

The Gazette.

PHILADELPHIA.

TUESDAY EVENING, AUGUST 20.

PRICES OF STOCKS.

Table with 2 columns: Stock Name and Price. Includes items like Six per Cent., Delaware 6 per Cent., Three per Cent., BANK United States, North America, Pennsylvania, Insurance comp. N. A. shares, 8 per Cent. Stock, Do. Scrip with the six Installments, Do. the 5th and 6th Installments, East-India Company of N. A. par., Land Warrants, 30 dolls. per 100 acres.

COURSE OF EXCHANGE

Table with 2 columns: Location and Exchange Rate. Includes London, Amsterdam, Hamburg.

Mr. Fenno.

In the Aurora of the 1st inst. appears a production of a under hand, lying, illiterate, low-bred correspondent of the Editor: this fellow is so well known for declamation, and abuse of all the measures and men of Government, that it needs only to suggest him as the author of any Representation, and the story goes for nothing. His unprovoked narrative respecting me, is a pretext for his jibed shafts of small wit at the measures of Government. This, together with an irrepressible itch for scribbling, induces and quickens his vanity to have his scurrility published, so that he may spill it over to his colleagues, the factious herd of Northampton. This black detraction, being unworthy in office, has turned his brain, so that he conceives he may vilify characters with impunity. From the sameness and meanness of all his groveling attempts, no one will be mistaken in the paltry author. This vain conceit is daily in the habit of abusing the Executive, and all the strong measures of the nation: he is a notorious, seditious Jacobin; whoever will take the trouble to read his calumny against me, will perceive what credit ought to be attached to it when he impudently blends it with the best digested and wisest laws of the legislature. He leaves no means untried which his cowardly nature dare attempt, to discourage the recruiting service, the duty assigned me in this hot bed of disaffection I would not deign to notice this shameless scoundrel but to disabuse the public who may have seen his infamous publication. I shall present your readers with a specimen of this fellow's infamy, should I discover any more of his filth in the public prints; I will give a short history of his ignominious life, even if it should disgrace a page or two, and shock humanity.

PETER FAULKNER.

Easton (P) August 11th 1799.

APPROACHING ELECTION.

No. III.

To the Electors of Pennsylvania.

AMONG the other evils which the committee attribute to the British treaty, is the injury which it is alleged to have done to our East India trade. When I first read this paragraph, its absurdity was so apparent, as to leave no doubt on my mind that a typographical error had been made, and I fully expected to have speedily seen its correction; but as none such has appeared, it is evident that this, like many other parts of the address, was a base and intentional misrepresentation. Before that treaty, we traded to the British East Indies merely upon subsistence; our commerce thither depended entirely on the pleasure of the British court, and our merchants were liable to all the inconveniences arising from the sudden stoppage of one of the great channels through which their capital was employed. By that treaty the privilege of trading there was secured, and established on a permanent foundation. We were even placed on a far more advantageous ground, than the great body of English subjects themselves, for while their enterprise is shackled by the exclusive immunities granted to monopolizing corporate companies, who never can carry on commerce with so much cheapness to others or profit to themselves as individuals; ours is open to the emulative effort of every class of our citizens. Accordingly our trade with this part of the Empire of Great Britain has increased by the formation of that odious instrument, with a rapidity truly astonishing, and the injury received, is in consequence of our shipping having been augmented to between seven and ten thousand tons. Mr. Coxe's pretensions to a knowledge of mercantile facts, are too well established to suffer us for a moment to believe, that circumstances familiar to the lowest grade of merchants, should have been unknown to him. How flagitiously unbecoming then does his conduct appear.

But, ask the committee, has not that instrument been so construed and acted upon as to entail on this country the payment of two enormous classes of debts; for one of which, under the Treaty of 1783, Britain herself, did not pretend that we were responsible? I answer, that it has not been so acted upon. It has not yet entailed upon us the payment of these enormous classes of debts. The American government has not submitted to, but has expressly repelled such a construction, nor is it yet known that Great Britain herself will insist upon it. I answer moreover, that if the doctrine held by the Chief Justice of Pennsylvania, and Mr. Dallas, on a former occasion be just, the United States are not only bound by treaty, but lie under the solemn obligations of morality and justice, to make payment of all

the classes of debts, now claimed by the British commissioners.

