

high, and proportionably stout and boney. Whereas Prince Charles, who commands the Austrian army penetrating through Switzerland, is barely five feet one inch; with a correspondent frame of the most delicate texture.

It appears by Gen. Moreau's letter, that the Archduke, slender as he is, led on his attack of the French lines, near the Thur, in person; and sustained the fatigues of the field, from day-break until after sunset.

The Emperor Paul is the most inveterate enemy the French have. He appears determined not only to reinstate the Bourbons on the throne of their ancestors, but to chastise all his neighbours who do not lend a hand in the measure. He looks hard at Prussia.

The King of Prussia, on the other hand, shews his teeth to the Imperial Paul; and has an army of 25 to 30,000 men assembled at Minden, which he reviewed in May last.

The French people are said to be clamorous for Peace.—Suwarow appears to second the motion, but then he chooses to negotiate in his own way.

Sir Wm. Hamilton, who had been accustomed to anticipate violent eruptions, took care to leave the French nothing at Naples but the bare walls of his house.

The Gazette.

PHILADELPHIA,

THURSDAY EVENING, AUGUST 22.

PRICES OF STOCKS.

PHILADELPHIA, AUGUST 19.	
Six per Cent.	15 1/2
Deferred 6 per Cent.	14 1/2
Three per Cent.	9 1/2
BANK United States,	15
North America,	45 to 47
Pennsylvania,	34
Insurance comp. N. A. shares 17 1/2	
Pennsylvania, shares,	27 to 28
3 per Cent Stock—funded—par to 1 per cent adv.	
Do. Scrip with the six Instalments	1 1/2 below par
Do. the 1st and 6th Instalments	1 1/2
East-India Company of N. A., par.	
Land Warrants, 30 dollars per 100 acres.	

COURSE OF EXCHANGE

On London,	31 at 30 days
	50 at 60 & 90 days
Amsterdam,	35 1/2 to 100 per florin
Hamburg	30 1/2 to 100 per Mark Banco.

COMMUNICATION.

It is said that Don Tomaso has already planned how he will dispose of the *loaves and fishes* should he get into the Executive chair. A certain political quack, who has changed sides with the seasons, been a *banger* on by turns to all parties, and whose thirst for a place is even greater than his thirst for water, has the promise of a seat on the bench of the Supreme Court. A rare judge, truly, he would make! This may be vulgarly called "counting their chickens before they are hatched." How chop-fallen the poor, greedy demotars will look, when they find they are to expect nothing more substantial than wishes!

For the GAZETTE OF THE UNITED STATES.

The case of JONATHAN ROBBINS, candidly considered.

The *Aurora* scribblers, and their coadjutors, have endeavored to raise a hue and cry against the government, for having surrendered this unfortunate man to the King of Great Britain. They have represented the surrender as unconstitutional and have contended that his case is not within the intent and meaning of the 27th article of the treaty of amity, &c.

The detraction and slanders of these people against the federal government and its officers, are, generally, so palpable and barefaced, that exposure alone is necessary to their detection. Their opinions, in this instance, however, have been asserted with so much effrontery, that the subject itself not being easily understood, they might, if unanswered, be received as orthodox. It is to obviate this that you are requested to communicate the following facts and reflections to the public.

It is admitted that Jonathan Robbins is a native citizen of the United States, and it may be admitted (although the fact is not proved and may perhaps be otherwise) that he was impressed against his will on board the British frigate *Hermione*. He continued on board the *Hermione* for several cruises, during which he touched often at ports in the West Indies and elsewhere, affording frequent opportunities to Robbins, of either seeking the protection of his government, by application to its consuls, &c. or of escaping, which might have been effected with very little address, if the disposition had not been wanting. But he appears to have been well pleased with his situation, whether brought into it voluntarily or involuntarily, that he never made an attempt to escape, nor applied to an American Consul for protection; on the contrary, he was made a *warrant officer* on board the ship; which implies his consent thereto. Let this fact be remembered as a perfect answer to his justification on the ground of duress. Afterwards, he, with the rest of the crew, conspired to seize the ship and carry her into a Spanish port, in effecting which, the officers were murdered with circumstances of horrid cruelty too dreadful to be told. Robbins is charged with having been a principal actor in this bloody scene, and to ascertain his guilt or innocence he is surrendered to the only tribunal that could take cognizance of the offence.

