[VOLUME XV.

The price of this Gazette is Eight dollars per annum to Subscrihers residing in the city of Philadel phia. All others pay one dollar additional, for enclosing and directing; and unless some person in this city will become answerable for the subscription, it must be paid Six Months in advance.





INSURANCE OFFICE.

N. & J. FRAZIER.

For Jale by the Jubicriber, AT PORTSMOUTH (N.H.) THE HULL



NEW SHIP,

80 feet keel, 27 1-2 beam, 12 feet hold, 5, to between decks; about 330 tons; with masts, spars and all the carpenter's and smith's work completed; built of good sound seasoned timber and plank; saunched in November, 1796, and has been well taken care of since that time.—Further particulars may be known by applying to Messrs, Wharton & Lewis, Philadelphia, or to THOMAS THOMPSON, december 34.



The SCHOONER, THREE SISTERS

te order, having allthe fails that can be used to rantage, the greater part of them are new. In rt flemay be sent to sea at a small Expense, and hree or four days notice———For terms apply to febu Hollingsworth, & Co.

or FREIGHT or CHARTER, to any part of EUROPE,

> The Swedish Snow MARIA, HANS OLOF Kock, commander.

remarkably good veffel, about 220 tons burns. A freight to Cadiz, or any part of the diterranean would be preferred. Enquire of the orain on heard at Vine-Street Wharf





SHIP BROKER'S OFFICE,

And Commission Store,

No. 119, SOUTH FRONT STRFFT,
Next door to she Custom House.

THE Subscriber, encouraged by the advice of his friends, offers his service to the public as a Ship and Insurance Broker.—He proposes to buy and fell vessels and every thing relating thereto—ashst masters of vessels and others in entering and clearing at the Custom-House, procuring and shipping freight, settling Insurance and all other mercantile accounts, and have on hand the necessary Blanks and Stamps.

Papers in foreign languages translated, and information given in general mercantile matters.

From a knowledge gained by long experience of every branch of business he hopes to be useful to those who please to favor him with their commands.

SAMUEL EMERY.
november 10**

SAMUEL EMERY.

Madras Handkerchiefs. An elegant affortment, just received, And for Sale, by

ISAAC LOYD,

Next to No. 44, South Wharves.

To be Let, A House and three Acres of Land,

Pleafantly fituated at the Fulls of Schuylkill-enquire at the office of the United States Gazette

Wharf and Stores, For Sale.

THAT valuable Estate about 71 feet 3 inches on Water street, hounded on the north by Sassaras fireet, and extending into the river Delaware, on which are credted very extensive stores and wharf in good repair—plenty of water for the largest ships to lay at the wharf—in every r spect a capital situation for any business requiring extensive ware-houses and the convenience of the wharf, or for any person wishing to invest money in real estate, that will produce a handsome income.

Mio, fundry valuable Ground Rents, well fed in the city, and of fuch amounts as to be an effect only person desirous of investing money

For further particulars enquire of the lobfcriber, JOHN WARDER, no. 208, north Front fireet. 2nd Month, 7th. 1799. 3aw3w

Notice.

TO BE SOLD,

Or exchanged for property in or near Philadelphia,

A FARM of one hundred and forty two acras of Land on the road from New-Port to Lancaster, where I contained the rear London Grove Meeting House, Chester county, the Farm House was formerly used as a Store and Tavera, for further information apply to CHARLES WHARTON, at his house No. 136, South Second-firect.

A quantity of Ruffia Hemp

THOMAS & JOHN KETLAND,

Who have on hand,

Crates of Earthen Ware
Cannon and Carronades of various fizes

Dry white Lead

Guns and Piffels afforted in cafes

Claret of a superior quality in cases of 1 to 3 dozen each.

fust received per ship Juno, Capt. Wolters,
from Hamburgh,
Creas à la Morlaix,
Dowlas, whole pieces
Do. half de.

Ruffia Horfe Hair, curled and uncurled,

ISAAC HAZLEHURST & SON.

CHINA GOODS, Just received per the flip New-Jersey from Canton BY ARCHIBALD M'CALL,

At his Store No. 187, fouth Second street An affortment of Teas of the first

quality,
White and yellow nankeens
Caffin, filk umbrellae
an affortment of china ware,
and a variety of SILKS, confisting of
Black and colored fattires

2 pipes of excellent Madeira Wine,

Richard Bayley & Co.

