possible to justify a stipulation, in the midst of war, substituting for an existing equality, an advantage to one of the belligerent parties over its adversaries; and that too, without any compensation to the neutral, shielding its motive from the appearance of mere partiality. Hitherto the U. S. have avoided as much as possible such embarrassments; and with this view have gratuitously extended to all belligerents the privileges stipulated to any of them. Great Britain has had the benefit of this scrupulous policy. She can therefore with the less reason expect it to be relinquished for her benefit.

The last paragraph of the 19th article, establishes a just principle as to the responsibility of a neutral nation, whose territory has been violated by captures within its limits; but by extending the principle to the two miles added to our jurisdiction by the 12th article, qualified as that addition is, it is made peculiarly important that an amendment should take place.

Passing by the failure of a reciprocity, either in the terms or the probable operation of the responsibility, the U. States seem to be bound to claim from the enemies of G. Britain redress for a hostile act, which such enemies may not have renounced their right to commit within the given space; making thus the U. States liable to the one party, without a correspondent liability to them in the other party; and at the same entitling G. Britain to redress for acts committed by her enemies, which she has reserved to herself a right to commit against them.

Should all the other belligerent nations, contrary to probability, concur in the addition of two miles to our jurisdiction, this construction would still be applicable to their armed ships; those unarmed alone being within the additional immunity against British cruizers; and the armed as well as the unarmed ships of G. Britain, being expressly within the additional responsibility of the U. S.

Sixth. No treaty can be sanctioned by the U. States, under the alternative presented by the declaratory note on the subject of the French decree of November 21. It is hoped that the occasion which produced it will have vanished, and that it will not be renewed in connection with a future signature on the part of G. Britain. The utmost allowable in such a case would be a candid declaration that in signing or ratifying the treaty, it was understood on the part of G. Britain, that nothing therein contained would be a bar to any measures, which if no such treaty existed, would be lawful as a retaliation against the measures of an enemy. And with such a declaration, it would be proper, on the part of the U. States, to combine an equivalent protest against its being understood, that either the treaty or the British declaration would derogate from any rights or immunities, against the effect of such retaliating measures, which would lawfully appertain to them, as a neutral nation, in case no such treaty or declaration existed.

Having given this view of the alterations which are to be held essential, I proceed to notice such others as though not included in the ultimatum, are to be regarded as more or less deserving your best exertions. This will be most conveniently done by a review of the several articles in their numerical order.

The 2, 4 and 5, all relate the trade and navigation between the two countries. The two first make no change in the stipulations of the treaty of 1794. The last has changed, and much for the better, the provisions of that treaty on the subject of tonnage and navigation.

Two important questions however, enter into an estimate of these articles.

The first is, whether they are to be understood as a bar to any regulations, such as navigation acts, which would merely establish a reciprocity with British regulations. From the construction which seems to have been always put on the same stipulations in the treaty of 1794, it is concluded that no such bar could be created, & consequently that the articles are in that respect unexceptionable. It may be well, nevertheless, to ascertain that the subject is viewed in this light by the British government.

The second question is, whether the parties be, or be not, mutually restrained from laying duties, as well as prohibitions, unfavorably discriminating between articles exported to them, & like articles exported to other nations.

According to the construction put by the U. States on the same clauses in the treaty of 1794, the mutual restraint was applicable to discriminations of both kinds. The British discriminating duties on exports, introduced under the name of convoy duties, and since continued and augmented under other names, were accordingly combated, during the existence of the treaty, as infractions of its text. The British government, however, never yielded to our construction, either in discussion or in practice. And it appears from what passed in your negociations on this subject, that the construction which is to prevail, admits discriminating duties on exports.

In this point of view, the stipulation merits very serious attention. It cannot be regarded as either reciprocal or fair in principle, or as just and friendly in practice.

In the case of prohibitions, where both governments are on an equal footing, because it is understood that both have the authority to impose them, neither is left at liberty to exercise the authority.

In the case of duties, where the British government possesses the authority to impose them, but where it is well known that the authority is withheld from the government of the U. States by their constitution, the articles are silent, and of course the British government is left free to impose discriminating duties on their exports, whilst no such duties can be imposed by that of the U.S. How will it be in practice? Stating the exports of G. Britain to the U. S. at six millions sterling only, the present duty of 4 per cent. levies a tax on the U. S. amounting to 240 thousand pounds, or one million, sixty-five thousand, six hundred dollars; and there is nothing, whilst the war in Europe checks competition there, and whilst obvious causes must for a long time enfeeble it here, that can secure us against further augmentations of the tribute.

