

hibited, may freely, for the purposes of commerce, be carried into the same in the manner aforesaid by the citizens of the United States; and such goods and merchandize shall be subject to no higher or other duties than would be payable by his majesty's subjects on the importation of the same from Europe into the said territories: and in like manner, all goods and merchandize, whose importation into the United States shall not be wholly prohibited, may freely, for the purposes of commerce, be carried into the same in the manner aforesaid, subject to no higher or other duties than would be payable by the citizens of the United States, on the importation of the same in American vessels into the Atlantic ports of the said States: and all goods not prohibited to be exported from the said territories respectively, may, in like manner, be carried out of the same by the two parties, respectively paying duty as aforesaid.

The words "in the manner aforesaid," occur twice in these clauses, and their equivalent, "in like manner" once. What is the meaning of this so often repeated phrase? It cannot be presumed that it would have been inserted so frequently without having to perform some office of consequence. I answer, that it is evidently the substitute for these other words of the main provision, "by land and inland navigation." This is "the manner aforesaid": this is the channel, through which goods and merchandizes passing, would be subject to no other or higher duties than would be payable in the British territories by British subjects, if imported from Europe, in the territories of the United States; by citizens of the United States, if brought by American vessels into our Atlantic ports. No other reasonable use can be found for the terms. If they are denied this sense, they had much better been omitted, as being not only useless, but as giving cause to suppose a restriction of what, it is intended, was designed to be general—a right of importing in every way, and into all parts of the United States, goods and merchandize, if not entirely prohibited, on paying the same duties as are payable by our own citizens when brought in our own vessels.

These words, "whose importation into the United States shall not be entirely prohibited," is a further key to the true sense of the article. They are equivalent to these other words, "whose importation into all parts of the United States shall not be prohibited." The design of this clause is to prevent importation, thro' the particular channels contemplated by the article, being obstructed by a partial or by any other than a general prohibition. As long as certain goods may be introduced into the U. S. through the Atlantic ports, they may also be brought into them through the channels designated by this article, that is, by land and inland navigation. The making a prohibition in the given case to depend on a general prohibition, is conclusive to prove, that the article contemplates only particular channels. On any other supposition the clause is nonsense. The true reading, then, of this part of the article, must be as follows:—"Goods and merchandize, whose importation into all parts of the United States shall not be prohibited, may freely, for the purposes of commerce, be carried into the same in manner aforesaid, that is, by land and inland navigation, from the territories of his Britannic majesty on the continent of America."

There are still other expressions in the article, which are likewise an index to its meaning. They are these, "would be payable by the citizens of the United States on the importation of the same in American vessels into the Atlantic ports of the said States." This reference to a rate of duties, which would be payable on importation into the Atlantic ports, as a rule or guide for the rate of duties, which is to prevail in the case meant to be comprehended in the article, is full evidence that importation in the Atlantic ports is not included in that case. The mention of importation in American vessels confirms this conclusion, as it shews that the article itself contemplates that the discrimination made by our existing laws may continue.

But the matter is put out of all doubt by those parts of the fifteenth article which refers to the British government the right of imposing such duty as may be adequate to countervail the difference of duty now payable on the importation of European and Asiatic goods, when imported into the United States in British and in American vessels. And which stipulate that "the United States will not increase the now subsisting difference between the duties payable on the importation of any articles in British or in American vessels."

This is demonstration, that the treaty contemplates, as consistent with it, a continuance of the present difference of duties on importations in American and British vessels, and consequently that the third article which stipulates equal duties, as to the cases within it, does not extend to importations into our Atlantic ports, but is confined to importations by land and inland navigation. Tho' this article be of temporary duration, yet as an evidence of the sense of parties, it will always serve as a rule of construction for every part of the instrument.

These different views of the article establish beyond the possibility of doubt, that, except with regard to the Mississippi, inland trade and navigation are its sole objects—that it grants no right or privilege whatever in our Atlantic ports—and that with regard to the ports of the Mississippi, it only establishes this principle, that Great-Britain shall always enjoy there the same privileges which by treaty or law she is allowed to have in our Atlantic ports.

