

be stopped and declared good prize, as well the vessel as the crew.

Art. 8. If a vessel of one of the contracting parties shall be obliged to enter into a port of the other, and may have need of provisions and other articles, they shall be granted to her without any difficulty, at the price current at the place; and if such a vessel shall have suffered at sea, and shall have need of repairs, she shall be at liberty to unload and re-load her cargo, without being obliged to pay any duty; and the captain shall pay only the wages of those whom he shall have employed as well for the unloading of the goods as for their reloading.

Art. 9. If by accident and by the permission of God, a vessel of one of the contracting parties shall be cast by tempest upon the coasts of the other, and shall be wrecked, or otherwise damaged, the commandant of the place shall render all possible assistance for its preservation, without allowing any person to make any opposition; and the proprietor of the effects shall pay the costs of salvage to those who may have been employed.

Art. 10. In case a vessel of one of the contracting parties shall be attacked by an enemy, under the cannon of the forts of the other party, she shall be protected and defended, as much as possible; and when she shall be taken, no enemy shall be permitted to pursue her, from the same port, or any other neighbour port, for forty-eight hours after her departure.

Art. 11. When a vessel of war of the United States of America shall come into the port of Tunis, and the Consul shall request that the vessel may be fired, which the number of guns shall be fixed, which the Consul does not wish a salute, there shall be no question about it. But in case he shall desire the salute, and the number of guns he shall have requested shall have been fixed, they shall be counted, and for them the vessel shall deliver an equal number of barrels of cannon-powder. The same shall be done with respect to the Tunisian Coasters when they shall go into any port of the United States.

Art. 12. When the citizens of the United States come within the dependencies of Tunis to carry on commerce, the same respect shall be paid them as the merchants of other nations enjoy; and if they desire to establish themselves within our ports, no opposition shall be made; and they shall be free to avail themselves of such interpreters as they may judge necessary, without any obstacle thereto, in conformity to the usages of other nations; and if any Tunisian subject goes to establish himself within the dependencies of the United States, he shall be treated in the same manner. If a Tunisian subject shall freight an American vessel, and shall load her with merchandise, and he shall afterwards wish to unlade it, or ship the same on board of another vessel, we will not permit him, until the matter shall be decided by merchants, who shall make an award thereon which shall be conclusive. No captain shall be detained against his will in port, except in the case of our ports being shut for the vessels of all other nations; which may extend to merchant vessels, but not to those of war.

The subjects of the two contracting parties shall be under the protection of the prince, and under the command of the chief of the place where they may be, and no other person shall have authority over them. If the commandant of the place does not demean himself according to justice, representations concerning the same shall be made to us. In case the government shall have need of an American merchant vessel, it shall cause it to be freighted, and then a suitable freight shall be paid to the captain agreeably to the intention of the government, and the captain shall not refuse the same.

Art. 13. If among the crews of merchant vessels of the United States, there shall be found subjects of our enemies, they shall not be made slaves, on condition, that they do not exceed a third of the crew; and when they do exceed a third, they shall be made slaves: The present article only concerns the sailors, and not the passengers, who shall not be in any manner molested.

Art. 14. A Tunisian merchant who may go to America with a vessel of any nation whatsoever, laden with merchandize being the productions of the kingdom of Tunis shall pay duty (small as it may be) like the merchants of other nations; and the American merchants shall equally pay, for the merchandize of their country, which they shall bring to Tunis under their flag, the same duty which the Tunisians shall pay in America. But if an American merchant or a merchant of any other nation shall import merchandize of America, under any other flag, he shall pay a duty of ten per cent: In like manner, if a foreign merchant shall import merchandize of his country under the American flag, he shall also pay ten per cent.

Art. 15. It shall be free for the citizens of the United States, to carry on what commerce they please in the kingdom of Tunis, without any opposition, and they shall be treated like the merchants of other nations; but they shall not carry on commerce in wine, nor in prohibited articles; and if any one shall be detected in a contraband trade, he shall be punished according to the laws of the country. The commandants of ports and castles shall take care that the captains and sailors shall not load prohibited articles; but if this should happen, those who shall not have contrabanded the smuggling shall not be molested nor searched, no more than the vessel and cargo; but only the offender, who shall be demanded to be punished. No captain shall be obliged to receive merchandize on board of his vessel, nor to unlade the same, against his will, until his freight shall be paid.

