

teers have not yet been called out. The poor are in the utmost distress, and cannot, even for money, obtain flour;—something effectual must be done to relieve them.

"Riots nearly similar have also broken out at Mansfield, and in the whole neighbourhood round Nottingham. This measure has caused, we hope but a momentary stagnation amongst the manufactories. The working people are parading the streets.

Ten o'clock at night.

"The continued appearance of insurrection in the suburbs has obliged the Mayor to call out the volunteer corps, both cavalry and infantry: they are now parading the town; and some stationed in various situations on the banks of the Trent, are endeavouring to disperse the rioters, who are there numerously assembled. The magistrates are apprehensive that coercive measures, blended with consequences at which humanity shudders, must at length be resorted to."

Extract of another letter Sept. 2, 3 o'clock.

"It is very painful for us to state that the public discontent is still violent, and that there is not even a prospect of the riot subsiding.—The yeomanry cavalry, and the infantry belonging to the town, have been on duty all this day, and great part of yesterday; but the poor inhabitants, who alone are discontented, absolutely defy them, and even the women interrupt them by hisses, and other modes of abuse. About 14 persons have been secured, and are now in Nottingham jail. The women are the principal aggressors, and they are permitted to remain at liberty. This morning about 1 o'clock, a large party attacked a baker's shop near Sutton's the bookfeller.—They ransacked the shop of all the flour they could find, which they exhibited to the persons present as containing chalk, allum, and other poisonous substances. A troop of the blues, however, at length arrived; and, after the greatest exertions, succeeded in dispersing the mob. The blues have been unremittingly on duty three days and two nights without rest; and they must continue to parade the streets until reinforcements shall arrive.—Many of the shops are shut up at mid-day, and a real panic pervades the minds of the opulent. The rioters at Mansfield have been overawed, and that place is now quiet; but they are so numerous in Nottingham, and the want of bread so general amongst the poor, that unless something be done to relieve them, the confederation must continue.

"This morning, about twelve o'clock, the flag was hoisted on the top of St. Mary's steeple, and a messenger sent to Sir Thomas Perkins (father of Lord Radcliffe,) to request he would immediately dispatch his troop of horse from Bunny, a village in the neighbourhood; they arrived about an hour ago, and are now parading the town.

"The vengeance of the rioters is directed entirely against the bakers, millers, and farmers; they attribute the present scarcity to forestallers, monopolisers, and regraters. Business is entirely at a stand. All the weavers have joined the crowd.

"Five o'clock. This moment between 20 and 30 of the rioters have been lodged in the county prison; they arrived in an open waggon under an escort from the village of Arnold, about four miles from Nottingham, and all belong to the extensive manufactory of Messrs. Davidson and Hawkesley. Many of them are fine young fellows, and appear under twenty years of age; the women would have gladly effected a rescue, but were overpowered by the soldiery. There was a serious conflict before these prisoners could be secured, and the Bunny yeomanry were obliged to fire on them; one is dreadfully wounded with a ball in the neck, and another had his arm shattered."

NEUTRAL VESSELS.

From a late London Paper.

We stated to our readers some time ago the principles upon which the new council of prizes at Paris proceeded with respect to neutral vessels, and we gave the decision at length upon the American ship *Pigou*, which was ordered to be restored with costs. That decision shewed, that a greater degree of system had been established, and that the loose and frequently unjust principles upon which the directory acted with respect to captures of neutral ships, were meant to be abandoned. The following is the decision of the council on another case, that of the *Statira*:

The *Statira*, captain Seaward, an American ship, had been captured by the English vessel, and recaptured by the French privateer the *Hazard*.

The first point which the commissary considers is, the effect which the *Statira* having been in the possession of the English ought to have.

He observes, that if the vessel captured and recovered had been French, and recaptured by a national vessel, there would have been nothing due to the recaptor, because this is only the exercise of that protection which the state owes to all its subjects in all circumstances. If it had been recovered by a privateer, the French regulation gives the property of the vessel to the recaptor, on account of the risk and danger of privateering. It might be an act of generosity to restore the vessel to the original owner, but it is not of right that it should.

In the next place, he considers the case of a neutral recaptured from an enemy. If really neutral, he says the vessel must be released. The ground of this higher degree of favour for a neutral he states to be, that the French vessel must have been lost in the country. But it is not certain that the neutral captured by an enemy may not be released by the admiralty courts of the enemy. The mere capture does not vest the property immediately in the captor, so as to make it transferable to the recaptor. The commissary considers the property not vested in the captor till sentence of condemnation.