I remark incidentally, for a purpose which will appear hereafter, that as far as this article is concerned, we are free to prohibit the importation into the United States at large of any British article whatever, though we cannot prohibit its importation partially, that is merely from her territories on our neighborhood by land or inland navigation, but we may prohibit the importation by sea from those territories; not is there any other part of the treaty by which this is prevented.

The remaining clauses of this article establish the following points: "That no duty of entry shall be levied by either party on peltries bro't by land or inland navigation, into the respective territories;" that

Indians passing and repassing with their own goods shall pay no impost or duty upon them, but goods in bales; or other large packages, unusual among Indians, shall not be considered as their goods, that tolls and rates of carriage shall be the same on both sides as are paid by natives—that no duties shall be paid by either party on the mere transit of goods across portages and carrying places from one part to another of the territory of the same party, that the respective governments will promote friendship, good neighbourhood and amicable intercourse, by causing speedy and impartial justice to be done, and necessary protection to be extended to all who may be concerned therein.

I shall conclude this paper with an observation or two on the meaning of the terms, inland navigation. These terms have no technical meaning defined in the laws of either country, nor have they any precise meaning assigned by the law of nations. They, however, ex vi termini, exclude navigation from the sea: and as a general rule, I should say, that inland navigation begins there, where sea navigation ends. Where is this? I answer at the ports of entry from the sea. By the laws of Great Britain and of the United States, all rivers are arms of the sea, as far as the ordinary tides flow—it would be a consequence of this principle, that sea navigation would reach to the head of tide water. But some more obvious and notorious rule ought to govern the interpretation of national compacts. The ports of entry from the sea are conceived to be the proper rule.

In the case under consideration, the general spirit of the article may require that all the waters which divide the territories of the parties should be in their whole extent common to both. As to other communicating waters accessible under the article, the reciprocal limit of the right will be the ports of entry from the sea. This is to be understood with the exception of the Mississippi, to the ports of which access from the sea is granted under the qualification which has been pointed out.

CAMILLUS.

PHILADELPHIA,

Friday Evening, August 28, 1795.

As the election for County Commissioner is approaching; a citizen acquainted with the very meritorious and unrequited services of that valuable citizen Peter Helm, one of the managers of Bush-Hill, during the awful visitation of the yellow fever; hopes that such of the electors as retain a sense of that worthy man's exertions will use every endeavour to procure him that office, which although a very inadequate reward indeed, will however evince the gratitude of his fellow citizens.

The enemies of the United States have recourse to a variety of methods to impose on the people—among other expedients the fabrication of Letters from different parts, particularly London and Paris, foras no inconsiderable article in their plan of deception. By some of these letters we are made to believe that another Mr. Major has informed the French of the contents of the treaty with England, and that they are alarmed at the supposed consequences.

By others that the British do not intend to pay for the Provisions they have taken and sent in; but the want of policy is too glaring in the latter case—How can any one pretend to believe that Mr. Pitt would dare thus to commit himself after the late promises made by him to the trading interests of his own country, when he must know that his own destruction would inevitably follow such a breach of faith and of sound policy?

ST. PAUL'S CHURCH will be open on Sunday next—as the repairs are now chiefly finished.

MR. FENNO,

As the Editor of the Aurora is the only printer in this city who has heretofore republished the first of the following articles, it is expected he will evince his impartiality by republishing the second.

Yours,

From a Richmond Paper.

RICHMOND, (Virginia) August 3.

Notice is hereby given,

That in case the treaty entered into by that d-d Arch Traitor J—n J—y with the British tyrant should be ratified—A petition will be presented to the General Assembly of Virginia at their next session, praying that the said State may recede from the Union, and be left under the government and protection of ONE HUNDRED THOUSAND FREE AND INDEPENDENT VIRGINIANS.

P. S. As it is the wish of the people of the said state, to enter into a treaty of amity, commerce and navigation, with any other state or states of the present Union, who are averse to returning again under the galling yoke of Great-Britain, the Printers of (the present Union) United States are requested to publish the above notification.

