was it ever criminal to express a hope? Hope, the consolation of the wretched—Hope, which the malefactor at the bar may entertain without affronting his judge! If this were the case, we were at the last extremity of *Humiliation*. But it would trammel the Executive. If it were not a serious subject, said he, could any man help smiling, that those men who have advocated the *equality clause*, should complain of this. If gentlemen, added Mr. O. will knock down the Executive, on one side and the other, it would be necessary for him to have a *prop*, at some future period, to support himself, either by means of *corruption* or by force!—But, he believed, if they did not encroach upon his prerogatives, he would be able to support himself.

But gentlemen were unprepared to meet the question. Why unprepared? Because we want documents. But, added he, suppose there were no evidence, or that the fact was not true, where would be the danger of hoping redress? What member of the Executive Directory could complain of this? It would only be a vain hope, such as they were many of them in the habit of making, and which he had never heard were infallible. But would the gentleman from Maryland go back to Baltimore and say there were no documents? Were there not depredations committed, and at this hour committing upon the property of his constituents? They would not permit him to doubt on the subject; they would say to him, "look at the tears of the widows and children; our injuries here every one in the face; they are felt in the heart of every man."

Another reason for adding this clause, he did not decide that compensation and redress should go hand in hand, but he would not decide the contrary; and if they were called upon to respond one part of the speech, and not the other, they would be understood to say, they should not go hand in hand; for according to a legal maxim, the designation of one thing was the exclusion of another." He believed it would be seen by this vote, therefore, who were the friends of the merchants, and who were not. He denied that there was any *trap* intended by this question. He professed his intention to vote for both propositions.

Mr. GALLATIN said the question had assumed somewhat of a different shape since yesterday, as several gentlemen had expressed their intention of voting for both propositions. This would have induced him to vote for the amendment, for the sake of conciliation, if he had not strong objections to it; therefore, when he stated his reasons for voting against the main question, he did it that they might be answered, if they were not well founded.

The gentlemen who supported this amendment, said, "surely we can have no objection to express a hope." If no more was expressed, there could not be a single objection to it.

Gentlemen need not to have told them there was no degradation in expressing a hope. If it was nothing more it would be an unnecessary thing. But the amendment proposed, not only hoped that such a disposition would exist, but it went on to say, that that disposition would produce accommodation. It was to this he objected. He considered it in the shape of an ultimatum. It was the condition of the hope that it would produce accommodation. If that disposition was not found on the part of France, there was no hope of accommodation. This appeared to him to be the literal meaning of the amendment. He might be mistaken; he wished a different construction could be given to it. Mr. Gallatin mentioned several collateral reasons for believing that this was the construction intended to be given to it. If Mr. G. said, this proposition was meant as an ultimatum, it would doubtless strengthen the hands of the Executive. If they were prepared to say, that except the French will pay the amount of the spoliation committed upon our commerce, we will go to war, it would have an effect. Being, however, a doubtful thing, was a sufficient reason for his voting in favour of the previous question. He denied that it was the same thing to say they would not take up the business as to negative it, since to decline the consideration of it at present, would not be to abandon it.

(The remainder of this debate to-morrow.)

## LAILSON'S CIRCUS,

South Fifth-Street

The Public are respectfully informed that The Performances at the NEW CIRCUS To-Morrow Evening, June 8, Will begin by a Grand Parade of Equestrian Performers of both sexes.

A grand display of Horsemanship, By Messrs. Langley, Herman, C. Vandeweyer, Nicholas Corrie, Sully, (the Clown), and Lailson. Mr. SULLY, in the character of Clown, will perform a variety of Comic Feats.

Mr. LAILSON will perform several curious and astonishing exercises, which he will not undertake to enumerate, in order to surprise the spectator; his aim being to please—and nothing shall be neglected to render the exercises worthy the attention of the amateurs of this new art.

## The Pedestal,

By the beautiful Princess (which has never been exhibited in America) After which will be presented (for the second time) the favorite French comic opera, called

## Le Tableau Parlant;

Or, The Speaking Picture. With elegant new scenery, executed by Mr. Peronney. The evening's entertainment will conclude by a second representation of the pantomime, called

## Harlequin-Mariner;

Or, THE DISTRESSED TAR. With alterations, additions, new scenery, decorations, &c.