

JAMES M'ALPIN, TAYLOR,

No. 3 South Fourth Street,

RETURNS his grateful acknowledgments to his Friends and the Public for their liberal encouragement, and begs to inform that a continuation of their favors.

At his Shop gentlemen may be furnished with the best materials, and have them made up and finished in the most fashionable manner. He will thankfully receive any orders and pay a prompt and punctual attention to them. O. A. 15 2aw

BURR MILL STONES

Made by OLIVER EVANS, at his Factory, in the old wind-mill in Emdley's alley.

South Second Street, a little below Dock Street.

WHERE those who apply may be supplied with stones of such quality as will suit their purposes. Also, stones for guanoes to run on, and Plaster of Paris.

He keeps for SALE,

At his dwelling No. 215 North Second Street, a block above Vine Street.

Boutling Cloths,

A complete assortment of both imported and American manufactures for merchant and country work, which he warrants good.

A. L. S. O.

The Young Millwright's and Miller's GUIDE. Containing a system of mechanics and hydraulics as they apply to water mills with the whole process of, and all the late improvements on the art of manufacturing flour &c intended to be useful to all concerned in building or using water-mills, which book is sold by Matthew Carey and Robert Campbell, bookellers.

Sept. 25.

A few Bales of Book Muslins,

One ditto of Bed side Carpets, — To be sold low, to wholesale Sales, by

Mordecai Lewis.

Novem. 4.

3aw2w.

James Tiffin,

WHOLESALE & RETAIL HATTER,

No. 70, South Second Street, near the City Tavern, HAS just received by the late arrivals from London and Bristol, a large and elegant assortment of Ladies and Gentlemen's fashionable HATS. — Also, a variety of Children's HATS of different colours, which will be sold on the lowest terms for cash.

N. B. Ladies Hats trim'd in the newest fashion from London. O. A. 12. \$

ADVERTISEMENT.

FROM the first of December next, the annual subscription for this Gazette will be EIGHT DOLLARS. Subscribers out of the City will pay One Dollar a year in addition, for enclosing and directing their Papers.

Remote subscribers are requested to pay up arrearsages to the above period; also the half year's advance from that time—those who do not, will be considered as declining a continuance of their subscription.

Advertisements of a square, or less, are published in this Gazette once, for HALF A DOLLAR; and continued at ONE QUARTER OF A DOLLAR for each subsequent insertion.

The Editor acknowledges, with gratitude, the favors of his advertising patrons—He assures them, that the increased, and increasing number of his subscribers, is continually extending the circulation in the city—its distant circulation is now equal to that of any other publication. Philadelphia, November 3, 1795.

City Dancing Assembly.

THE Assemblies will commence for the Season, on Thursday Evening, the 19th inst.

JOSEPH REDMAN, } Managers.
SAMUEL STREETS,
THO. W. FRANCIS, }

November 4.

19th.

WANTED.

On or before the first of December next, A FURNISHED ROOM, on the first or second floor, on a northern or western view, and situated between Front and Fifth Streets, and between Walnut and Mulberry Streets, for which a liberal price will be given. The furniture required are only tables and chairs, and chimney apparatus, as it is intended for Miniature-Painting business. Apply to the Linna at No. 13, north Fourth Street.

November 2.

\$14.

WANTED TO PURCHASE,

Or to take on a Lease of about 3 years, to commence on or about 1st of April next,

A small Farm,

FROM 30 to 60 acres, with sufficient building for farming the same, and a decent house for a genteel family—an equal proportion of meadow, arable, and woodland, and a short distance from Philadelphia, Trenton, or Wilmington, will be the more desirable. Apply to No. 187, south Third Street.

Nov. 6.

\$6.

Notice.

ALL persons indebted to the late partnership of *Webster, Adams, & White*, are desired to make payment to PETER W. GALLAGHER, No. 63, Chestnut Street, who is authorized to receive the same. Those who have claims on the said Firm will present them to him.

