

Mr. FENNO,

IT has lately been asserted in positive and unqualified terms, by a leading member of Congress, "that in case the House of Representatives do not think it expedient to provide for executing the British Treaty, there will be no war." I would ask whether the government of Great-Britain has assured the President of the United States that they will relinquish the Posts on our frontiers, withdraw all their garrisons, open the fur trade to the citizens of the United States, detach itself from all connection with the Indian Tribes, make satisfaction to our Merchants for their losses by British depredations, and refrain from future spoliation, if the Treaty which has been so solemnly ratified, shall not be complied with on our part? If a negative answer is given—I would then ask, whether the United States will not be obliged to go to war to obtain what we now so justly expect and claim by Treaty? It appears to me that there is no other alternative; for it is impossible for the government of the United States to say to their Constituents, you shall neither defend yourselves, nor seek satisfaction for the losses and injuries you have sustained, or may suffer. The result will most assuredly be this, that the Great-Britain may not declare war against the United States, the United States must declare war against Great Britain.

LONDON GAZETTE EXTRAORDINARY.

Thursday, Jan 7.

Harle Guards, Jan. 7, 1796.

Dispatches from Colonel Stuart, of which the following are extracts, have been this day received by the right hon. Henry Dundas, one of his Majesty's principal Secretaries of State.

[The first letters from Colonel Stuart, contains an account of his arrival with the armament intrusted to him, and his summoning the Commandant of Fort Osnaburgh to surrender.]

CAMP near TRINCOMALE.

[In the Island of Ceylon in the East-Indies.]

August 30, 1795.

SIR,

Soon after I had the honor to address you on the 17th inst. informing you of my intention to begin our approaches against the fort Trincomale, on the following day, circumstances occurred which induced Commodore Bainier and myself to detain the ships then under dispatch, in the hope of the success which I have now the honor to announce. We broke ground on the evening of the 18th, opened our batteries on the 23d, and before 12 o'clock on Wednesday completed a practicable breach. Commodore Bainier and I then thought proper to summon the garrison to surrender, while preparations were making for the assault. Terms were demanded which could not be allowed, and such as we thought consistent were transmitted in return. These not being accepted within a limited time, our fire re-commenced, and in a few minutes the white flag was displayed on the ramparts, the conditions which we had offered were accepted, signed, and transmitted to the camp, with two Captains of the garrison as hostages for their performance.

I am beyond measure indebted to Commodore Bainier for his cordial co-operations, and the active assistance of the Navy in every department of the public service; and I have particular pleasure in assuring you, that from the perfect harmony subsisting between all descriptions of the Naval and Land Forces employed here; every thing may be expected from this division of his Majesty's troops, which is capable of being attained by their mutual exertions.

I have the honor to be, &c.

J. STUART.

Camp near Trincomale, August 31.

SIR,

After closing my dispatch of yesterday, an officer was sent to me by the commandant of Fort Osnaburgh, requesting that I would permit an officer to meet him this morning for the purpose of opening a negotiation for the surrender of the fort. I accordingly sent Major Agnew, the Adjutant General of the forces under my command, and have the satisfaction to inform you, that the garrison this day surrendered themselves prisoners of war, and that a detachment of his Majesty's troops took possession of the Fort, and the British colours were hoisted in it before sunset.

I have the honor to be, &c.

J. STUART.

Here follow the articles of Capitulation.

[The garrison to march out with the honors of war, to the glacis, there to ground their arms, and become prisoners of war. Private property to be secured, but all public property, guns, stores, &c. to be given up. The garrison consisted of 579 men officers included. The loss on our part was, one bombardier, 3 gunners, 3 matrosses, 1 seaman, 1 bombay, and 6 lascars killed; Major Smart, Capt. Gorry, Lieut. Prescott, Ensign Benson, 4 serjeants, 1 corporal, 2 gunners, 10 matrosses, 13 privates, and 2 seamen, 1 syrang, 9 sepoy, and 8 lascars, wounded.]

COURT OF KING'S BENCH, FEB. 5.

BURNET, v. KENSINGTON.

This was an action on a policy of insurance, and a verdict for defendant. The single question in this case was, What was meant by the word stranding?

Lord Kenyon stated, that the jury who tried this cause, understood by stranding, when a vessel took ground and hulked, so as to be rendered incapable of performing her voyage.

Mr. Bibbs and Mr. Park, who were for the plaintiff, contended that stranding meant the ship's striking and fixing on the strand.

Lord Kenyon observed, that it was a question of very great concern; and that he and the rest of the court were anxious that this case should undergo another discussion, in order to ascertain and settle what was meant by stranding, among commercial men. Rule granted.