Richmond, July 30, 1795.

From the Alexandria Paper.

Explanation of the advertising gentleman's advertisement, who advertises from the town of Richmond, in the State of Virginia.

Left some should be ignorant enough to take this gentleman's advertisement literally as he has advertised, and suppose he really means to invite to a dissolution of the union and is warranted from a known sense of the Virginia sentiment on the important point he mentions, to say we have belonging to our state one hundred thousand fools and madmen, it may be best to correct in its earliest stage, a mistake which might produce consequences of a very deplorable nature—Be it therefore known that the gentleman aforesaid only meant a d-d arch, satirical, comical, ironical allusion to the ONE HUNDRED THOUSAND FREE and Independent NEGROES our state boasts of.

SOLUTIO.

The Printers throughout the whole WORLD who have inserted the piece commented on as above, will oblige by giving this also a place.

Foreign Intelligence.

HAMBURG, June 6.

The exchange of couriers between the courts of Berlin, Petersburg, and Vienna, is as brisk as ever, and about the latter end of last month, there was a great conference in the Palace of the Emperor, at which all the Ministers of State, and the Russian, Swedish, and Danish Ambassadors were present. Already in the beginning of last month, the Danish and Swedish Ministers presented two memorials to the Imperial Cabinet, respecting Russia and Poland. In these memorials the Kings of Sweden and Denmark complain of the ambitious designs of the Empress to increase her empire at

the expense of other nations. The Emperor is requested to use his good offices, to induce the Empress to put Poland on the same footing on which it had been in 1789, with a few modifications. With regard to the dispositions which now prevail between the Courts of Berlin and Petersburg, we have it from unquestionable sources that they are far from being of the most amicable nature. Ever since the news of the separate peace reached the Russian camp in Poland, the Russian soldiers are quite embittered against the Prussians, and insult them wherever an opportunity presents itself. The latter however begin to move more and more towards Warsaw.

In a letter from Petersburg, of so late a date as the 24th ult. it is stated, that before the latter end of this month, 43 ships of the line will be ready for sea, in the Russian harbours. The finances of the Empress are in a flourishing condition and the revenue may be increased, without rendering any tax oppressive to her subjects. The ratification of the treaty with England, which was brought by express to Petersburg has given the highest satisfaction to the Empress, who made a present to the bearer of a superb snuff box set in brilliants, and 100,000 roubles. Her Imperial Majesty is not only ready to support the cause of Great Britain with a respectable fleet, but also if it should be necessary with an army to act against any enemy. A new levy of 100,000 men is now making in the Russian empire, whose military establishment consists at present of 541,731 regulars and 45,401 irregulars. Upon an emergency 200,000 infantry, 50,000 horse, and 20,300 artillery, are always ready to act abroad. It is confidently said, that the Russians will direct their operations against Holland, for having detained a number of Russian ships and fold the cargoes, against the law of nations.

LYONS, May 10.

[Extract of a private letter.]

"THE inhabitants of this town had long observed with an indignant eye, that the ferocious assassins imprisoned here, and even in jail amused themselves with trying a guillotine, contrived to chop off seven heads at once. According to law, they could only be punished with a few years imprisonment. One of these villains, who alone had provoked the execution of 30 persons, having been tried on the 4th inst. and sentenced to be imprisoned for some years, the people assembled round the Sessions Hall, and burst into murmurs and threats. The battalion of Ladrone, having shewn an intention of firing on the people, the latter sent a deputation to the Representative Bosslet, who ordered the regiment to withdraw into the barracks.