Even under a regulation placing the U. S. on the footing of the most favored nation, it appears that the British government would draw into its treasury from our consumption three eighths of the revenue now paid by the U. States. Such a footing, however, would be material, as giving the U. S. the benefit of the check accruing from the more manufacturing state of the European nations. But to be deprived of that check by the want of an article, putting us on the footing of the nations most favored by G. Britain, and at the same time deprived of our own checks by clauses, putting Great Britain on the commercial footing of the nations most favored by the U. S. would in effect confirm a foreign authority to tax the people of the U. S. without the chance of reciprocity or redress.

The British duty on exports to the U. S. has another effect, not entirely to be disregarded. It proportionally augments the price of British manufactures, re-exported from the U. S. to other markets & so far promotes a direct supply from G. Britain, by her own merchants and ships. Should this not be the effect of her regulations as now framed, there is nothing that would forbid a change of them, having that for its object.

On these considerations it is enjoined upon you by the President, to press in the strongest terms, such an explanation or amendment of this part of the treaty, as will, if possible, restrain G. Britain altogether from taxing exports to the U. States, or at least place them on the footing of the most favored nation, or if neither be attainable, such a change in the instrument in other respects, as will reserve to the U. S. the right to discriminate between G. Britain, and other nations in their *prohibition* of exports, the only discrimination in the case of exports, permitted by the constitution. The unwillingness of the President to risk an entire failure of the projected accommodation with G. Britain, restrains him from making an amendment of this part of the treaty, a sine qua non; but he considers it so reasonable, and so much called for by the opinions and feelings of this country, that he is equally anxious and confident with respect to a compliance on the part of the British government.

(To be continued.)

ORDERED that DANIEL BRENT administrator of EDWARD KILLEN, deceased, give notice for creditors to exhibit their claims against the deceased, by advertisement in the usual form, inserted once a week for three weeks in the National Intelligencer.

JOHN HEWITT, Reg.

THIS is to give notice that the subscriber has obtained from the Orphan's Court of the county of Washington, in the district of Columbia, letters of admistration on the personal estate of Edward Killen, late a mariner of the United States' schooner Enterprise, deceased. All persons having claims against the said deceased are hereby warned to exhibit the same with the vouchers thereof, to the subscriber on or before the 23d day of November next; they may otherwise by law be excluded from all benefit of the said estate.

DANL. BRENT, Adm'r. with the will annexed of Edward Killen.
Washington, May 23—w3t.

WASHINGTON CITY.

MONDAY, MAY 23.

The following extract of an address from the House of Representatives and Legislative Council of Orleans to the President of the United States, displays a patriotic spirit not unworthy an elder sister of the Union:

"We have witnessed with infinite concern, that a dignified and impartial neutrality towards the belligerent nations of Europe, has not been sufficient to protect the U. S. against encroachments upon their rights dignity, and independence; and although we deprecate war, if there is no other alternative but disgraceful submission to unlawful, arbitrary and unjust pretensions, we assure you, sir, in the name of our constituents, that whatever sacrifices and privations it may be necessary to make, they will cheerfully submit to them, in vindicating the rights of the American people, and the honor and independence of the government and country."

We are sorry to state that from the Western papers we learn that our Indian neighbours have lately manifested dispositions hostile to the Americans. An engagement lately took place between them and the crew of a boat ascending the river Tennessee, in which three of our citizens were killed, and three wounded. It is also stated that this unusual commotion is accompanied by circumstances which point unerringly to its source—*foreign agency.*

NEW-YORK ELECTION.—The Citizen states it as certain, that fifty-eight members of the Assembly are republican, and 42 federal; and that it is probable, that of the remaining 12, eight will be republican and four federal; giving, on the final result, the republicans a majority of 20. In the Senate the republican preponderance is still greater. So much for federal triumph!

ORDERS OF COUNCIL.

The Parliament of England has sanctioned these orders, and they are therefore become as binding upon the world, *according to the interpretation of the British government,* as if they formed a part of the law of nations. From the sample which we are about to record of the operation of these orders on the remaining commerce of the United States, may be estimated the wisdom of the embargo.

The ship Abula, capt. Dillingham, carried from the port of New-York to Gibraltar a cargo of flour, which was sold to the garrison. From Gibraltar she proceeded to Barcelona, where she took in a cargo of brandy; and whence she sailed for the port of N. York. On her passage home, she was captured by the British, and carried into Gibraltar, where she was condemned, as the instrument of condemnation states, "*for contravening his majesty's orders of council.*" She was condemned at the place and by those whom she had just supplied with food! Her outward cargo was our native produce.