Demands on the estate of the late *Polish Webster*, deceased, are to be exhibited to the subscriber—and those indebted to the said estate, are requested to make payment to RUTH PERIT, Executor.

October 30.

Nov. 4. No. 47 South Water Street.

University of Pennsylvania,

October, 1795.

THE MEDICAL LECTURES will commence the first Monday in November next.

312w.

A COMPLETE PRINTING-OFFICE

FOR SALE,

Consisting of 18000lb. of Type, well assorted; one elegant Press, and every other article suitable for an extensive business. It will be sold together. Approved notes at 2, 4, and 6 months will be taken in payment. For particulars apply to the Editor.

October 13.

3aw2w.

Canal Lottery,

No. 149, Chestnut Street, between Fourth & Fifth Streets. TICKETS examined gratis, and every information given respecting said Lottery. Also, Washington and Paterson Lotteries.

O. A. 28.

For Sale, at Auction,

At the HORSE MARKET, on WEDNESDAY next, A pair of large, well-matched

Brown HORSES,

Will trot fast. They may be seen at Bidwell's stables, corner of Chestnut and Fourth Streets, at any time between this and the day of sale.

Nov. 7.

2aw.

Canal Lottery Tickets

FOR SALE,

At No. 153, Chestnut Street.

Philad. Sept. 27.

\$

A good Cook,

Will meet with constant employment, and receive generous wages. Apply to the Printer.

O. A. 13.

FROM THE ARGUS.

THE DEFENCE—No. XXII.

The analogy of the stipulation in the 10th article, with stipulations in our other treaties, and in the treaties between other nations, is the remaining topic of discussion. After this, attention will be paid to such observations, by way of objection to the article, as may not have been before expressly or virtually answered.

The 20th article of our treaty of amity and commerce with France, is in these words:

“For the better promoting of commerce on both sides, it is agreed, that if a war shall break out between the said two nations, six months after the proclamation of war, shall be allowed to the merchants in the cities and towns where they live, for selling and transporting their goods and merchandizes; and if any thing be taken from them, or any injury be done them within that term by either party, or the people or subjects of either, full satisfaction shall be made for the same.”

The 18th article of our treaty of amity and commerce with the United Netherlands, is in these words:

“For the better promoting of commerce on both sides, it is agreed, that if a war should break out between their high mightinesses, the States General of the United Netherlands, and the United States of America, there shall always be granted to the subjects on each side, the term of 9 months, after the date of the rupture or the proclamation of war, to the end that they may retire with their effects and transport them where they please, which it shall be lawful for them to do, as well as to sell and transport their effects and goods with all freedom and without any hindrance, and without being able to proceed, during the said term of 9 months, to any arrest of their effects, much less of their persons; on the contrary, there shall be given them for their vessels and effects which they would carry away, passports and safe conducts for the nearest ports of their respective countries, and for the time necessary for the voyage.”

The 23d article of our treaty of amity and commerce with Sweden, is in these words:

“In order to favor commerce on both sides as much as possible, it is agreed, that in case war should break out between the two nations, the term of nine months after the declaration of war shall be allowed to the merchants and subjects respectively on one side and the other, in order that they may withdraw with their effects and moveables, which they shall be at liberty to carry off or to sell where they please, without the least obstacle—nor shall any seize their effects, and much less their persons, during the said nine months; but on the contrary, passports, which shall be valid for a time, necessary for their return, shall be given them for their vessels and the effects which they shall be willing to carry with them—and, if any thing is taken from them, or any injury is done to them by one of the parties, their people and subjects during the term above preferred, full and entire satisfaction shall be made to them.”

The 13th article of our treaty of amity and commerce with Prussia, contains this provision:

“If war should arise between the two contracting parties, the merchants of either country, then residing in the other, shall be allowed to remain nine months to collect their debts and settle their affairs, and may depart freely, carrying off all their effects without molestation or hindrance.”