"On the 5th at 8 o'clock in the evening, the people proceeded to the prison, called Rouanne, with a list of those who had acted a principal part in the horrid transactions which have taken place at Lyons. The jail keeper was obliged to give them the list of the prisoners confined in that prison; they set apart all whose cases seemed to belong to the cognizance of the ordinary courts of justice; the thieves were drawn up in one corner; an emigrant, taken into custody a few days since, and another condemned to ten years imprisonment for having harboured a priest, were set at liberty. This done, every Jacobin in the jail was asked his name, and as this called to recollection a number of denunciations and murders, he was executed on the spot. Twenty were in this manner dispatched in that prison. During the execution, the Representative Bosslet arrived, unattended, and harangued the multitude in the name of the law. A young man, mounting on a stone replied, that as the law did not reach quite so far as justice should go, he had better withdraw, since he had now performed his duty. The Representative went away, and the troops of the line, as well as the National guards, remained indifferent spectators of what was going forwards.

"From the prison of Rouanne, the mob proceeded to that of St. Joseph, where several Jacobins were executed in the same manner. The player Orfeuille, ci-devant president of the tribunal of the terrorists, Grandmaison, and the female citizen Rowleau, his mistress, who the very day before had sworn to exterminate the whole quarter of St. St. Pierre, were of the number.

"The populace afterwards repaired to the prison of Recluses. The Jacobins confined in this jail, defended themselves, and set fire to the building, in a supposition that the mob would busy themselves with extinguishing the fire, and that this would afford them an opportunity of effecting their escape. But it happened otherwise—not the least attempt was made to check the conflagration, and all the Jacobins perished, either in the flames or by the hands of the people.

"About 75 terrorists were massacred that day; and on the following, the 6th, came on the execution of those who had concealed themselves, or were retaken in their flight.

"All these proceedings did not occasion the least commotions in any other part of the town; but, on the contrary, every thing remained perfectly quiet. No one lamented the fate of the executed villains. The widows, whose husbands they had murdered, and the children, whose parents they had caused to be guillotined, hailed the executors of the popular justice, and encouraged them by their acclamations.

"We enjoy the utmost tranquillity: nothing is out of its regular course, and we have bread till the harvest."

By this Day's MAILS.

BOSTON, August 22.

From the COURIER,
Translated, from Paris papers of July 1.
Paris July 1.

AT the diet of Ratibon, the majority of the states, namely, the King of England, as elector of Hanover, has declared against the proposal of accepting the mediation of the King of Prussia. Thus the war is certainly to continue between the Republic and the Germanic Body.

War appears certain between Russia and Prussia. The court of Petersburg has caused to be stopped every communication between Courland and Prussia.

The Prince of Conde has had a celebration at his quarters near Basse—when a magnificent funeral service was performed for the repose of the soul of Louis XVII—the late unfortunate Dauphin. The Prince has also dispatched a Courier to Monsieur, informing him of the death of the Dauphin, and has issued a proclamation to the armies, acknowledging Monsieur, as Louis XVII. King of France and Navarre.

We read in the Morning Chronicle of June 11, the Thunderer and the Robuste, of 74 guns each

have arrived at Cowes, to join the Squadron under the command of Com. Warren; they are destined for a secret expedition; they are to escort, without including the emigrants, 8000 troops, embarked on board transports, now collecting at Cowes.—Each vessel is accompanied by flat bottom boats.

If to these alarming news, to the threatening preparations, we join the plan of the emigrants near Ulm, the numerous troops that Russia keeps at the disposal of England; if we consider besides the state of fermentation which now rages in France, the critical situation of the French of the West and the South, the crisis which the approaching convocation of the Primary Assemblies will doubtless produce, the bad state of our finances, the enormous price of provisions, the scarcity of subsistences, which keeps the people in alarm—it is believed, that as the true patriots will confess, that the government ought to be on their guard now, more than ever, and especially to be jealous of certain men, who by their calumnies imitate a numerous party, but for whom it would be better that they forget their past evils, and abstain from new ones, than for us to prepare for them new tortures.

Paimbœuf, 24 Priarid.

Yesterday a most terrible fire raged at this place. It caught on board the American ship Aurora—six vessels were entirely burnt, with four American sailors on board the Aurora—it communicated to the town, and did some damage. The loss occasioned by this disaster, is estimated at two millions and an half.

Situation of the Army of the Basses Pyrenees.