Art. 16. The merchant vessels of the United States which shall cast anchor in the road of the Goulette, or any other port of

the kingdom of Tunis, shall be obliged to pay the same anchorage for entry and departure, which French vessels pay; to wit, seventeen piasters and an-half, money of Tunis, for entry, if they import merchandize, and the same for departure, if they take away a cargo; but they shall not be obliged to pay anchorage, if they arrive in ballast and depart in the same manner.

Art. 17. Each of the contracting parties shall be at liberty to establish a Consul in the dependencies of the other; and if such Consul does not act in conformity with the usages of the country, like others, the government of the place shall inform his government of it, to the end that he may be changed and replaced; but he shall enjoy, as well for himself as his family and suite, the protection of the government: And he may import for his own use all his provisions and furniture, without paying any duty; and if he shall import merchandize, (which shall be lawful for him to do) he shall pay duty for it.

Art. 18. If the subjects or citizens of either of the contracting parties, being within the possessions of the other, contract debts or enter into obligations, neither the Consul nor the nation, nor any subjects or citizens thereof, shall be in any manner responsible, except they or the Consul shall have previously become bound in writing: And without this obligation in writing, they cannot be called upon for indemnity or satisfaction.

Art. 19. In case of a citizen or subject of either of the contracting parties dying within the possessions of the other, the Consul or the vessel shall take possession of his effects (if he does not leave a will) of which he shall make an inventory; and the government of the place shall have nothing to do therewith: And if there shall be no Consul, the effects shall be deposited in the hands of a confidential person of the place, taking an inventory of the whole, that they may eventually be delivered to those to whom they are of right belong.

Art. 20. The Consul shall be the judge in all disputes between his fellow citizens or subjects, as also between all other persons who may be immediately under his protection; and in all cases wherein he shall require the assistance of the government where he resides to sanction his decisions, it shall be granted to him.

Art. 21. If a citizen or subject of one of the parties shall kill, wound or strike a citizen or subject of the other, justice shall be done according to the laws of the country where the offence shall be committed: The Consul shall be present at the trial; but if any offender shall escape, the Consul shall be in no manner responsible for it.

Art. 22. If a dispute or law-suit, or commercial or other civil matter, shall happen, the trial shall be had in the presence of the Consul, or of a confidential person of his choice, who shall represent him, and endeavor to accommodate the difference which may have happened between the citizens on subjects of the two nations.

Art. 23. If any difference or dispute shall take place concerning the interpretation of any article of the present treaty, on either side, peace and good harmony shall not be interrupted, until a friendly application shall have been made for satisfaction; and resort shall not be had to arms therefor, except where such application shall have been rejected; and if war be then declared, the term of one year shall be allowed to the citizens or subjects of the contracting parties, to arrange their affairs and to withdraw themselves with their property.

The agreements and terms above concluded by the two contracting parties, shall be punctually observed, with the will of the MOST HIGH: And for the maintenance and exact observance of the said agreements, we have caused their contents to be here transcribed, in the month of Rebia Elul of the Hegira one thousand two hundred and twelve, corresponding with the month of August, of the Christian year one thousand seven hundred and ninety-seven.

The Aga Ibrahim Dey's signature and (Seal.)

The Bey's signature and (Seal.)

(L. S.) WHEREAS, the President of the United States of America, by his letter patent, under his signature and the Seal of State, dated the eighteenth day of December 1798, vested Richard O'Brien, William Erion and James Leander Cathcart, or any two of them in the absence of the third, with full powers to confer, negotiate and conclude with the Bey and Regency of Tunis on certain alterations in the Treaty between the United States and the Government of Tunis, concluded by the intervention of Joseph Etienne Famin on behalf of the United States in the month of August, 1797; WE the underwritten William Eaton and James Leander Cathcart, (Richard O'Brien being absent) have concluded on and entered in the foregoing treaty certain alterations in the eleventh, twelfth and fourteenth articles, and do agree to said treaty with said alterations: (Serving the same nevertheless for the final ratification of the President of the United States by and with the advice and consent of the Senate: IN TESTIMONY whereof we annex our names and the consular seal of the United States. Done in Tunis the twenty-sixth day of March in the year of the Christian Era, one thousand seven hundred and ninety-nine, and of American Independence the twenty-third.

(Signed.)

WILLIAM EATON.

JAMES LEA. CATHCART.

NOW BE IT KNOWN, That I John Adams, President of the United States aforesaid, having seen and considered the said Treaty, do by and with the advice and con-

sent of the Senate thereof, accept, ratify and confirm the same, and every article and clause thereof, as set forth in this instrument of ratification.