RESPECTFULLY inform the public that the
Retail Business carried on by them at their
Store. No. 136, Market-street, will in future be
carried on by Mr. Wm. Bonnan, whom they beg
leave to recommend to the favor of their friends

ALL PERSONS indebted to the are duly empowered for that purpose.

Richard Bayley & Co.

WILLIAM BONNAR, R ESPECIFULLY informs his friends and the public, that the above Store will be opened by him on Monday the 4th of February next,

DRY GOODS,

NOTICE.

THE Public are cautioned not to trust any of the people belonging to the Swedish Snow Maria, on my account. Hans Olof Kock, master.

FOR SALE, To be EXCHANGED for property within thirty mi'es of the city, or to let on ground-rent forever Several valuable building Lots, In Philadelphia, Enquire of William M. Biddle, ve. 147, Chefnut-ftreet.

TO LET,
THE large House in Southwark, lately occupied
by Mr. Henry Mitchell; apply to Isaac Wharton.

FOR SALE, BY THE SUBSCRIMERS, 14 four pound Cannon, different lengths,

JOHN NIXON & CO. NOTICE.

Joseph Thomas's Creditors re hereby earnestly requested to furnish their tecounts duly attelled, as foon as convenient hereby to enable the Affignees to form an idea of the flate of his affairs;—and all those indebt-

mediate payment to either of the Subscribers.

SAMUEL W. FISHER,
WILLIAM BUCKLEY,
JOHN HALL.

JOHN HALL.

Hemp & Iron.

The CARGO of the BRIG FANNY, J. Brusen-berg, maker, from St. Petersburg, —consisting of—

89 Bales Hemp, 1634 Bars Iron
11 Bales Ravens Duck
3 Ditto Ruffia Sheeting
FOR SALE BY Pratt & Kintzing, No. 95, North Water-street.

WHO HAVE ALSO FOR SALE. aco Bales Ticklenburghs and Oznabrigs, 100 Ditto Hessians and Rolls, Creas, Brittannias, Patterbornes, Bielefield Linen, Cheeks and Stripes, Brown Holland, Bunting, Sail Twine, Turkey Yarn, Hair Riboun, Tapes, Bed Ticks, Hog's Briffles, Port Wine, Claret, Salt, Roll Brimflone, German Steel, Slates, Yellow Ochre, Window Glafs, earl Barley, &c. &c.

White Oak Logs or White Oak Pipe WANTED.

WILL BE RECEIPED, On or before the 10th day of March, To the Corporation of the City of Philadelphia, or their agent at any part within the faid City of the whole or PART of 104,000 feet, running measure, of

WHITE OAK LOGS, In lengths of ten or trucive feet, Or of the fame quantity, of LOGS,
Bored into pipe, counterbored and tapped,

23 under:

24,000 feet to measure 13 inches at the thickest end, if bored, 4 1-2 inch pipe/

16,000 feet to measure 12 mehes at the thickest end, if bored, 4 inch pipe.

64,000 feet to measure 11 inches at the thickest end, if bored, 3 inch pipe.

The Logs must be strait and free from shakes and knots; no faulty logs will on any account be received. These who deliver proposals for bored logs, are requested to mention the price at which they will deliver the logs unbored, in case it should be found proper to bore them in Philad-lphia.

Proposals in writing will be received by

B. Henry Latrobe, engineer.

the first House from Market-street.

Bricks Wanted.

PROPOSALS
WILL BE RECEIVED,
On or before the 21st day of the prefent mouth, To the Corporation of the City of Philadelphia or their agent—on any part of Chefnut-firet, George freet, Broad-firet, or Center-Square, between the Schuylkill and Center-Square, as fhall be directed, the whole, or

One Million of found, hard burned BRICKS.