The schooner Eliza, of Stonington, with an outward cargo of fish, was captured on her passage home, and similarly condemned.

From the Albany Register.

It appears, that a number of turbulent and unprincipled characters, on our northern frontier, have combined to defeat the operation of the embargo law—in consequence of which the President of the U. S. has issued a proclamation, for quelling such riotous, seditious and treasonable combinations.

This is the first time, since the establishment of our independence, that any portion of the citizens of the state of N. York has arranged itself in forcible opposition to the laws of the U. S. For the honor of the state, whose character is disgraced by such infamous proceeding, we hope the deluded conspirators may be speedily brought to a sense of their duty. That the enemies of our country, and its free government, should be capable of endeavoring to excite the people to illegal and disorderly opposition to the laws, is what we had reason to expect—but we did not believe that even the smallest portion of the citizens of this enlightened state could be excited to the commission of acts so criminal and disgraceful. From the late movements of the British among the western Indians—it is not improbable, that in this northern ferment, *British agency* and *British gold* have been employed to stir up sedition, and tarnish the character of our state.

St. Albans, (Vt.) May 5.

A number of militia have been this day detached from this regiment, by order of the governor, to enforce the laws of the United States, and quell all combinations against the due observance of the same. The detachment from Vermont is commanded by Captain Hopkins of Swanton, and we believe consists of about 25 men, who are or will be immediately joined by a detachment from New-York side, to proceed with all dispatch to the British lines, in order to prevent the passing of a large quantity of lumber in rafts, which is now near the lines. There is now a heavy gale from the south, and the rafts being supplied with such a quantity of sail, that we think it hardly possible for human force to restrain their movements, till they pass the provincial line. We hope no serious consequences will arise from this conflict between the sovereignty of the U. States, and the sovereignty of pecuniary want.

Bennington, May 8.

Gov. Smith is said to have gone to the northward to reconcile the opposers of the embargo.

A report is in circulation, that an engagement lately took place on lake Champlain, between the crew of a large raft and the custom-house guards, in consequence of the former attempting to pass: thirty-nine were severely wounded and one killed. It is supposed that they were conveying large quantities of tea into Lower and Upper Canada.

From the Utica Patriot.

By a gentleman directly from Vermont, we are informed, that in an attempt of the inhabitants to take a large raft to Montreal, contrary to the embargo laws, they were resisted on Lake Champlain, by two sloops belonging to the government—when an action took place, in which fourteen or fifteen men were wounded. The raft made its escape and proceeded to its place of destination.

We learn by a gentleman from Vermont, who resides near Lake Champlain, that the raft preparing to go down the Lake to Montreal was near half a mile long, had a regular fort built upon it ball proof, and is manned with between 5 and 600 men armed. The raft is represented to contain all the surplus produce of that state raised the year past, such as wheat, pot-ash, pork, beef, &c. and sold to be worth rising of three hundred thousand dollars. Gov. Smith of Vermont has ordered out the militia to arrest the progress. It is feared this cruel and arbitrary policy of forbidding intercourse with our neighbors will cost the lives of some of our most valuable citizens.

N. Y. E. Post.

"A gentleman from Vermont" has *communicated* that a raft is preparing on Lake Champlain nearly half a mile long, and which is to contain *all* the surplus produce of that state, to be transported to Montreal. A fort also, he reports, is erected, which is "ball proof." He also informs that Gov. Smith has ordered out the militia to intercept this armament, and if all is true, that the "gentleman from Vermont" reports, dreadful consequences must ensue. A raft half a mile in length would require a large space of water for its navigation. There certainly is no lake or river in the known world in which it could perform any evolutions, and valuable citizens certainly would be "despicable fools," to venture their persons or their property in such an undertaking. *Oracle.*

Extract of a letter from an American merchant, to another in Philadelphia. dated PARIS, MARCH 11.

"All cases of capture or seizure of American property, which have occurred under the Milan decree, remain suspended; and the council of prizes has positive orders not to proceed in them, till further instructed—and it is believed the emperor will decide nothing, before he knows the result of Mr. Rose's mission. If matters are arranged with England, I fear that all American property now under sequestration, as well as that captured, will be confiscated and condemned: but if on the contrary, the negociation with England is broken off, it is confidently expected that all American property will be immediately released. Every American here was much gratified with the news of the embargo; and certainly even those who disapproved of the measure at the time, will acknowledge its wisdom and salutary effect after hearing of the British orders of 11th November, and of the French decree of 17th December.