We believe this is much milder, and more favourable for neutrals than our practice. The being a certain time in the enemy's custody, or in *Maenia*, transfers the property to the captor. This was held in the late well known case of the Spanish prize, captured by the French, and recaptured by the English. It is to be observed, however, that a principle of reciprocity is pursued, and that we give the same indulgence to the neutral which they would have given us in a similar case.

Having proved that the *Statira* was not liable to confiscation, on the ground of her being in the hands of an enemy, the commissary considers whether her cargo was ground of confiscation.

Upon this point he considers two questions, 1st, whether in point of law, the character of the vessel, neutral or not, should be determined by the nature of the cargo? 2d, whether the cargo consisted of contraband?

He then reviews all the laws upon this subject, and shows that till the decree of the 29th Nivose, (year 6.) the regulation states.

"His majesty prohibits all privateers to stop and bring into the ports of the kingdom the ships of neutral powers, even though coming from or bound to the ports of an enemy, with the exception of those carrying supplies to places blockaded, invested, or besieged. With regard to the ships of neutral states laden with contraband commodities for the enemy, they may be stopped and the said commodities shall be seized and confiscated, but the vessel and the residue of their cargo shall be restored, unless the said contraband commodities constitute three fourths of the value of the cargo, in which case the ship and cargo shall be wholly confiscated. His majesty however reserves the right of revoking the privileges above granted, if the enemy do not grant a reciprocal indulgence in the course of six months from the date hereof."

The law of the 29th Nivose, (year 6.) overturned all this system and enacted.

"That the state of ships in regard to their being neutral or hostile, should be determined by their cargo; that accordingly every vessel found at sea, laden in whole or in part with commodities coming from England, or its possessions, should be declared good prize, whoever might be owners of their articles and commodities. The severity of this regulation the commissary condemns, but as the *Statira* was captured while it was in force, the captor was entitled to have the capture tried by it.

He examines next how the regulation applies, premising his opinion that such regulations are improperly filed laws and they are essentially variable *pro temporibus et causis*; that they should always be tempered by wisdom and equity. He adverts to the words in whole or in part. By the whole, he says, ought to be understood a great part, according to the judicial maxim *purum pro nihilo habetur*. Upon this principle then he is of opinion that a ship ought not to be subject to confiscation even under the law of the 29th Nivose unless such a part of the cargo comes under the description of what is there made contraband, as ought to excite a presumption of fraud against all the rest. What part should be is not capable of definition, but should be left to the enlightenment and sound discretion of the judge.

The *Statira* had on board sixty barrels of turpentine and forty barrels of pitch. The captor contended that these were contraband; the captured said, that by the treaty of 1778 with the Americans, they were not enumerated as contraband.

But the commissary shews, that the Americans by the treaty were bound to admit the French, to all the advantages of the most favorite nations; that having in a subsequent treaty with England, made pitch contraband, with respect to the latter, necessarily it became contraband with regard to France.

The learned commissary, however, thinks that even upon the principle of the law of the 24th Nivose, the quantity of pitch was too small to justify confiscation. In the next place the captor alledged, that 2911 pieces of Campeachy wood, part cargo of the *Statira*, was the produce of English possessions. This point however had not been regularly ascertained, as the report on the subject was made without the captured being called as a party.

The commissary states, however, strong circumstances of suspicion on this head. The captured had not appealed against the confiscation of the cargo. The point came under the consideration of the court on the appeal of the captor, who wanted to get both ship and cargo.

The commissary therefore saw no reason for condemning the ship, which was clearly neutral; but on account of the suspicions against the character of the cargo, he thought no indemnification whatever was due to the captured.

Judgment was pronounced accordingly. The piratical decree of the 29th Nivose (year 6.) mentioned above with so much severity by Portalis, has been repealed, and things have been placed upon the footing of the regulation of 1778; that is, the French are to treat neutrals in regard to contraband in the same way in which they are treated by us, they will not allow the Americans to carry into England a commodity which the English would seize as contraband going into the ports of France.

SALEM, Nov. 7.

Extract of a letter from Mr. Gardoqui, to a merchant in this town dated

BILBOA, Oct. 8.

"By the letters from Paris, we learn that your commissioners have gone away, after settling matters amicably with the French: and that the French Government only wait the ratification of the treaty by your Government, in order to open their ports to the Americans."

BOSTON, Nov. 6.

The following note was received in town yesterday.

MARBLEHEAD, Nov. 5.

"Last evening arrived capt. Swain, in 22 days from Bilbao: He informs, that our commissioners to France had settled their business, with the French government—were to dine with the chief Consul on the 2d October, and leave Paris for Havre the next day.

"N. HOOPER."