These articles of four, and the only commercial treaties we had with foreign powers, prior to the pending treaty with Great Britain, though differing in terms, agree in substance; except as to time which varies from six to nine months. And they clearly amount to this, that upon the breaking out of a war between the contracting parties in each case, there shall be for a term of six or nine months full protection and security to the persons and property of the subjects of one, which are then in the territories of the other, with liberty to collect their debts, to sell their goods and merchandizes, and to remove, with their effects, wheresoever they please. For this term of six or nine months there is a complete suspension of the pretended right to confiscate or sequester, giving or being designed to give an opportunity to withdraw the whole property which the subjects or citizens of one party have in the country of the other.

The differences between these stipulations and that in the article under examination are chiefly these: the latter is confined to debts; property in the public funds and in public and private banks, without any limitation of the duration of the protection—The former comprehends, in addition, goods and merchandizes, with a limitation of the protection to a term of six or nine months; but with the intent and supposition that the term allowed may and will be adequate to entire security. The principle, therefore, of all the stipulations is the same; each aims at putting the persons and property of the subjects of one enemy, especially merchants, being within the country of the other enemy at the commencement of a war, out of the reach of confiscation or sequestration.

The persons whose names are to our other treaties, on the part of the United States, are Benjamin Franklin, Silas Deane, Arthur Lee, John Adams, and Thomas Jefferson. The three first are to the treaty with France—Mr. Adams is singly to that with the United Netherlands—Dr. Franklin singly to that with Sweden, and these two, with Mr. Jefferson, are jointly to that with Prussia.—The treaty with Sweden was concluded in April, 1783; that with Prussia in August, 1785. These dates repel the idea, that considerations of policy, relative to the war, might have operated in the case.

We have consequently the sanction of all these characters to the principle, which governed the stipulation entered into by Mr. Jay, and not only from the ratification of the former treaties at different periods, distant from each other, by dif-

* The term “debts,” is only expressed in the Prussian treaty, but there are in the other treaties terms which include debts, and this is the manifest spirit and intent of all.

ferent descriptions of men in our public councils, but also from their never having been heard, in the community, a hiss or murmur against the stipulation, through a period of seventeen years, counting from the date of the treaty with France, there is just ground to infer a coincidence of the public opinion of the country.

I verily believe, that if in the year 1783, a treaty had been made with England, containing an article similar to the 10th in the present treaty, it would have met with general acquiescence. The spirit of party had not then predisposed mens minds to estimate the propriety of a measure according to this agent, rather than according to its real fitness and quality. What would then have been applauded as wise, liberal, equitable and expedient, is now in more instances than one, under the pernicious influence of that baleful spirit, condemned as improvident, impolitic and dangerous.

Our treaty with Prussia, the 23d article of which has been cited, is indeed a model of liberality, which for the principles it contains, does honour to the parties, and has been in this country a subject of deserved and unqualified admiration. It contradicts, as if studiously, those principles of restriction and exclusion, which are the foundations of the mercantile and navigating system of Europe. It grants perfect freedom of conscience and worship to the respective subjects and citizens, with no other restraint than that they shall not insult the religion of others, adopting the rule that free ships shall make free goods, it extends the protection to the persons as well as to the goods of enemies.— Enumerating, as contraband, only “arms, ammunition, and military stores,” it even provides that contraband articles shall not be confiscated, but may be taken on the condition of paying for them. It provides against embargoes of vessels and effects. It expressly exempts women, children, scholars of every faculty, cultivators of the earth, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages and places, and in general, all others whose occupations are for the common subsistence and benefit of mankind, their houses, fields, and goods, from molestation in their persons and employments, and from burning, waiving, and destruction, in time of war; and stipulates payment at a reasonable price for what may be necessarily taken from them for military use.— It likewise protects from seizure and confiscation, in time of war, vessels employed in trade, and prohibits the granting commissions to private armed vessels, empowering them to take or destroy such trading vessels, or to interrupt their commerce; and it makes a variety of excellent provisions to secure to prisoners of war, a humane treatment.