I. O. S. T.

IN the city, on the Point Road, the 13th inst., a small GOLD FRENCH WATCH, made at Paris, with a gold chain and two gold seals, one having the initials H. St. G. and a Lion crest—the other a Lion crest only. Whoever finding the same will bring them to No. 111 Fourth-Front-street, shall receive a generous reward. If offered for sale to any of the Watch-makers in town, they are requested to stop the same.

Philadelphia, THURSDAY EVENING, APRIL 14, 1796.

Extract of a letter from St. Bartholomew's.

"About 50 of the Anguillians landed the 22d ult. in St. Martin's, and beat the French out of one of their batteries, spiked the guns, and brought away a great number of Col. Guimbe's negroes."

A letter dated L'Anseveau, March 20th, to a merchant in this city, mentions the safe arrival there of the schooner Charming Betsey, Lark, from this port, and that three Americans, bound to Jeremie, were sent in there, and part of their cargoes condemned.

Arrived here the schooner Delight, Captain Tuophys, in 15 days from Port au-Prince, which he left on the 28th ult. By him we are informed, that three 74's and three frigates, together with 58 sail of armed transports, &c. which sailed from thence to lay siege to Leogane, having on board 4000 troops, were repulsed by the French with a considerable loss, having, contrary to their expectations, met with a force superior, which caused their expedition to prove unsuccessful—one of their 74's was so much crippled before a fort, that they were obliged to tow her out. The whole of the fleet had returned to Port au-Prince previous to his sailing.

Previous to his departure, accounts had been received there, and generally credited, that a French privateer had taken a British packet, from England, five leagues to windward of Barbadoes, by surprise, in the night time; and further, that she had 3 mails on board.

Extract of a letter from a gentleman in Baltimore-Town, who was an able member of the general Convention that formed the Constitution, to his friend, now in this city.

Baltimore-Town, April 3d, 1796.

Dear Sir,

YOUR favor of the 28th past was only received by me last night.

A few copies of my publication respecting the proceedings of the general convention, and my sentiments of the constitution by that convention proposed, are in my possession. With some of them the rats and mice have used nearly the same freedom as the democratic faction appears disposed to use with certain departments of the government established under that constitution. I send you a copy as little injured as any I possess.

Since it has become the order of the day for a certain set, some of whom, by the by, were violent advocates for the constitution, to rail at our government, and to condemn all its measures, I have been repeatedly solicited, personally and by letter, to furnish similar copies; but knowing for what purpose they were wanted, I have uniformly refused: For, tho' I had strong objections to the government as formed, many of which still subsist, I have approved, in general, its measures, and the mode in which it has been executed: And, however extraordinary it may appear, the much greater part of those measures, which have been the subject of the loud clamor, have met my warmest approbation.

To you, my dear sir, I readily consign my publication, with all its sins on its head, enough, God knows, to damn the author with any government. But to you I readily consign it, because I know by you it is not wanted for any use I should deem improper—and because I know, let our sentiments as to the form of the government be what they will, as to those measures of government, against which a faction is so clamorous, our sentiments correspond.

As to the information you requested on a particular proposition made in the convention, and its fate, I should not have been willing at this distance of time to have hazarded my memory; and it is probable the memorandums and notes, which I brought with me from the convention, do not now exist; at least, in the multiplicity of my waste papers, I know not where to find them: but it affords me real pleasure to learn from the President's message of the 13th past, that the fact you wished to ascertain, is now established by testimony the most unequivocal.

I rejoice that the journals of the general convention are in existence, and that they are lodged in a place of safety.

From those journals, should you have the curiosity to make the comparison, you will find the authenticity of the facts, which I have stated in my publication, as far as relates to the actual proceedings in that convention.

With regard to the matter in contest, I never have doubted but the power of making all treaties, commercial as well as others, was vested by the constitution in the President, with the assent of two thirds of the Senators who should be present.—That all treaties so made, are treaties made under the constitution, and thereby immediately become the law of the land.—That the interposition of the House of Representatives is in no respect essential or requisite for their ratification.—But that all treaties when so made by the President with the assent of the requisite proportion of the Senate, being published, had full and complete efficacy and obligation, without any assent, approbation or interference of the House of Representatives.

I never doubted but the framers of the constitution so intended it should be understood; and whenever it has been a subject of discussion, I have ever given it that construction.

Many members of that convention, of which number I was one, were anxiously solicitous to have preserved to the state sovereignties, a full and perfect equality of suffrage, (which they enjoyed under the former confederation, and which I still think they ought to enjoy) and to have prevented Le Peuple Souverain from being in any degree a constituent part of the general government, or that the representation should in any degree be drawn directly from that source, (and in this respect also my sentiments remain unaltered, however heretical they may be). These facts you will see at large in the pamphlet I send you.