THE army is composed of six divisions. The 1st, extending from the sea up to Tolza, is cantoned in the villages of Ascotia and Aspeua. The 2d, includes Tolza up to Enmany. The 3d, from Enmany up to Laffau. The 4th, from Laffau up to the valley of Balian.—These four divisions have entered on the territory of the enemy since the 6th Messidor. The 5th, from Balian to St. Jean-Pied-de-Port. The 6th, from Lecombert to the village of Daram.

The ardour of these troops was somewhat abated by the reports of a peace—but when they heard that the negotiation had failed—they were inspired with fresh courage, and the desire of soon crushing their enemy. This army is rapidly encroaching, and from the disposition now making, an important event is anticipated soon to take place.

When the soldiers had capitulated and laid down their arms on the glacis at Luxembourg, they almost universally refused to follow their officers—they wished to enjoy the advantages of Liberty.

August 24.

Capt. Little, from Cronstadt, arrived on Thursday, in 77 days—left there the Thomas & Sarah, Nichols; Mars, Smith; Commerce, Lombard; and Elizabeth, Oliver; of Boston: Harmony, Moore, of Philadelphia; William, Bickford; Eliza, Traff; and Enterprize, Allen; of Salem; Rebecca, Brown; and General Greene, Smith; of Providence; Betsey, Northam, of New-York.

Capt. Little informs, that June 4th, a Russian fleet of 12 sail of the line and 12 frigates, hauled out of the Mole of Cronstadt, destined to join the English. That 12 sail of Swedish men of war, and 8 sail of Danes, lay in Copenhagen road, supposed destined to dispute the passing of the Russian fleet in the Streights: and that Captain Clerk, of the Ambuscade British frigate, had been imprisoned at Copenhagen for taking drafts of the arsenal, and other suspicious conduct.

WASHINGTON, (Penn.) August 17.

INDIAN NEWS.

We are informed by a gentleman, direct from Greenville, that the treaty with the Indians is likely to be soon concluded. The chiefs of the hostile tribes had generally come in, particularly Blue Jacket with his Shawane, who were lately said to be unfriendly to negotiation. Our informant was present when the pipe of peace was lighted, and the utmost unanimity prevailed.

It has been rumoured that no treaty would take place, as many Indians after arriving at the Ground had gone off precipitately. This rumour may be accounted for by the following ludicrous circumstance, which happened on an evening prior to the celebration of the fourth of July:—Splendid preparations were making for the approaching festival, among the rest some grand fire works were to be exhibited.—Unfortunately the laboratory took fire, the explosion of rockets, crackers, &c. &c. occasioned a great alarm among the troops, as it was not immediately known from whence it proceeded; the alarm guns were fired, and the drums beat to arms. This of course occasioned equal consternation among the Indians, who expected an immediate attack; the consequence was their instantaneous flight in all directions—some took to the water, others to the woods, and it was not without some difficulty that they could be made sensible of the truth, and brought back again to their encampments.

PITTSBURGH, August 22.

Extract of a letter from Presqu'isle, dated August 6, 1795.

"The garrison about to be erected by the United States will be upon a very commanding spot, just opposite the entrance of the bay. The town commences thirty yards west of the old British fort—leaving a vacancy of 600 yards, which will serve for a military parade and public walk, and add much to the beauty of the place—All hands are now busily employed in cutting out viltoos—the troops are also hard at work cutting pickets, hewing logs for blockhouses, and other necessary buildings. The town will extend nearly three miles along the lake, by one mile back—the harbour is immense to lay it and so many out lots off."

Authentic accounts from Greenville, say, that a treaty will assuredly take place with the Indians.—Most of the Indians have come in, particularly the Shawane, who, it was supposed, had been entirely averse to treating.

Arrivals at the Port of Philadelphia.

Schooner Freeport, Port,	Passaquoddy 14
Sloop Alive, Hillman,	Boston 9
Patty, Cladding,	Rhode Island 7

Arrived at the Fort.

Bark Happeren, Blom,	Leghorn
Sloop Nancy, Griffin,	Jeremie