This surrender is objected to, as being unconstitutional. But what says the Constitution? Article 3, sect. 2. "The trial of all crimes, except in cases of impeachment, shall be by Jury; and such trial shall be held in the state wherein the said crimes shall have been committed: but when not committed within any state, the trial shall be at such place or places as Congress may by law have directed." Now admitting that the crime in this instance had been committed within the maritime jurisdiction of the United States (which however I utterly deny) on board a merchant vessel of the United States in foreign seas, where should the offender be tried? Why at such place as Congress may by law have directed? What then is a treaty? I do not contend that a treaty is paramount to the constitution; but surely a treaty, constitutionally made, is at least of equal authority with a law, constitutionally made, and, indeed, if, as is the creed of some, the House of Representatives have a voice in the formation of treaties, they may be strictly termed laws of Congress. There can be no doubt therefore, that the 27th article of the Treaty of Amity, &c. is constitutional.

The surrender has been complained of as not being required by the 27th article of the treaty. The words of the article are: "That his majesty and the United States, on mutual requisitions &c. will deliver up to justice all persons who being charged with murder or forgery, committed within the jurisdiction of either, shall seek an asylum within the countries of the other, provided, that this shall only be done on such evidence of criminality, as, according to the laws of the place, where the fugitive is charged shall be found, would justify his apprehension and commitment for trial, if the offence had there been committed." The only questions that can arise on the application of this article, are: 1. Whether the murder with which Robbins is charged, was committed within the jurisdiction of his Britannic Majesty? 2. Whether he has sought an asylum in the United States? And 3. Whether there has been such evidence of criminality as would have justified his apprehension & commitment for trial, if the offence had been committed within the jurisdiction of the United States? In support of the affirmative of the first question, I cite Vattel, 1, b. c. 19, s. 216. "It is natural to consider the vessels of a nation as a part of its territory, especially, when they sail upon a free sea, since the state preserves its jurisdiction in these vessels." 2. That Robbins sought an asylum, in the United States, sufficiently appears, since he is found there: and 3. As to the sufficiency of the evidence of his criminality, no man can doubt who reads the depositions of Portlock and Forbes. Indeed, Robbins' counsel in argument attempted to justify the fact, thereby admitting his having been guilty of it.

In addition to these observations, it may be observed generally, that it has been the practice of all civilized nations to surrender great offenders who have fled from justice. That such surrender is necessary to the safety of society, since crimes can only be punished where they have been committed: That the provisions in the constitution of the United States for criminal prosecutions and trials for crimes, are expressly limited to crimes committed within a state or district; and that it is preposterous to suppose that it was ever intended to protect a murderer, although a citizen, by refusing to surrender him to the jurisdiction of that country which alone could take cognizance of his offence.

See *Delt. Rep.* v. 1, p. 116.—*M'Keon Chief Justice.* "We think cases may occur, where Council could, pro bono publico, and to prevent atrocious offenders evading punishment, deliver them up to the justice of country to which they belong or where the offences were committed."

MR. FENNO,

PROUD self-sufficiency and humble dependence were never more strongly contrasted, than by the affected contempt with which a certain *hair-brained theorist* treats the feelings and opinions of his fellow citizens, and the deference and respect which some of them still feel and evince towards him, in spite of his crazy vagaries. This *medical weather cock* has blown every point of the compass. One season he sounds the alarm before the enemy is nigh; the next he lulls us into ideal security when he is within our gates. He contends in the teeth of *suborn facts* that the yellow fever is of domestic origin, one of our own offspring, and, when, as in the present season, evidence incontrovertible of its having been imported is produced, with an effrontery insulting and insolent in the highest degree, he smiles at his opponents and assures them there is no yellow fever here! In short, within one small hour he has sported with and tortured the minds of his fellow citizens, by giving, in that short space, accounts directly contradictory!