This controversy had nearly terminated the excellence of the Convention.—A compromise however took place, we preserved an equality of representation for the state governments in the Senate,

(the only federal feature in the constitution,) and consequently there we meant to deposit as many as possible of the great portions of sovereignty the states were obliged to delegate, and among others, the Treaty-making power.—My only objection to its being deposited where it is, arose from the consideration that the President, instead of being chosen through the medium of the state governments, derived his existence from the people, which was then, and is now more strongly opposed to my sentiments of propriety and safety to our government. But as it was necessary this power should be trusted to some departments, these, where it was trusted, were infinitely, in our opinion, the least exceptionable.—And altho' some few individuals might have been so mad enough to have wished introducing the popular branch into the treaty making part of the system, a thousand reasons must have then occurred, and mult' yet occur to every candid and thinking mind; to shew the impropriety and danger of admitting the people at large, or their immediate representatives, to any share in making or ratifying our engagements with foreign nations.—Nor can I believe any members of that convention, who attended the session, have a doubt the constitution was designed to have the construction I contend for.

These sentiments I have mentioned without reserve, when ever I have spoken upon the subject. You are at liberty to make of them what use you think proper.

It gives me great pain that the House of Representatives have taken the part, they have done, and placed the President in so painful a situation, but, as they have so done, I rejoice he has had the firmness, in so trying a situation, to do his duty, and refuse a compliance with their unconstitutional demand; and since this contest, in which I consider the happiness of the United States, and the prosperity of the separate states deeply involved, might, and perhaps would, have at some period come forward, I particularly rejoice the event has taken place which we have an Executive so fully and so justly possessing the confidence of the public.

Mr. Gallatin says a correspondent made a speech of two hours and upwards in the House of Representatives, a day or two ago, one object of which was to prove that the public debt has increased since the establishment of the system of finance. His method of doing this was, 1st, To charge the government with nearly two millions for accumulations of interest which took place before the system began to operate. By the terms of the funding act the payment of interest was not to be commenced till certain periods, and the interest which should accrue from the 30th of December 1790, till those periods, was to be added to the principal, and be funded at 3 per cent. Yet this accurate financier shutes the interest which so accrued, as encumbrance of debt under the operation of the revenue system. Andly, By charging to the government as encumbrance of debt, certain accumulations of interest on the assumed debt to a large amount which have been charged to the respective states in the settlement of their accounts with the United States, and are consequently discharged. 3dly, By omitting several hundred thousand dollars which have been paid off by the interest of the debt purchased by the sinking fund. Whenever purchases were made, the stock purchased was transferred to the commissioners, who continued to receive the interest, and invest it in new purchases. Yet this interest and the purchases made with it, Mr. Gallatin thought proper to omit. 4thly, By omitting to credit the government for all the monies now due to the treasury, to the amount of nearly five millions, while he charges it with every cent that it owes. And finally, By crediting the government only with the sums paid for the purchase of stock, instead of the sums actually purchased. Six per cent stock was often purchased much below par, so that 600,000 dollars, applied by the sinking fund has extinguished, for instance, 800,000 dollars of the public debt, and yet he gives the government credit for only 600,000 dollars of extinguished debt.

A certain logician used to say, that if you would allow him two falsehoods and one absurdity, he could prove any thing; a principle of which Mr. Gallatin seems to understand the full value.

With equal readiness he proves that the debt ought not to be paid to the Bank; which was the other object of his speech. He affirms, contrary to the known state of the fact, that when the bank lent this money, they did not expect to receive payment, it being, according to him, the understanding when the loans were made that they should not be paid when they fell due, but reloaned. The bank deny this, call for payment, and produce their contracts. Yet he repeats his assertion, and from it concludes that we are under no obligation to pay till it suits us, which he does not pretend will be for some time, perhaps some years to come. This however is consistent enough with his motion to substitute expediency for good faith, in the creation of public contracts.

This speech after all its misstatements and omissions, concludes with bringing the government something less than one year's revenue in debt.—Every body knows that its expences commenced at least one year before its receipts. In each year consequently it has been obliged to extend by anticipation the revenues of the succeeding years. In this state it now remains according to Mr. Gallatin's own account, notwithstanding the heavy expences which it has had to defray for several extraordinary occasions; such as the Indian war, the Algerine treaty, the western insurrection, &c. If credit be given for his omissions, and improper charges, it will appear to have considerably diminished the public debt, instead of having increased it.

MARRIED] Last evening, by the Rev. Jacob Cohen, ISAAC PESSOA, Esquire, of the island of Jamaica, to the amiable Miss PHILA PHILLIPS, daughter of Mr. Jonas Phillips of this city.