In the Aurora of February 22, 1798, is the following answer to a query proposed to Thomas M'Kean, bearing his own signature: "Before the revolution the British colonies in America were a constituent part of the same Empire with Great Britain, Ireland, and the other British dominions. When the revolution commenced, the war was properly a civil one, and all the subjects of the empire, wherever settled, were entitled to espouse which party they pleased, and having made their election were bound by it, so as to suffer in case of the failure, or to enjoy the fruits in case of the success of the party they espoused."

"The civil war continued until the definitive treaty with Great Britain in 1783, and all persons born within the British allegiance, who at that time had actually espoused the American cause and were settled within the territory of the United States, were entitled to partake in the result of the contest."

"This opinion is recognized by the Executive of the government of the United States, in the instructions to the collectors of the customs respecting American seamen, in the bill before Congress, by both branches of the legislature of Pennsylvania in the late election law that the governor returned with his negative, and by authoritative British writers; who declare that all the inhabitants of the United States of America were put on the footing of the inhabitants of a ceded Island by the definitive treaty."

"After the treaty the national independence was consummated, and the subjects of the British crown in future were placed on the same footing with other aliens, and subjected to the same measures and rules in acquiring the rights of citizenship."

This opinion then adopts the following principles:

1st. That the revolutionary war was a civil one, and therefore did not subvert between two independent nations, but between different branches of the same empire.

2d. That the people of America, being entitled to "espouse which party they pleased" were not bound by the acts of their own country, unless they gave to them their individual consent.

3d. That as the civil war continued until the definitive treaty of '83, it did not end with our declaration of Independence in '76.

4th. That as America was ceded to herself by the definitive treaty, until then she had obtained no legitimate sovereign authority, since then it was granted by Great Britain.

And 5th. That as the definitive treaty consummated our national independence, it existed before, only in an inchoate state; and therefore in order to complete it, a concession was necessary on the part of Great Britain. Now what says the Aurora, whose authority certainly will not be disputed, either by its jackall Mr. Dallas, or its protégé Mr. M'Kean? It states that the British commissioners had contended, that the independence of America "was a concession made by Great Britain." If the definitive treaty, and not the declaration of '76 "consummated our national independence" they were perfectly in the right; for in that case the concession of our independence, by Great Britain was necessary to its existence. All the measures that a nation could take to form its independence, had already been taken by America, and if these measures alone did not effect a completion, or consummation of the object, the act of the British monarch in signing the treaty, was literally and strictly a concession. The Aurora further asserts "that the confiscated debts due to the Tories during the revolution, were claimed by a majority of the board of commissioners as being within the provision of the treaty, which stipulates for the payment of debts due to British subjects." And if all the subjects of the empire were entitled to elect which party they pleased, the Tories who espoused the cause of Great Britain, having never chosen to become American citizens, remained British subjects; were placed in the same situation with every Englishman who had debts owing to him in America; and therefore, those whose property was taken from them for the crime of an active personal opposition to their native country, had as just a claim to remuneration, as those whose debts were withheld from them by general principles of national policy, in order to weaken the efforts of the common enemy.

But if this reasoning of Chief Justice M'Kean who sanctioned it, and of Mr. Dallas who has the honor of having discovered it, be just, there is an obligation upon the United States, much stronger than any the treaty can impose, to agree to the restoration of all the confiscated estates of those, who like Mr. Coxe, were branded with the infamy of treason. If they had a right to elect their party, upon what principles were they punished for the exercise of that right? What crime had they committed? What forfeiture had they incurred? Wherefore was it that they were held up to general execration, their fortunes torn from them, and their lives destroyed?

Who will undertake to say that this opinion has not been relied on by the British commissioners, in the discussion with Messrs. Sitgreaves and Fitzsimons? Perhaps even in some tête à tête between Dallas and Mr. Guillemand, the idea may have been originally suggested with no other view than to bring on a dispute with Great Britain.