Fellow citizens! it is high time your confidence should be withdrawn from this *castle-builder*—this spinner of theories without facts or foundation, except in the vapors of his own brain. We were willing that experience should decide between him and his antagonists, therefore efficient quarantine laws have been passed to prevent the importation on the one hand and the most effectual measure to prevent the importation on the other hand, and the most effectual measures to prevent the generation of the fever on the other hand have been pursued. The happiest consequences would have flown from a fair experiment. Fearing, however, the destruction of a theory, which he has imposed upon the ignorance and credulity of many, he continues his exclamations against the former provision, laughs at your quarantine law and wantonly insults you by comparing your prudential measures to the silly conduct of a parent, who strikes his child's

forehead with a hammer to destroy a fly that was biting him there. Your quarantine law has been evaded, and he has done all in his power to defeat its operation.

Fellow Citizens relax not your exertions and we shall yet retrieve the character of our city. Enforce your quarantine law with the utmost rigor; let it engage your patriotic exertions as much as would the resistance of an invading enemy. Remember too that cleanliness is the mother of health. Be cleanly in your persons, in your houses and in every other respect. We may possibly render our atmosphere too pure for the existence of contagion among us. Be careful to avoid the night air. Protect your bodies with flannel, which is more necessary at this season of the year than in the dead of winter. Bring wholesome water into your streets, for the purpose of cleaning them and for domestic uses. Do these things and I will undertake, with the blessing of God, that in healthfulness you shall not be rivalled by any city on the globe.

GALEN.

MR. FENNO,

A place in your Paper is requested for the following remarks.

We have long heard of the fallhoods of the *Aurora*: we have long been persuaded that the Editor has been in the pay of the French, either immediately from their Ambassador or Consul, or now through their friends. We have, to the shame of our laws, heard him abuse and traduce the best characters of the nation: we have heard him assert untruths to the prejudice of the administration and officers of Government which tend, and their evident purpose is, to sow the seeds of discord, and mischief, if they could, disturbance; then would they have their wish, and would no doubt justly exclaim, "Confusion is our gain." Then might they hope for a Directory, and their promised rewards in printing for them; and to their great joy, get some 30 or 40 of their present opponent printers sent to Cayenne. This is the Liberty and Equality they wish for—and all that, either from disappointment in place hunting, themselves or their friends, have resolved to disturb the present worthy administration. That such printers ought to be considered as enemies, no one can doubt who knows any thing of the spirit of party in our state; which is kept up by a Retailer from the *Aurora*, called the *Genius of Liberty*. Every friend of Government this way knows that John Mercer, Esq. is the supporter of this press—and among the ignorant and misled, the ill consequence of publishing malicious untruths to the prejudice of the rulers of the land.

There are numbers who from the time that Mr. Jefferson was disappointed of the President's chair, have never ceased to infuse evil reports of the President and officers of Government into the minds of their friends and dependants; many of whom never have any other information than from the polluted fountain of the *Aurora* or *Genius of Liberty*.—That this last paper has kept up the opposition to the present Government cannot be doubted; and that this has been great may be known from the opposition to the address to the President; the riot in the play-house; the attempted assassination of Capt. Harris, who, at this time has not recovered his eye sight, either from a stab or some other way, when he was left half dead. Yet the assailants were bailed—but for the truth and candor of the *Genius of Liberty*, printed in Frederickburg, Virginia see that paper 23d July. However, I know the vexation of the party arises from their being neglected by the President, who has not known what I know, that a place would make them good government-men. But wicked Will, Trully says, Devil trust them. Whether Will means any more than meets the eye I cannot say. But this I can say, that if poor Will may be punished for returning abuse to a demo, surely it is not consistent with common sense that infidel printers should be permitted to keep up enmity against the general Government by false suggestions and malicious tales among a people as ignorant as Will, very ignorant indeed; but he says truth,—willing to do right it not misled by the friends of Mr. Jefferson and the French, made up of the enemies of the Government and of Christianity. A printed lie may do ten thousand times more mischief than an unprinted one. The laws can reach the one but for want of defining and confining the liberty of the press within the same bounds as the liberty of the tongue, the nation is plagued with such presses as the *forefard*; who with others of the same stamp, would take any side of any cause, provided you will support them in extravagance during their continuance in the place of a turncoat. In our parts some of the most violent anti's have said they would turn for a place. I hope the Congress will at their next meeting take some order with the licentious and Frenchified printers through the United States.