"Every ship detained at home by the embargo has been saved from capture by the British or sequestration by the French whose conduct has been equally unjust and injurious; I hope it will be continued till they both agree to respect our neutrality.

Extract of a letter from Bordeaux, to a respectable mercantile house in N. York, dated the 27th of March, 1808.

"The Osage arrived at L'Orient on the 22d inst. in 23 days from New-York, and her dispatches have gone on to Paris. We are anxiously waiting their result, which I am very apprehensive will not be of a very satisfactory nature, as this government will not probably suspend the operations of the late decrees on the American commerce unless the U. States will join the confederacy against England. It is also to be feared that the negociation with the British government will not take a more fortunate turn, unless their present peculiar situation should induce them to abandon principles, of which they have hitherto been obstinately tenacious."

The brig St. Michaels, Henry Kenyon, commander, parted with her pilot at one o'clock on the 7th of May, off Cape Henry, wind strong from the N. W. She takes out two messengers, one for France, the other for England—the latter, Mr. Purviance, takes his family. There are several passengers on board—among the number are Mr. Rembrandt Peale, of Philadelphia, and Mr. Wm. Saltonstall, of New-York.

Phila. Pa.

A duel was fought in N. Carolina the 7th inst. between lieut. Melancton Smith, of New-York, and capt. Hall, of Marines, both officers on board the Chesapeake frigate. Mr. Smith was slightly wounded in the hip. The challenge was given by Smith, in consequence of evidence given by Hall before the court martial.

A vessel has arrived at Newbern, N. C. in a short passage from St. Vincents, with intelligence that the town of Kingston, in that island, has been totally detroyed by fire; and that the inhabitants have risen *en masse*, and massacred most of the constituted authorities.

Markets at St. Croix—(17 days since)—Flour $35 per barrel; Corn meal, $100 per hhd.

NOW LANDING
From on board the schooner VIRGINIA from New York.

First quality St Croix SUGAR in hogsheads, prime green COFFEE in bags, fresh TEAS, Bordeaux CLARET in boxes of one dozen each, SWEET OIL, OLIVES, CAPERS & ANCHOVIES, for sale by

ROSS & GETTY.
George Town, May 23—tf

PUBLIC SALE.

THE sale of the real estate of Gustavus Scott, deceased, heretofore advertised, being postponed by order of the Chancellor, the subscriber as trustee, will sell at public auction, at *Van Wyck & Dorsey's* Auction Room in the city of Baltimore, on Friday the 17th day of June next at 12 o'clock, the folowing tracts of unimproved land lying in Allegany county, to wit:

	acres.
Governor's Neglect, containing	1031
Roby's Delight,	421
Ormes Attention,	684
Chesnut Grove,	461
Now or Never,	600
Hard Struggle,	1554
Lot No. 2487,	50
Western Connection,	15484

The lands above mentioned are well watered and timbered, the soil good, and well calculated for grazing, and will be divided so as to suit those who wish to purchase.

A further description of the property will be given to any person wishing to purchase, on application to the subscriber.

The terms of sale are, that the purchaser or purchasers of the whole or any part of the above lands, shall give bond with security to be approved of by the trustee for paying the purchase money within twelve months from the day of sale. The creditors of Gustavus Scott, deceased, who have not yet exhibited their claims, are hereby notified to bring the same into the Chancery Court with the vouchers thereof within six months from the day of sale aforesaid.

ROGER PERRY, Trustee.
Cumberland, May 23—3w.

SALE AT AUCTION.

On Saturday the 28th inst. will be offered at public sale, the following *GOODS*, just received, which the subscriber can recommend to the attention of dealers. The sale to commence at 10 o'clock, near the Ferry Wharf, at the foot of High-street. Terms of sale: All sums under 100 dolls. cash; over 100 dolls. and less than 200 dolls. 60 days; and all sums over 90 days for negotiable Notes at the Bank of Columbia, or Office of Discount and Deposit, in the city of Washington, with approved endorsers—viz.

Muscovado Sugar in hogsheads,
East India do. in bags,
Muscatell and bloom raisins, fresh and excellent quality,
Soft shelled almonds do. do.
Mould and dipt candles of best quality,
Sweet scented chewing tobacco, very fine,
A few pipes and half pipes of London particular Teneriffe wine, having had the advantage of several sea voyages, and warranted as pure and genuine as when exported from the island several years ago.

Samples of the above may be seen at the Auction Room of the subscriber, who is authorized to dispose of any part of the above cargo between this and the day of sale.

JOHN TRAVERS, Auct.
Geo. Town, May 23—eptds