No Sammel or piace Bricks will be received— One half of this quantity will be required to be delivered before the 21st of March next—the other before the 15th of May. It is defired that the proposals may mention the Yard from which the bricks are intended to be delivered, and that they be seat in writing to

B. Henry Latrobe, engineer. the first house free Market fir

Just Received,

By the ships Juno, Walters, and Four Friends, Hubber, from Hamburg, AND FOR SALE,

35 do. 8 4 do. 139 do. creasa la Morlaix 34 do. 9 8 coutils

Ruffiz fail-due
to pipes Ricarlo wine
as negfheads French brandy
to do: Also on Hand,

11 bales ticklenburgs, at 23 to 28 cents pr. ell 12 do. Wefer linnen, at 16 to 20 cents pr. yard

5 boxes hollow glass ware 5 casks Russia bridles (first quality) Erick & Lewis Bollmann, no. 100, Spruce fireet

For Sale,
Deliverable at Norfolk,
A CARGO OF Honduras Mahogany, & Logwood. For terms apply to PHILIPS, CRAMOND, & CO.

For Sale, TEN or twelve Tons, Clover & Timothy

H A Y, Of the first quality .- Apply at No. 43,

Almond-street. jan. 8.

Copper Warehouse,

Late ALEXANDER BISLAND, & Co.
No. 201, MARKET-STREET,

ROBERT KID,

HAVING purchased the Stock of the above firm Solicits the pattonage of the public and the friends; where they may depend on being served of the very best terms with the following goods:

A general affortment of Copper Bottoms and Sheets, for Copper Smiths and other purposes, Pig and Bar Lead, Block Tin and Crowley Steel, Tin in Boxes, and Brais Kettles in Nests, With a large and general affortment of Ironmongery, seb. 16.

JOHN DOBBIN,

BOOT & SHOEMAKER.

R ESPECTFULLY informs his Friends and the Public in general that he carries on his business at No 99 South Second-street, nearly opposite the Merchants Coffee house whore gentlemen may be supplied in the neatest and best manner—he assures those who may please to fax vor him with their commands that no attention or exertion on his side shall be wanting to render him worthy of their encourage ment. N. B. Orders received will be punchually at-

november 5

NOTICE. A LL persons indebted to the Estate of Will-A LL persons indebted to the city of Charleston, and formerly of the city, mariner, deceased, are requested to make payment, and those who have demands, against said Estate, will please exhibit them to ROBERT HEYSHAM, Admir Philadelphia, Feb. 6, 1799

UNITED STATES CAPTAIN THOMAS LEWIS.

AT a general Court-martial neld at the city of Trenton, on Saturday, the wentieth of October, one thousand seven hundred and ninety-eight; purfuant to a warrant from James M'Henry, Efquire, Secretary for the Department of War, to investigate, try, and determine upon, certain charges and specifications, alledged against Captain Thomas Lewis:

The following members were prefent, viz.

Captain Manlos Ford, President.

Captains,

Lieutenants. George Ingerfoll, John M'Lellan, James Stille, Theodore Meminger

William Willon, Walter L. Cochran. Geo. W. Carmichael.
The prifoner challenged Lt. George W.
Carmichael, and the Secretary at War, in ieu of him, appointed heutenant Ebeneze

The court being fworn, proceeded to buil nels, and the charges as exhibited by major Thomas H. Cuthing, were read, and were as

Philadelphia, July 20, 1798.
" Captain Thomas Lewis, of the army of the United States, is hereby ordered in arrest, on the following charges, viz.

For behaving in a fcandalous, and infamous manner, fuch as is unbecoming an offi-cer and a gentleman.

1st. In writing me a note on the 18th inflant, containing these words, viz.
"For your villainous interference against a just claim, which I had before Congress, I am determined to punish you:" thereby falsely infinuating that I had been guilty of villainous conduct: in a style as ungentlenanlike as it is false.

2d. In refuling to demonstrate, that I had interfered, as stated in the above note, after I had denied the fact, and called on him to prove it; and

3d. In publishing in the coffee-house of this city, on this day, that major Cushing is a paltroon, and no gentleman, or words to that effect; all which, together with fuch other specifications as may be given in before trial, will be fully proven by

T. H. CUSHING, Major,

If Regiment of Infantry in the service of the Uni-

ted States.

DEFENCE.