(L. S.) In Testimony Whereof, I the said John Adams, President of the United States have caused the seal of the said States to be hereto affixed, and signed the same with my hand: Done at the City of Philadelphia this tenth day of January in the year of our Lord one thousand eight hundred, and of the Independence of the said States the twenty fourth.

JOHN ADAMS.

By the President,

TIMOTHY PICKERING,

Secretary of State.

At a stated meeting of the American Philosophical Society, held at their Hall, January 17, 1800, the following persons were elected members:

Robert Linton, Esq. his Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States of America.

John R. Smith, A. M. of Philadelphia.

Julius Eric Bollman, M. D. do.

William Dunbar of the Mississippi Territory.—Extract from the minutes.

THOMAS P. SMITH, Secretary.

NEW YORK, January 18.

On change yesterday a report was in circulation, which stated that Mr. Vans Murray, one of our ministers appointed to treat with the French Republic, had arrived at Paris from the Hague; that he was received with every demonstration of joy; and had been assured by the Directory, that the most happy issue might be expected from the negotiation to be opened as soon as the other ministers arrived from the United States, who were hourly expected.

We took considerable pains to trace this report to its source; and saw the gentleman who had it from his friend, who received it from a gentleman lately arrived at Newport (R. I) from Rochefort.

As much as the circuitous route of this report may argue against its authenticity, we can state as corroborative of the report, upon the authority of the last Newport paper, the arrival there of a vessel from Rochefort.

We never recollect to have witnessed a greater alarm, than that of last evening; when, at the same instant, the cry of fire! fire! was proclaimed in the northern and southern extremities of the city. The British armed ship Admiral Duncan, lying at Sultus's wharf, took fire, and continued to burn for an hour before she was cut loose and hauled into the stream; where notwithstanding every effort, she was consuming at one o'clock this morning, when this paper went to press. The Admiral Duncan, we are informed, had a cargo on board to the value of 70,000 dollars and was to have sailed this morning for Liverpool.

The fire in the northern part of the city, was a house near the new banks, which was consumed.

We stop the press at 2 o'clock this morning, to state that the ship Olive, which drifted from the wharf foul of the Admiral Duncan, to appearance, is on fire—both ships aground on the Long Island side near the mills.

The scene, at this moment, is terrible!—rain! a hurricane! and the heavens illuminated by the fierce devouring flames!

Gazette Marine List.

Port of Philadelphia.

ARRIVED.

Ship Spy, West, Gonaives, via Marcus hook, Scher. Experiment, Oakford, Baltimore, via Reedy Island.

Ship Townsend, Sherer, of and for this port from Campeachey, founded at sea on the 2d inst.—Captain and crew were picked up and have arrived at Charleston, S. C.

Brig Fair American, under Danish colors, belonging to J. Inlay, Jun. of St. Thomas, was taken on her passage from this port to St. Thomas, by a French privateer, and carried into St. Martins—the passengers and crew were treated politely, and their baggage delivered to them.

Ship Mary of and for New-York, with a valuable cargo, and 80,000 dolls. in specie, founded at sea, in a violent gale the 11 inst.

New-York, Jan. 18.

ARRIVED.

Ship S. Carolina, German, Charleston 16

Brig Penelope, Doity, St. Thomas 18

Mars, Shaler, do. 48

Twinn, Scott, Jamaica 25

Schr. Hiram, Rogers, Charleston

Sloop Franklin, Conrad, Norfolk

Charlotte, Duff, St. Thomas

Ship Charlotte, Weyer, ditto 18

She failed in company with the United States sloop of war Baltimore, and 40 merchant vessels. Had been taken by a French privateer from Guadaloupe and robbed of all our stores: 4 days afterwards was retaken by two British frigates and sent to St. Kitts, where they condemned 30 hdds. and 300 tierces of sugar, took one half of the vessel and one eighth of the remainder of the cargo for salvage. N. B. This vessel took in her cargo at Antigua.

Extract from the Charleston Log Book.

On Monday the 6th inst. spoke the brig Ann, from Philadelphia, capt. James Caffey, out 6 days, all well, bound to Port Republican in company with a fleet of 14 sail,

not separated the day before. On Wednesday the 8th spoke a brig from Baltimore, bound to Port Republican. On Tuesday the 4th spoke the ship Perseverance, from N. York, out 14 days, had shifted her ballast and asked her pump; but did not make much water, bound to Wilmington, N. C. On Wednesday the 15th, at 3 P. M. saw a ship's lower mast and top mast and cross trees all together and the cap adrift.