These particulars are stated as evidence of the temper of the day, and of a policy, which then prevailed, to bottom our system with regard to foreign nations upon those grounds of moderation and equity, by which reason religion and philosophy had tempered the harsh maxims of more early times. It is painful to observe an effort to make the public opinion, in this respect, retrograde, and to infect our councils with a spirit contrary to the true maxims of justice towards improvement in true civilization and humanity.

If we pass from our own treaties, to those between other nations, we find that the provisions, which have been extracted from ours, have very nearly become formulas in the Conventions of Europe. As examples of this may be consulted, the following articles of treaties between Great Britain and other powers (to wit) the XVIII. article of a treaty of peace and commerce with Portugal, in 1642—the XXXVI. article of a treaty of peace commerce, and alliance with Spain, in 1667—the XIX. article of a treaty of peace, and the II. of a treaty of commerce with France, both in 1713 and the XII. article of a treaty of commerce and navigation with Russia, in 1766.

The articles with Portugal provides, that if difficulties and doubts shall arise between the two nations, which give reason to apprehend the interruption of commerce, public notice of it shall be given to the subjects on both sides, and after that notice, two years shall be allowed to carry away the merchandizes and goods, and in the mean time, there shall be no injury or prejudice done to any persons or goods on either side.

The articles with France, in addition to the provisions common in other cases, particularly stipulate, that during the term of the protection (six months) “the subjects on each side shall enjoy good and speedy justice, so that during the said space of six months, they may be able to recover their goods and effects, entrusted as well to the public, as to private persons.”

The article with Russia, besides stipulating an exemption from confiscation for one year, with the privilege to remove and carry away in safety, provides additionally, that the subjects of each party “shall be further permitted, either at or before their departure, to consign the effects which they shall not as yet have disposed of, as well as the debts that shall be due to them to such persons as they shall think proper, in order to dispose of them according to their desire and for their benefit, which debts, the debtors shall be obliged to pay in the same manner as if no such rupture had happened.”

All these articles are, with those in our treaties, analogous in principle, as heretofore particularly explained, to the 10th article of the treaty under discussion. That of the British treaty with France designates expressly debts due from the public as well as those due from private persons. That with Russia goes the full length of our tenth article; empowering the creditors on each side to assign the debts, which they are not able to collect within the term of their residence to whomsoever they think fit, for their own benefit, and declaring that these debts shall be paid to the assigns in the same manner as if no rupture had happened.

There is a document extant, which may fairly be supposed to express the sense of the government of France, at the period to which it relates, of the foundation of these stipulations. It is a memorial of Mr. Bully, minister from the Court of France to that of London, for negotiating peace, dated in the year 1761, and contains these passages: “As it is impracticable for two Princes, who make war with each other, to agree between them which is the

aggressor with regard to the other, equity and humanity have dictated these precautions, that where an unforeseen rupture happens suddenly and without any previous declaration, foreign vessels, which, navigating under the security of peace, and of treaties, happen, at the time of the rupture, to be in either of the respective ports, shall have time and full liberty to withdraw themselves.

“This wise provision is agreeable to the rules of good faith, constitute a part of the law of nations, and the article of the treaty, which sanctifies these precautions, ought to be faithfully executed, notwithstanding the breach of the other articles of the treaty which is the natural consequence of the war.”

“The Courts of France and Great Britain used this salutary precaution in the treaties of Utrecht and Aix la Chapelle.”

These prefaces place the security stipulated in the treaties for the persons and property of the subjects of one party found in the country of another, at the beginning of a war, upon the footing of its constituting a part of the law of nations, which may be considered as a formal diplomatic recognition of the principle for which we contend. As this position was not itself in dispute between the two governments, but merely a collateral inference from it; applicable to vessels taken at sea, prior to a declaration of war, it may be regarded as a respectable testimony of the law of nations on the principal point.