Mr. President, and

Mr. President, and
Gentlemen of the Court,
Having been arrelled and charged before you by major Cuthing with "behaving in splandarious and infamous manner fuch as is unbecoming an officer and a gentleman," I avail myfelf of the inestimable right of being heard in my defence. Major Cuthing's right to order my arrest, I shall not dispute; but it is, nevertheles, rather singular that he should have exercised it in his own case, where no public necessity seemed to require it; and still more so, that in addition thereto he should appear against me in the various characters of party, accuser, that in addition thereto he should appear against me in the various characters of party, accuser, and witness: but this mode of proceeding may, perhaps, best accord with the major's ideas of settling his personal altercations, and if so, I envy him not his feelings. My consolation, though of another kind, I can assure him is not less grateful to me, namely, that whenever an article of war evidently intended for one objest, is artfully perverted to answer another, upright and impartial judges standing between the accuser and accused, will arrest the shaft that, under the pretext of public good, is aimed at the ruin of an innocent individual, and intended to avenge the quarrels and satiate the passions of a malevolent accuser.

The afterticle of the 7th section of the articles of war provides for the "punishment, by arrest, of such efficers as shall use any repreachful or provoking speeches or gestures to another.

ful or provoking speeches or gestures to anoth er." And the 20th arricle of the appendix, fo er." And the 20th article of the appendix, for "the punishment by difmission from service of whatever commissioned officer shall be convicted before a general court martial, of behaving in a scandalous and infamous manner, such as is unbecoming an officer and a gentleman," And such is the zeal of my accuser for the public good, or the grovelings of a man fraught with malice as to induce the attempt to apply the latter article to a case, which, under no given circumstances, could be fairly extended beyond the former one.

frances, could be fairly extended beyond the former one.

It was foreseen that, in the course of events, personal altercations must, as is the case in all armies, article tween officers which might lead to provoking speeches, or gestures from one to another. And the punishment for all offences of this kind is provided for by arrest under the first article of the seventh section already mentioned. These provocations might be attended with a greater or less degree of aggravation, and the duration or severity of the arrest was, doubtless, intended to be commensurate with the offence. But it is conceived that when, by a positive law, a specific class of offence, that punishment, and no other can be insticted; more especially when another kind of punishment is specifically attached to another class of offence designated by the same law.

Whether the reproachies language mentioned in the first article of the seventh section be addressed in writing, or uttered verbally, cannot it is conceived, make any material difference, or if it can, the only consequence must be an increase of the duration of the seventy of the arrests of the duration of the seventy of the a

it is conceived, make any material difference, or if it can, the only confequence must be an increase of the duration, or the severity of the arrest, but it can afford no just ground for a prosecution under another article of war, obviously intended for a different class of offence, which will, by and by, be considered.

In proof of this, permit me to observe that although similar provisions to our own, or nearly so, are to be found in the military codes of most, if not all civilized nations, it was referved for the fertile genius of my accuser to discover that the safett way of settling a personal altercation is to consider provoking language, though provoked by injury, and scandalous and infamous behaviour, unbecoming an officer and a gentleman, as the same thing, and then to get rid of his quarrel and his entagonist by having him dismissed the service for behaving in a

icas dalous and infamous manner, unbecoming an officer and a gentleman. This might, it is true, be a very convenient thing, which could not have escaped the discerning eye of my accuser, for men of a certain description of nerve, but to the real foldier, whose feelings are alive at every insult, and to whom honor is dearer than life, it would be worse than dearb. In the mouth of the former, and I dare say my accuser calculated upon it, it would put this answer to every claim of satisfaction for insult added to injury—" Away sellow! why talk to me of satisfaction!—You are not my equal. I am a soldier and a gentleman; you are neither. You have been dismisled for behaving in a sendalous and infamous manner, unbecoming an officer and a gentleman;" while the latter must tamely submit to the galling indignity from a conscious had authorised it.

I from to make any other appeal than to your justice and wides and the latter with the same and with the same and s

loldiers had authorifed it.

I foun to make any other appeal than to your justice and wildom; but I beg you to confider that if my accuser's construction prevail, one day or other some politron may be sound artful and base enough to place any or all of you in this struction; and should that be the case, I this fituation; and should that he the case, I leave you to judge what your seelings must be. If, on the contrary, the wide and important distinction, too clearly and strong y marked by the articles of war, to be missaken, be attended to by those who are most inter-sted in its preservation, provoking language will meet with punishment sufficiently severe, the brave soldier will preserve his honor untainted, and sone but his inferiors in spirit and soldier like conduct will lament that he is not dismissed the service with disgrape and infamy.