Baltimore, January 17.

Arrived, schooner Polly, captain John Burgefs, 25 days from Port Republican. Sailed in company with the brig James, Stewart, of Philadelphia, bound to Gonaives; and schooner Jane, of and for Philadelphia—parted with them on the 20th December at night; and on the 21st, the Jane being a great distance to windward, two barges came and plundered her of provisions, clothing and money, and hung the captain up until he was black in the face, then lowered him down and dragged him forward and left him in that situation—they then came down and engaged the schooner Polly, but were beat off with loss. On the 20th December spoke the brig Milford, of Baltimore, bound to and within a few hours sail of Port Republican.—22d, spoke the brig Charlotte, of do. bound to do.

The schooner Polly, on her passage from Port Republican, spoke Schooner Hyram, captain Parker, who furnished him with the following: that on the 17th December, the Hyram had been boarded by the French privateer Reon, captain Thomas, from Porto Rico, mounting fourteen guns, three days out, and plundered of a quantity of provisions and the masts quadrants, and then permitted to proceed:—19th, fell in with another French privateer, from a cruise, with five prizes in tow, among which was an American brig from Baltimore, mounting 12 guns and 19 men; were again plundered and permitted to depart.

Boston, January 14.

Arrived ship William and Henry, Bickford, Bengal, 180 days. Left there, ship Martha, and the brig Hannah of Boston. Spoke, bound up the river, July 16, ship Neptune, capt. Jefferson, 40 days from the Straights of Sunda.

Same day arrived schr. Conclusion, capt. Sargent, 28 days from Turks Island.

Same day arrived schr. Abigail, capt. Smith, 28 days from St. Thomas, left there capt. Smith of Boston.

Jan. 12. Arrived Ship America, Turner, Belfast, 90 days. Lat. 38, 30, long. 64, spoke brig Horizon, 6 days from Portland. Spoke schr. Phenix, from Boston, 2 days out, through the S. Channel.

New Providence, Dec. 6. The Swift was sent in a Prize said to be worth 3000,000 dollars. She was from Vera Cruz for Cadiz, conveyed by a 74, separated in a gale. Her cargo consists of ingots of gold, cochineal, indigo and sugar.

Nov. 12, there was a dreadful storm on the English coast, 13 vessels were wrecked some of them full of passengers, for Ireland and Scotland, hundreds of dead bodies were taken up on the shore. The Friendship of Boston, from Norfolk for Liverpool, after having her masts cut away, drove on shore—and some of her crew perished.

Charleston, Jan 7.

Yesterday arrived the United States brig General Pinckney, capt. Heyward, in distress. The General Pinckney left her station off the Havana the 27th ult. having under her convoy a number of vessels for different ports of the United States, amongst whom was the ship Mary, Harris, for N. York—Sugar, indigo, and 80,000 dollars, whom she parted with on the 29th ult. in lat. 24, 50, N; and the same night returning to her station, got ashore on the Carristort Reef Keys and lost her rudder, keel and one of her anchors, which obliged her to bear away for the first port.

On the 4th inst. capt. Heyward picked up a seaman, named David David, belonging to the ship Mary, lately under his convoy—who informed that that ship foundered on the 2d, in a heavy gale, and that he had then been forty hours on the piece of timber from which he had been taken.

Capt. H. left the United States brig Norfolk, Capt. Bainbridge, cruising off the Havannah Station.

The ship Townsend, capt. Sherer, of and for Philadelphia, from Campeachey, founded at sea in the gale of the 2d inst.—Capt. Sherer and his crew were taken off the wreck by capt. McKellock of the sloop St. George Packet, who arrived here yesterday. Capt. S. describes the gale as the most severe he ever experienced.

Jan. 11. The weather has been uncommonly cold for the last two days; and we witnessed yesterday, for the first time this eight years, a very severe snow storm.

Extract of a letter, dated Kingston (J.) December 8th 1799

The little trade that has been between this place and St. Domingo, is on account of one of our cruizers having put a stop to it, by taking two of Toussaint's vessels, with troops and forces on board, from Port au Prince to Jaquemel, for the army now going against that place; I belated, and condemnation follow. I have also to inform you, that the admiral on this station, has received directions, to give instructions to all his cruizers to send into a British port all American vessels that have been in a French port 24 hours.

DIED.

On Thursday last, suddenly, Captain William Graham, late of the Northern Liberties.