Candour and charity, however, induce me to believe that the Chief Justice himself, was convinced of the falsity of his opinion, at the time when he gave it, for if he really did think that "all the subjects of the British empire were entitled to espouse which party they pleased," that America was on "the footing of a ceded territory," of course possessing no sovereign authority until the cession was made, and that her independence was consummated by the definitive treaty, I

affirm him to have been guilty of murder. If the traitors at whose trial he presided, in whose condemnation he participated, and whom he sentenced to die on a gallows, had a right "to espouse which party they pleased" and if the war was properly a civil one, they could have owed no allegiance to the United States; for in that case they would have been bound by it, to have espoused our cause. Now treason in its very nature a breach, or renunciation of the allegiance due to the sovereignty of the nation; of course, where it does not exist, no such breach or renunciation can be made, and consequently no treason committed. Again, if the United States were not perfectly independent until the definitive treaty, then, and not before, did they become sovereign, for sovereignty is absolute, uncontrollable, and independent of all other powers. But treason "being equivalent," says Blackstone, "to the crimen lesa majestatis of the Romans as Glanvil denominates it also in our English law" is nothing but an attack upon the sovereignty of a government; of course where this does not exist, no such attack can be made, and therefore Roberts and Carlisle could not have been guilty of the crime, for which they were sentenced to death by Chief Justice M'Kean, and afterwards executed.

But the truth is, that the independence of America was not rendered consummate by the definitive treaty. The declaration of independence was the date of its complete existence, and had Great Britain refused to acknowledge it, all the destruction of the world, unless we had been compelled by force of arms to make a cession of ourselves to that nation, we should have remained freed from her fetters. The theory held during the revolution was, that the British monarch having broken the original compact subsisting between him and his American subjects, had absolved them from their allegiance, and therefore they were at liberty to erect a new government for themselves. Accordingly the acknowledgment of our independence was not suffered to be introduced as a condition of but was insisted on, as a preliminary to both the definitive and provisional treaties.

The manner in which this opinion was given by Mr. M'Kean was not less culpable than its substance was absurd. The election of Israel Israel, in the year '97, to the Senate of this state was objected to as invalid on various grounds. Among others, because a number of persons had voted who had indeed settled in Pennsylvania previous to the year 1783, but had not been naturalized, and therefore were not citizens. A committee of the Senate legally organized, was appointed to decide on the justice of the objections. During the trial, Dallas, who was of counsel for the sitting member first broached the doctrine which M'Kean afterwards endeavored to sanction. After an elaborate argument, the Committee decided against it. Some of the Jacobin party, calling themselves judges of the election, then solicited the Chief Justice to give his opinion, which he did in direct opposition to that of the Committee. In doing this he lent the weight of his office in aid of a faction, who loudly accused one of the constituted legislative authorities of our country, not only with a judgment manifestly illegal, but viciously corrupt. But in addition to this flagrant indecency he committed an offence infinitely less pardonable. By giving a legal opinion in other than a judicial manner he opened a door to the worst species of judicial error. If he is at liberty to give public opinions to the unauthorized agents of a faction, surely he may with equal propriety give them, when solicited by individuals on their private affairs, and thus his mind biased by the ideas which he had already promulgated without having heard the allegations but of a single party, would be in a state very unfit to form a judgment either legal or impartial. The great constitutional question which he has in this instance undertaken to pre-emptorily to determine may and very possibly will be involved in others which it will be the business of the supreme court to decide. Splendid indeed must be the eloquence and luminous the reasoning which can convince his vanity and arrogance of the ridiculous absurdity of his doctrine.

MIL.

ERRATA

IN "MIL" NO. 11. 1st paragraph, 3d sentence, for "nevertheless it is asserted" read "it is not asserted."

4th paragraph, (near the middle of the column) read "Toussaint, the negro chief, in fact declared."

The Dey of Algiers has certainly declared War, against the French Republic, and imprisoned their Consul.

The AMERICAN character stands high in the Dey's estimation. [N.Y.D. Ad.]

A PROCLAMATION.

NEW-JERSEY, IS. By his Excellency RICHARD HOWELL, Esquire, Governor Captain-general and Commander in Chief in and over the State of New-Jersey, and Territories thereunto belonging, Chancellor and Ordinary in the same. WHEREAS it has been represented to me by the Board of Health of the city of Philadelphia, under the signature of Edward Garrigues, their president, that certain citizens of New-Jersey have lately gone on board the ship John, from the River la Plata, then riding quarantine, in contravention of the health law of Pennsylvania, to the manifest danger of the city of Philadelphia, with which the citizens of this state have continual intercourse, and not without a possibility of injury, and even calamity to this state.