Before classing my observations on this head I must be allowed so add that in all armies, there are many brave officers, and, perhaps, some

e many brave officers, and, perhaps, fome owards. Brave men know how to fettle their erfonal altereations without troubling courts martial, and others get rid of them as well as hey can. But till now, no one ever had the address to call on a court-martial to take a personal quarrel off his hands, and settle it for him under an article calculated for the scandalous and infamous. Hence it is far to conclude that the attempt is as unwarrantable as it is novel; since my accuse is not the first man who would have been glad to have got rid of a quarrel and an antagonist in this way, if it could have been legally done.

But my accuser has not thought proper to ground his charges against me on the first arti-cle of the seventh section of the articles of war, but on the 20th section of the appendix, with the hope of having me dismissed from the ser-vice for scandalous and infamous behavior, un-becoming an officer and gentleman. It therefore emains for me to refute this charge, or fink

under it.

"Whatever commissioned officer," says this article, "shall be convicted before a general court-martial of behaving in a feandalous and infamous manner, such as is unbecoming an officer and a gentleman shall be dismissed the service." Being profecuted on this, and no other article, it follows that if a conviction takes place, it must be for a violation of this, and no other article, and that, in case of a conviction, the court can take no alleviating circumstances into court can take no alleviating circumstances into consideration in order to musican the purple. uch as to involve a violation of this article. And f it has not, an absolute acquital must necessa-

It is difficult to conceive any just principles on which the terms fcandalous and infamous could be applied to any part of my conduct in my controverfy with major Cushing. But it is easy to conceive how the terms of an article of war may be improperly used and a pplied to wound the feelings of one officer and to gretify the resentment of another.

of one officer and to gretify the refentment of another.

The term " feandalous" imports conduct openly oile, difgraceful and fagitious. The term " infamous" imports publicly branded with guilt, openly cenfured, notoricty of bad character, ignominious, Rignatized. Both terms imply conduct groisly imm.oral, and wicked; and when connected with the remainder of the fentence, "fuch as is unbecoming an officer and a gentleman" were evidently intended by Congress to designate persons disgraceful to the army, unworthy the society of gentlemen, and deferving of dismission from the company of all honnest men. Will my accuser have the hardihood to say that I am a person of this description? do my judges believe it? Will my accuser venture to say that I am not, at least upon an equal sooting with himself? Did he not acknowledge to captain Taylor that I was a gentleman? Does he, after this, believe his charge anainst me to be true? And does he, after this, expect my judges to say, in contradiction of his own acknowledgment, that my behaviour has been feandalows and infamous, unbecoming an officer and a gentleman?

Personal controverses reproachful or provoking language have, as already observed been provided for by another article, and if it were conceived, or proved that I had acted too haskily, or, on receiving information, which I believe to be true, had used improper terms to major Cushing, the highest punishment would be but an arrest.

I beg it may be understood, Mr. President, that these observations are merely intended to shew that an attempt has been made to prever the articles of war to an improper purpose: and that my accuser's construction of them would be inadmissible even though there were neither justification nor excuse for my coaduct. It will, however, I trust, appear that I am not in this predicament: and that with soldiers and geatlemen who have feelings which they will net condemn in others, I shall stand strictly justified in my conduct towards Major Cushing.

I was informed by Licutenant Strother that

I was informed by Lieutenant Strother that about the first of July he was in company with Thomas Davis, esq. member of Congress from the state of Kentucky, and John Clopton and Anthony New, esq.'s members of Congress from the state of Virginia, at the lodgings of the said New and Clopton, when a conversation arose respecting my claim before Congress for extra pay, a sid de camp to the late general Wayne, when commander is their state of the army of the United States: That these gentlemen expressed their surprise that the said chief the army of the United States: That these gentlemen expressed their surprise that the said claim had not passed in the Senate, which from the nature of it, and the character of the claimant, they supposed would have been done without delay or difficulty: that he; (Mr. Strother) replied that he suspected some persons who had been my enemies in the army, had taken pains to frastrate my claim, and that he named major Thomas Cushing of the army of the United States as one of those persons; and stated as a reason for his belief that a quarrel had formerly taken place between that a quarrel had formerly taken place between