On Friday last, after a very short illness, Mrs. Elizabeth Whitesides, widow of the late Mr. William Whitesides.

On Saturday last, Mr. Robert Bridges merchant.

Same day, Mr. Peter Helm:—all of this city,

NEW THEATRE.

This Evening, January 20,

Will be presented, a new Comedy, (never acted in America) called

RECONCILIATION;

Or, The Birth Day.

[Translated from the German of Kotzbuhe, by Mr. Dibdin, author of the Jew and Doctor—Five Thousand a Year, &c.—And acted at Covent Garden Theatre, with unbounded applause.]

Captain Bertram, Mr. Warren—Mr. Bertram, Mr. Wignell—Harry Bertram, Mr. Wood—Jack Junk, Mr. Bernard—Lawyer Circuit, Mr. Blisset—William, Mr. Warrell Jun.—Servant, Mr. Hook.

Emma, Mrs. Merry—Mrs. Moral, Mrs. Francis—Anne, Mrs. Doctor.

To which will be added,

A celebrated COMIC OPERA, called

THE HIGHLAND REEL.

[With the original overture and accompaniments.]

On Wednesday, the favorite Tragedy, of VENICE PRESERVED, in which a young Gentleman, will make his first appearance in the character of Pierre.

VIVAT RESPUBLICA.

BANKRUPT OFFICE.

A SECOND Dividend of the Estate of George and Robert Gray, Bankrupts, will be paid to the creditors who have proved their debts under the commission, at any time when called for.

JOHN JENNINGS, Clerk.

January 20, 1800.

LOTS

In the City of Washington.

A NUMBER of Lots in the city of Washington, the titles of which are unquestionable, their situations various, some pretty contiguous to the Capitol, are offered

FOR SALE,

For viewing the Plots, and for terms, apply to

BONSAL & SHOEMAKER,

No. 124 South Fourth Street.

Phila. January 20. 1800.

NOTICE.

THE OFFICE

OF THE Treasurer of the Corporation for the City is kept at No. 100, South Eighth Street, opposite the Horse Market, where all applications as respects the business of that Office must be made.

JAMES E. SMITH, Treasurer.

January 20. 1800.

BALL.

MR. FRANCIS

RESPECTFULLY informs his Scholars and the public in general that his second Ball will be on Thursday the 23d instant, at his Academy south Fourth Street.

Ladies tickets to be had on application to Mr. Francis

\* \* \* It is requested that no application will be made for Tickets for Children.

January 18. 1800.

CINCINNATI.

At a meeting of the Pennsylvania State Society of the Cincinnati, held at the State House, in Philadelphia, on the 21st of December, 1799.

BRIGADIER GEN. MACPHERSON

IN THE CHAIR,

The following Resolutions were moved by Major JACKSON, and unanimously adopted:

Resolved, That, in veneration of the exalted virtues, patriotism, and public services of our late most excellent, beloved, and ever to be lamented President General George Washington, and as a token of the deepest sorrow, and most affectionate attachment to his endeared and illustrious memory, the Members of this Society will wear mourning, connected with the Badge of the Society, during six months.

Resolved, That a strip of black Ribband passing along the centre of the Ribband of the Order, be added on this occasion.

The following resolutions were moved by Gen. Macpherson and unanimously adopted.

Resolved, That Major Jackson be requested to prepare and pronounce an Eulogium on the character of General Washington, embracing a summary review of his Civil and Military services; and that the same be delivered before this Society on Saturday the 22d day of February next, at one o'clock, P. M. at such place as the Standing Committee to whom the arrangements of the day are referred, shall determine.

Resolved, That the President of the United States and his family—the Vice President of the United States, the Speaker of the House of Representatives, the Members of both Houses of Congress, the Heads of Departments, the Judiciary, and such other officers of the General and State Governments as may then be in Philadelphia, be respectfully invited to honor the Society with their presence on the occasion.

December 21. 1800.

FIRE BUCKETS.

The great inattention shewn by a number of Citizens, by suffering their Fire Buckets to remain for days and sometimes for weeks in the streets and alleys, adjacent to where they have been used at fires, has induced the Mayor to direct the High Constable, at the expiration of four days from the time that a fire shall happen in the City, to have collected and removed to the City Hall, the Fire Buckets which he may find in the Streets after that period. The owner will thereby have an opportunity of recovering their Buckets, which perhaps, otherwise would have been lost by their neglect. A number is now at the City Hall.

January 7, 1800.