Yours,

VERITAS.

Virginia, August 12th, '99.

Washington, August 14, '99.

The Sale of lots published by the Commissioners, commenced yesterday, and we are assured from Authority, that they will be continued on Tuesdays, Wednesdays, and Thursdays, in every week, till the sum of 180,000 Dollars shall be raised.

12W3W

A meeting of the "General Board of Guardians of the Poor," is requested at the Alms House, to-morrow afternoon, at half past 3 o'clock, on Business of importance.

CHARLES SWIFT,

President.

Philadelphia, August 22, 1799.

DIED—yesterday, the Rev. JOHN B. SMITH, Pastor of the Presbyterian church in Pine Street.

—last evening after an illness of two weeks and four days, Mr. ADAM ZANTZINGER, for many years a respectable Merchant of this city.

—Mr. WARWICK COATES, of the District of Southwark.

Gazette Marine Li

Port of Philadelphia.

The United States, Commodore Barr and the Insurgente, Capt. Murray, have sailed from Hampton Roads on a cruise.

ARRIVED,

Ship Voltaire, Bowen, St. Petersburg
Schr. Hannah, Phippen, Salem

Came up from the Fort,
Brig Venus, Dill, Surinam

Schr. Nancy, Kennedy, Jamaica

CLEARED,

Brig Susannah, Medlin, Hamburg

Ship Eagle, Deinet, from Havannah, is below.

Ship Voltaire, Bowen, from St. Petersburg, sailed from thence the 19th June, leaving there several American vessels, amongst whom the ship Dispatch, Benner, belonging to this port, to sail in 3 weeks; a few days after leaving St. Petersburg, spoke in the Gulf of Finland, near the mouth of the river Neiva, the brig Grace, Edwards, belonging to Philadelphia, bound up to St. Petersburg. Capt. Bowen informs, that the great number of privateers in the North Seas, renders it extremely difficult for defenceless vessels to escape their clutches, unless provided with convoy.

Capt. Booleck, of the brig James, arrived at the Fort, informs that the Ganges sloop of war Capt. Tingey, had at the beginning of this month, captured a letter of marque schr. name unknown, from Guadaloupe to St. Bartholomews, with coffee and sugar, and sent her into St. Kitts.

The following vessels lay at New Castle last evening, viz.
Brig Pennsylvania, Knox, for Cape Francois.

Sufannah, Medlin, Hamburg
Hannah, Boyd, Embden
Sloop Mary, Fordick, Havanna

New-York, August 21.

ARRIVED,

Schr. Heroine, Stedman, Martinique 15 days
Betsey, M'Heron, Halifax 14

Sloop Geo. and Jane, Martinique 16

CLEARED,

Schr. John Cook, Jamaica
Linderman, Barr, St. Croix

The capt. of the George and Jane, saw the United States sloop of war Ganges, off St. Kitts, with a French privateer schooner her prize in tow.

Brig Atria, Stanton is arrived at Martinique.

Schr. Fox, arrived at the Havannah on the 2d of August, the port was shut on the 3d.

Yesterday arrived schr. Heroine, Sullman, 15 days from Martinico, bound to New Haven, in ballast.—Sailed under convoy of an English brig of 14 guns, bound to Charleston; a brig, capt. Thompson for New York; and four sail more for different ports in the United States.

Flour, 12 1-2 dollars per barrel.
Capt. Sullman, on the 7th August, under the lee of St. Kitts, fell in with an American sloop of war with a French privateer in tow, bound for St. Kitts.

Same day, schr. Betsey, M'Heron, from Halifax—sailed on the 7th Aug. cargo, coal and fish.

Baltimore, August 20.