NOW BE IT KNOWN, that by virtue of the act of the legislature of the state of New-Jersey, passed at Trenton, the eleventh day of June, in the year of our Lord, one thousand seven hundred and ninety nine, entitled, "An act to provide for the security of the citizens of this state against the introduction of contagious diseases;" (which said act is recited at large in my former proclamation on this subject, dated the first of July last, and is now published in due form of law,) and by and with the consent of the honorable the privy council, all persons who, however, within the jurisdiction of this state, are hereby strictly forbidden and prohibited, during the time the said act shall continue in force, from going on board any vessel whatsoever performing quarantine under the health-laws and port regulations of either of the states of New-York or Pennsylvania, without permission in writing first obtained from the proper officer or officers authorized under those laws and regulations to grant the same: And all justices, judges and other officers to whose duty it appertains, are hereby charged and commanded to take immediate cognizance of all such offences, and bind over offenders in that behalf, in sufficient sureties to appear and answer as offenders against the force and effect of the aforesaid act of assembly of this state; and in the mean time to be of good behaviour.

DONE under my hand and seal at arms, at Trenton, the nineteenth day of August, in the year of our Lord one thousand seven hundred and ninety-nine, and of our Independence the twenty-fourth. R. HOWELL, By the Governor's Command. JOHN BRATLY, Secretary.

ELECTION.

DELAWARE COUNTY.

At a very numerous and respectable meeting of the Inhabitants of the County of Delaware, held at the Black-Horse Tavern, in the township of Middletown, the 17th day of August, 1799,

It was unanimously resolved, That we will support JAMES ROSS, of Pittsburgh, with our votes and interest at the ensuing election, as Governor of this Commonwealth.

Resolved, That in order to obtain this desirable object, a committee, consisting of four or more persons, be appointed in each Township to assist in promoting his election.

Resolved, That the Committee of Correspondence of this County be requested to prepare and forward a Circular Letter to each Member of the Township Committees, earnestly desiring them to use their utmost exertions by all fair and honorable means to promote the election of James Ross of Pittsburgh to the office of Governor of this Commonwealth.

Michael Keppels, Esq. the Committee appointed by a meeting held at Danwoody's in Philadelphia on the 13th instant, for the purpose of representing to this meeting their determination to support Joseph Ball as Senator, and to desire our co-operation therein were introduced to the Chairman, and having declared the purpose of their mission, It was unanimously resolved, That we will support, at the ensuing election, by our interest and votes, JOSEPH BALL as a Senator of this state, to supply the vacancy occasioned by the resignation of Benjamin R. Morgan, Esq.

Resolved, That the proceedings of this meeting be signed by the Chairman and Secretary, and published in the Philadelphia Newspapers. HUGH LLOYD, Chairman. BENJAMIN H. SMITH, Secretary.

At a numerous and respectable meeting of the freemen of the townships of Oxford, Lower Dublin, Byberry and Manor of Moreland, held the 10th inst. at the house of John Sagar, in Bullston, for the purpose of fixing on a suitable character to be run for governor at the ensuing election;—

The meeting having taken into consideration the genuine republican principles of James Ross, Esq. of Pittsburgh; his warm attachment to our Constitution, and known impartiality respecting all foreign Governments;

Resolved unanimously, That they will, by all fair and candid means in their power, support him with their votes and interests for the office of chief magistrate.

Resolved, that in order to assist in promoting this desirable object, a committee, consisting of two persons from each township, be appointed in this district to correspond with other committees already appointed for that purpose.

Resolved, That Messrs. Frederick Caster, John McClellan, Thomas Paul, William Lardner, Joshua Comely, Edward Duffield, jun. Benjamin Walmsly, and Evan Townsend, be a committee agreeable to the foregoing resolve.

THOMAS HOLME, Chairman. Lower Dublin, Aug. 12, '99.