This intelligence is corroborated by capt. Young, arrived here yesterday from Lisbon; He states, that twelve days after leaving Lisbon, he fell in near the Grand Banks, with capt. Trevet, of the brig *Mentor*, who sailed in co. with him from Lisbon, and was informed that the day previous capt. Trevet spoke a ship from London for Philadelphia, the captain of which reported that he left London Oct. 14, and that intelligence had been received there of a treaty having been made between France and America: and that the Commissioners had departed for the United States.

Capt. Young further advises, that intelligence had been received at Lisbon, of Commissioners having gone from England for France.

Extract of a letter from an American gentleman at Bilbao, to his friend in Marblehead, dated Oct. 7, 1800.

"The report here is, that the American commissioners are to leave Paris on the 8th inst. (to-morrow) on their return home, and that they have agreed upon a principle of reconciliation—if so, it is probable they have made some arrangements for the payment of debts due from the French government and French citizens, to the citizens of the United States."

By the *Betsey*, captain Barker, arrived at Marblehead, with Hamburg papers to the 20th September, we have a confirmation that Russia has abandoned her hostile preparations against the English, in consequence of the accommodation between the latter and Denmark. An article from Vienna, of the 10th of September, announces that if a definitive peace is not concluded, an alliance between the two great northern nations would take place, that Russia would expedite an army

of 130,000 men to Wolhynia & Lithuania. On the other hand Prussia is to send another army to Bohemia if the French attempt to enter that kingdom. *Bost. Cent.*

Extract of a letter from capt. John Rust, of Salem, dated Paris, Oct. 1, 1800.

"My affairs are nearly in the same situation as when I last wrote you, except that the Tribunal of Prizes have no more to do with American property. As the treaty is completed, we expect all to be saved, but three weeks since the risk was great, for of 20 American vessels they condemned 13. Thank God, there is no risk at present, on those vessels which have not been tried, as the treaty is signed to-day—and all American property, not condemned, is to be given up—but it will take sometime to prepare for our departure."

NEW YORK.

The British packet has arrived at Halifax in 18 days from Falmouth—the news contained in a Halifax paper of the first of November, received by this vessel, is similar to that by the *America*; it mentions the treaty between the United States and France, concluded on the 27th of September, at midnight—The signing of preliminaries of peace by the Emperor—The congress of Luneville, to which Joseph Buonaparte is the French deputy, assisted by General Clarke—the surrender of Malta, &c.—and states that the British and French have not yet concluded on a naval armistice; but the conferences on that subject continue.

It is said that the French army for the invasion of Portugal, is on its march.

The embargo on English vessels is taken off in Russia.

Lord Keith with 15,000 troops is gone either to Naples or Egypt.

A British minister has had some particular conference with the court of Sweden, in consequence of the preparations for war by the latter.

The Halifax captain reports that an English squadron have cut 7 fathoms of the line out of L'Orient Roads.

FROM LISBON.

Captain Young, arrived from Lisbon, in 21 days, acquaints us, that the Portuguese still entertain strong apprehensions of an invasion by the French through Spain.—A large Spanish army upon the frontiers of Portugal, which it was feared would co-operate; but the Spaniards have been lately laid under an obligation by their neighbours who have protected several valuable Spanish vessels to Lisbon; that the British expedition fleet under J. Pultney were at Gibraltar; and it was supposed would proceed to Portugal if that nation should require assistance;—That it was generally believed the French would endeavour to hold possession of Egypt; and that Kleber has fallen a victim to his determination to vacuate that country, against the advice of the officer who has succeeded him;—That the British cruisers have lately sent several American vessels into Lisbon, and among them a brig belonging to Mr. Kimball of Boston.

Captain Kleber, from Malaga, and who passed Cape St. Vincent, only 19 days before his arrival, informs, that a large English fleet from Gibraltar passed up the Straights about the time he came out.

[Boston Paper.]

SONG

ON THE MEETING OF CONGRESS AT WASHINGTON CITY.

HAIL! hail! thou bright auspicious day,
Which ne'er by us can be forgot,
Let every freeman homage pay
To the attractive CENTRAL SPOT.

Great Constantine a corner chose,
We all have learnt Rome's fatal lot,
And Petersburg shall soon disclose,
'Tis wrong to leave the CENTRAL SPOT.

Our Washington's expanded mind,
(Whose name's exempt from ev'ry blot)
The States in unity to bind,
Directed to the CENTRAL SPOT.

Then let us firm, united be,
Scorning each foe's distracting plot,
The manly Sons of Liberty
Will always love the CENTRAL SPOT.

Notice is hereby given that I have applied to the general Assembly of Maryland for an Act of Insolvency.

PATRICK SIM-

Nov. 7, 1800.