PORT OF PHILADELPHIA.

Table with columns: ARRIVED, DATES, and ship names (Brig Polly, Campbell; Sloop Industry, Green; Henry, Bosman; Hawk, Parrot; Sloop Millinet, May).

Table with columns: CLEARED, and ship names (Brig Amiable Matilda, Paul; Schooner Greyhound, Collins; Schr. Sally, King; Betsey, Morfe; Sloop Industry, Blake; Diana, Pearlson; Capt. Parrock, of the schooner Hawk).

Capt. Robinson, about 6 days ago, spoke the brig William Pennock, Holiday, from Norfolk, to St. Croix, out four days; all well.

Four ships and a brig, bound into the Delaware, were seen off Indian river on Saturday evening.

BY THIS DAY'S MAIL.

BOSTON, April 7.

Returns of the election from fifty seven towns for Governor on the fourth inst. give for Mr. Adams 5257 votes, and for Mr. Sumner 2673.

Mr. Gill has an almost unanimous vote for Lieut. Governor in the towns from which returns have been received.

The votes for Senators in this town, at the close of the poll, stood as follows:

Table with columns: Name (Thomas Dawes, Oliver Wendell, Benjamin Austin, jun., Dr. William Eustis, John Coffin Jones, Theophilus Cushing) and Votes (2404, 2339, 1544, 1513, 949, 937).

The four former are chosen. His Honour MOSES GILL, had 2431 for Lieut. Governor.

NEW-YORK, April 13.

At twelve o'clock yesterday, Mr. Kettletas was released from gaol by a writ of habeas corpus.—The people awaited him at the door of his prison with a chariot, decorated with the flags of the American and French republics and a caricature of a man tied up to a post, and the whipper of brid well brandishing a cat o'-nine tails, and exclaiming, "What I insult your superiors, you rascal!"

In this carriage Mr. K. was seated, supporting the Cap of Liberty suspended on a pole; and, after being drawn through several of the principal streets was conducted home amidst the plaudits of a large concourse of people.

Arrived at this Port.

Table with columns: DATES, and ship names (Ship America, Crownshield; Schr. Apollo, Teleton; Matchless, Smith; Sloop Sally, Geat; Dolphin, Barton; Betsey, Roads; Patience, Webb).

[By the brig Susan and Polly.]

KINGSTON (Jamaica) March 7.

His Majesty's ship Intrepid, Capt. Carpenter, arrived yesterday at Port Royal, from a cruise.—She brought with her a prize, called the Jamaica, a ship lately from France, mounting 20 guns, 9 pounders, and can carry four more—she was directly from France, and only five months old; the crew ran her ashore, and escaped in her boats; also, the Danish schooner Polly, a prize to her, taken on her passage from St. Thomas's to Cape Francois.

The above ship was taken by the Intrepid and Totquito, near Porta Plata; she came from France with orders to give chase to no vessel, but to make the best of her way for Cayenne, Guadaloupe, and St. Domingo. At Guadaloupe she left 16,000 stand of arms, her name was originally La Perceant, but Admiral Parker, who judges she is fitted completely for cruising round this island, named her the Jamaica. The plan on which she is constructed, is excellent, as she has as much room to fight her guns as the Intrepid, and is in fact as complete a battery as ever floated. It would have been impossible for the Intrepid to have taken her, if she had not got her between a neck of land and herself, and had a smart breeze, while she had none.

All her papers were carried off by the crew, except a single one that contained the above intelligence of her route; and the log book, which shews she must have had an exceeding quick passage.—She was built at Rochelle.

By a proclamation published at Cayenne and found on board the Jamaica, it appears that a spirit of inactivity has spread itself over the whole colony, and a famine is likely to take place, from no attention being paid to the cultivation of the country.—In order to remedy this evil, the governor general has laid down rules for the wages of laborers and for their hours of labor, and at the same time it is enacted that the proprietors of land, will if found guilty of remissness with regard to the cultivation of their estates, subject themselves to the severest penalties.

The Underwriters

OF the City of Philadelphia are particularly requested to meet at the Office of Messrs. Wharton & Lewis, at 10 o'clock, To-Morrow Morning, to consider whether it will be proper to continue the Business on its present footing, at this Critical Juncture.

ATTENTION!

The Merchants and Traders of this City are earnestly requested to meet at the Coffee-House To-Morrow at 12 o'clock, for the purpose of taking into consideration the propriety of addressing Congress in relation to the pending Treaty.

NEW THEATRE.

FRIDAY EVENING, April 13, Will be presented, a COMIC OPERA, called The Maid of the Mill. To which will be added, La Foret Noire; or, THE NATURAL SON.