Those Citizens of Delaware County, who are desirous that JAMES ROSS, of Pittsburgh, should succeed the present Governor, are requested to meet at the Black Horse, in the township of Middletown, on the 17th day of Aug. next at 2 o'clock in the afternoon, in order to consult on measures to promote his election. HUGH LLOYD, Chairman, of the Corresponding Committee of Delaware county. July 30, 1799.

It is with great satisfaction, we are enabled to state, that the reports of respecting the sickness in the city are highly favorable.

A meeting of the Board of Health, held this morning, and after a mature consideration of the subject, it was concluded that sufficient ground did not exist to demand any public notice of it from them.

By private accounts we learn, that a considerable mortality prevails in New-York, where, as well as with us, much alarm has arisen. In Baltimore also the season has lately been sickly—but no idea prevails of any contagious disorder existing there. On the whole, it may be hoped, that the present alarms have no other foundation than the extraordinary number of deaths, by no means uncommon at this season.

Died on the 12th instant, at the house of Dr. De Butts, Sharpburg, Washington county, HENRY OXMSBY, Esquire, late of the Kingdom of Ireland, after an innocent and respectable life of seventy two years.

Gazette Marine List.

Port of Philadelphia. A ship and a brig, names unknown, came into the Capes on Sunday last. A 1-hr. under English colours, has arrived at Wilmington.

Table with 3 columns: Ship Name, Date, and Arrival. Includes Ship Favourite, Hunter, Warren, Schr. Suckey, Sloop Polly.

Wanted to Employ.

A PERSON of Judgment and Integrity to occasionally attend Vendues to purchase Wet and Dry Goods for an extensive Country Store. Proposals sealed directed to A. B. with the name of some other person mentioned to whom reference may be had, if necessary, for information relating to the qualifications of the agent, and left with the printer, will be duly attended to. The applicant will mention the No. of the house where he, or she, resides, that a letter directed by post may be regularly received. aug. 20

Wants a Situation, as Cook.

IN a gentleman's family a middle aged white person, who understands her business, and can have an unobjectionable character from her last situation. Enquire at No. 12, north Second Street near Market Street. aug. 20

TO LET.

A two story Brick House, SITUATE on Duke, between Front and Second Streets, in the Northern Liberties; having a large garden and yard, extending to Green Street—on which there is a stable and small frame building suitable for a shop or counting house. The house is built in the best manner and in excellent order; two rooms on a floor, walk house, &c. Enquire at No. 37 Arch Street. P. S. This house was lately occupied by Joseph Engle. august 20

District of Pennsylvania—To wit:

BE IT REMEMBERED, THAT on the ninth day of August, in the twenty-fourth year of the Independence of the United States of America, JONATHAN WILLIAMS, of the said district hath deposited in this office the title of a book, the right whereof he claims as AUTHOR, in the words following, to wit:—

"THERMOMETRICAL NAVIGATION, "Being a series of experiments and observations, tending to prove, that by ascertaining the relative heat of the sea water from time to time, the passage of a ship through the Gulf Stream, and from deep water into the shallows, may be discovered in time to avoid danger, although (owing to tempestuous weather) it may be impossible to leave the lead or observe the heavenly bodies. Extracted from the American Philosophical Transactions, vol. 2, & 3. With additions and improvements. "God helps them that help themselves."

(U. S.) In conformity to the act of Congress of the United States, intitled "An act for the encouragement of learning by securing the copies of maps, charts and books to the authors and proprietors of such copies during the times therein mentioned." D. CALDWELL, Clerk of the district of Pennsylvania. august 20

WANTED TO PURCHASE.

FOR CASH OR ON CREDIT. Coffee, Cotton, Logwood & Hides. A. PERRY TO

PRATT & KINTZING.

WHO HAVE ON HAND A very extensive assortment of GERMAN LINENS, &c. Suitable for the West-India market, which they offer for sale, at moderate prices, or will barter them for West India produce. august 10.

Received by the ship Adriana, captain Carlston, from London.

A LARGE ASSORTMENT OF HAIR SEATINGS, Suitable for chair and sofa covers, consisting of striped and plain, and of the following widths, viz. 17, 18, 19, 20, 21, 22, 23, 24, 26, 28, 30 and 32 inches. FOR SALE BY GEORGE PENNOCK, July 8