ARRIVED this day,

Brig David, Stewart, Capt. Jones, 15 days from St. Thomas. Left there the brig Fair Columbian, capt. Miliary, was to sail in ten days.

Capt. Jones, had engagement with a French privateer, but from the calmness of the weather, she got off with her sweeps.

Philadelphia Theatre.

THE Agents for the Proprietors of the New Theatre having agreed to lease to the subscribers the said Theatre, for a term of five years; they wish to reinforce their present company with the most respectable abilities, free from other engagements, on the continent.

Letters (post paid) addressed to "Post office, Baltimore," will be immediately forwarded, and receive early and liberal attention.

WIGNELL & REINAGLE.

N. B. Musicians of talents and character are included in the above invitation.

august 22

FOR SALE,

BY PRIVATE CONTRACT, IN FRANKFORD,

TWO good new, strong Two Story Stone HOUSES, each with a pleasant yard in front, paved in, and a garden back, they are handomely situated on Adam's Road, a small distance from the Main-Street: are very cool and airy houses, and out of the way of dust, there are two rooms on a floor to each, besides chambers and parlors, all well finished, and will suit very well to be sold separate, for the accommodation of small families or together and turned into one large house. Any person inclined to treat for the whole together, may know the terms by applying to Mr. Alexander Martin, in Frankford.

august 22

TO BE LET,

Until the 15th of November next, A safe Retreat from Philadelphia, in a pleasant situation, about three miles from town.

Application left at the Printer's addressed to A. B. will be attended to.

august 22

At a Special Meeting of the Board of Health, Resolved, In consequence of the alarm occasioned by the late arrival of the southern part of the season, no person or family being sickly into a more healthy state of the City, declaring, that every such instance, the Board exercise the authority vested them by law, to prevent the injury which may arise from so improper and inconsiderate a conduct.

Extraet from the minutes, Paschall Hollingsworth Sec'y.

REPORT

Of the Seasons of the different grounds, of the number of Funerals at their grounds, &c. &c. hours preceding the 22d August 1799, ending at 12 o'clock.

Christ Church, 1 adult
St. Peter's, 0
St. Paul's, 1 adult

1st Presbyterian, 0
2d do., 0
3d do., 3 adults

Scots Presbyterian, 1 child
Associate Church, 0
St. Mary's, 0

Trinity, 0
Friends, 3 1 ad. 2 child.
Free Quakers, 0

Swedes, 1 child
German Lutheran, 2 1 ad. 1 child
German Presbyterian, 1 adult.

Moravian, 0
Baptist, 1 child
Methodist, 0

Universalist, 0
Jews, 0
African Episcopal, 0

do. Methodist, 0
Public Ground, 3 2 ad. 1 child

Total 17, 10 ad. 7 child.

By order of the Board of Health,
WILLIAM ALLEN,
Health Officer.

35 casks of 6d. and 8d. NAILS,
and 4, 4 1-2 and 5 inch SPIKES, entitled to drawback, for sale by

PETER BARKER, & Co.,
No. 149, High-Street.

3 mo. 2 coatf.

NOTICE.

ALL persons indebted to the Estate of Aaron Thompson, Hatter, formerly of Woodbury, New Jersey, and late of Darby, deceased, are requested to make immediate payment.—And all persons having demands against said estate, are desired to render their accounts duly attested for settlement to

JAMES B. BONSALL,
of Kingsessing, Executor.

august 17

A beautiful Country Seat for Sale

SITUATED on the bank of the Delaware joining lands of Matthias Copley and Mrs. John Duffield, 13 miles from Philadelphia and 7 miles from Bristol.

The buildings consist of a new two story Frame House and Kitchen adjoining—3 rooms on a floor, a Piazza the whole front of the House, a Pump of excellent water, also a good garden and orchard—10 acres of land will be sold with the premises, but more can be had if required.

There is a gravelly shore at the river, the water stages for Burlington pass every day in the summer season, and the land stages for New-York within half a mile; any person inclining to purchase may know the terms of sale and other particulars by enquiring at No. 12, Dock-street, or No. 161, South Second-street.

June 1.