If the law of nations confers this exemption from seizure upon vessels, which, at the time of the rupture, happen to be in the respective ports of the belligerent parties, it is evident that it must equally extend its protection to debts contracted in a course of lawful trade. Vessels are particularly mentioned, because the discussion turned upon vessels seized at sea. But the reference to the treaties of Utrecht and Aix la Chapelle shews that the minister, in his observation, had in view the whole subject matter of the articles of those treaties, which provide for the security of merchants and their effects in the event of war.

This conformity, in principle of the article under examination, with the provisions in so many treaties of our own and of other nations, taken in connection with the comment of Mr. Bully, brings a very powerful support to the article. It is additional and full evidence that our Envoy, in agreeing to it, did not go upon new and untried ground; that, on the contrary, he was in a beaten track; that in pursuing the dictates of reason, and the better opinion of writers, as to the rule of the law of nations respecting the point, he was at the same time pursuing the examples of all the other treaties which we had ourselves made, and of many of those of other countries.

CAMILLUS.

(To be Continued.)

• Thus we find it the sentiment of this minister, that it is impossible for two Princes who make war with each other, to agree which is the aggressor with regard to the other. And yet Mr. Jay was to extort from Great Britain an acknowledgment that she was the aggressor with regard to us, and was guilty of punitivity in warring upon us.

From the English Review.

NATIONAL AFFAIRS

FOR THE MONTH OF AUGUST, 1795.

FRANCE.

Though peace has been made between France and Spain, though this must infallibly be followed, at no great distance of time, by peace between France and the Italian powers, as well as with the Empire of Germany and the House of Austria; tho the French Republic is actually in possession of the Low Countries, comprehending the Seven United Provinces; and, finally, notwithstanding the disasters of Quiberon: it would seem that the project of sending the emigrants to join their friends, and raise a party in the interior of France is not yet abandoned. Certain it is, that if this cannot be done, all hopes of success to the Royalists are lost. Not tho the confederacy had remained unshaken, and even new powers had joined, that any rational hope could have been entertained of subduing such a country as France, united in its resistance. Emigrants from different quarters of Europe assembled at Southampton. An army is collected here, seventy thousand strong, and it is daily increasing.

LOUIS XVIII.

In the midst of these preparations, issues a proclamation fraught with sentiments of dignity, clemency, and patriotism. The constitution of the French monarchy, that has led to so much prosperity and glory, he is determined, with the aid of his loyal subjects to maintain; and, when tranquility shall be restored, to reform its abuses. Several hundred thousand of this manifesto have been published.— Manifestoes seldom prevail against the actual possession. It is not unnatural, however, in the French princes and nobles to make the experiment.

Among the emigrants are numbers of gentlemen of great courage and honor. The

COUNT DE SOMBREUIL.

Is a glorious instance of what spirits a great monarchy, and the love of glory, its natural concomitant, is capable of forming. Humanity might wish for the restoration of the monarchy in the hands of so amiable and eminent a prince as Louis XVIII. whom dreadful experience has taught the danger of oppression. It is conjectured, that the army assembling on the coast of Hampshire, is to attempt a march directly to Paris, along the course of the Seine; the same route that was taken by our Edwards and Henrys in former times. Had this measure been taken in time, perhaps it might have been successful. But as we have often, indeed uniformly, had occasion to observe, we are always a day behind the fair: equally deficient in wisdom of councils and promptitude of action. The vigorous preparations, however, that are still on foot, may have a tendency to forward negotiation for a general peace. Few, we presume, hope that it will restore the ancient government.

The present war, or, as it has been called not improperly, crusade, furnishes an inexhaustible source of various reflections, of which, the most important to crowned heads is this, that it is big with danger