this, and other circumstances, of a similar nature, it appears, that the authority on the French islands in the West-Indies, have adopted *the plan of transporting to the United States, black people, whom the government there consider as having been engaged in a rebellion, whom they are afraid to retain there, and whom they do not incline to execute.*

The plan is in itself *derogatory to the general and particular governments of our nation,* and dangerous to the safety of the country. I conceive, that the right of rejecting and expelling aliens and foreigners, is, upon the principles of national law, necessarily incident to every free independent state. Impressed with these ideas, and with a view to deter others from coming here, on the application of the selectmen, I co[illegible]ded to cause these persons to be committed, until the supreme executive should be in session. To avoid this they have continued on board the vessel which brought them, with a view to land when the governor and council should be assembled.

I am, with great respect,
Your excellency's most humble servant,
JAMES SULLIVAN.

His excellency governor STRONG.

Boston, January 13, 1803.

Sir,

I take the liberty to ask your attention, as attorney-general, to a subject which may, in its issue, involve serious consequences to the town of Boston and the commonwealth at large. The brig Argo, captain Cushing, owned by a merchant of this town, arrived a few days since from the island of Guadaloupe. The captain immediately made a representation to me, that he had on board three *black men,* who had been *forcibly* put in his vessel at sea, by a French national cutter. Two of these men have been general officers among the blacks in that island, and the other has been servant to one of them. Captain Cushing was fearful he should incur some blame or penalty by introducing such characters here, and wished to deliver them to the civil power. I accordingly consulted several of the magistrates and the town attorney, and requested your opinion what should be done with them; after some consideration, it was thought best to keep them on board the vessel until the governor and council should be together.

Captain Cushing informs me, he is ready to produce them when demanded, and will submit, with his sailors, to any examination, respecting the manner of their being put on board. These blacks are furnished with passports, or orders, *to repair to the American continent,* from general La Crosse, the French commandant of the island.

I [illegible] sir, respectfully,
Your most obedient servant,
CHARLES BULFINCH.

Honorable JAMES SULLIVAN, esquire.

P. S. Since writing the above, I am informed, that the schooner Nancy, captain Colesworthy has arrived this day with one black passenger---put on board *by force.*

COMMONWEALTH of MASSACHUSETTS.
SUFFOLK, *ss.*
BOSTON.

Be it known, That on the 13th day of January, A. D. 1803, before me, William Harris, notary public and justice of the peace, within and for the county of Suffolk, in the commonwealth of Massachusetts, duly appointed, commissioned and sworn, dwelling and practising in Boston, personally came captain Benjamin Cushing, late master of the brig Argo, and made solemn oath to the truth of the annexed declaration, by him subscribed.

In testimony whereof, I have hereunto subscribed my name, and affixed the seal of my office, at Boston, aforesaid, the day, month and year first above mentioned.
WILLIAM HARRIS.

Know all Men by these presents, That I, Benjamin Cushing, late master of the brig Argo, from the port of Basseterre, in the island of Guadaloupe, do declare, that on the twenty-seventh day of November last, being nearly ready for sea, with a cargo of sugar, (received in return for a part of my outward cargo) bound to Boston, I was informed by the captain of the port that he was ordered by general La Cross, to embark six negroes on the first American vessel, and on enquiry he apprized me they were brigand chiefs, promising to put on board sufficient provisions for their passage, remaining for some time totally silent in regard to paying any passage money. To his execution of the general's order, I promptly objected, declaring, that I would not violate the laws of the United States, to which I should be amenable, and possibly at the expence of personal imprisonment, were I to permit the negroes on board; also that I was bound to the most northern of the United States in the Winter season, and that the negroes would freeze to death. This the captain of the port obviated, by *recommending my drowning them.* Finally, I declared that if he insisted on putting the negroes on board, I should abandon the vessel, protest against their illegal proceedings, and leave the island. After this the captain of the port observed, that he would inform general La Cross of my determination, and what had passed between us.

On the evening of the same day, (Nov. 27th) I was again applied to by the captain of the port, who again informed me, that general La Cross had ordered him to put only three (out of the six negroes) on board my vessel. I replied, that I deemed the crime as great for three, or one, as a dozen, and that I would not receive them on any condition whatever. On which he solicited very hard, saying, it would be very easy *tipping them over-board,* after my getting clear of the land, and that this was the general's *wish.*

On the morning of the twenty eighth of November, the captain of the port informed me, that I had general Lacross's permission to proceed to sea without any of the negroes. When I proceeded to clear out my vessel; as the duties amounted to considerable, I had suspended this, thinking it prudent that all should be settled first respecting the negroes, having put little confidence in the servants of government.

On the evening of the twenty-ninth, I put my pass on board the commodore's ship who gave permission to proceed, accordingly I weighed anchor, and while making sail the man-of-war's boat came along side, with orders not to proceed to sea till morning. The next morning early I weighed anchor and proceeded to sea, at which time the National schooner Mosambique, capt. Lucas, also weighed anchor and stood after me. This was on Monday, and she continued chasing us until Wednesday morning December the first, at eight o'clock, A. M. Dogg-Island then bearing North, three leagues distance, when the schooner hoisted a broad National Pendant and fired a gun to leeward, which I took no notice of; knowing that he could not suppose us a stranger;—soon after he fired a shot near to us, when I hove too; he then run up along side and ordered me to send my boat on board with my papers. Being unwell myself, at that time, I sent my mate with the vessel's papers, with orders not to receive any negroes, being suspicious that this was intended. Immediately on the mate's getting on board of the Mosambique he was taken below by captain Lucas, under pretence of looking at the papers, where he remained probably ten minutes, when he was ordered to return on board my vessel, but on going into his boat, he found three negroes in her. He then told captain Lucas it was against his orders to take any negroes on board the Argo, and requested the use of a trumpet to speak with me, which captain Lucas refused him, making use of the most abusive language, and bidding him to go on board and make sail immediately and proceed directly on his course; threatening, if he found the brig again among the Islands, to sink us; which orders I was compelled to obey.

The Negroes brought on board sufficient provisions for six or seven days, and said they were told by captain Lucas (who is said to be nephew to general La Cross) that the best of provisions and wine were previously put on board my vessel for their use.

One of the Negroes, from what I could learn, was a *principal chief* of the Brigands, who capitulated with general La Cross, about ten days previous to my sailing, and is a man of great activity and intrigue; one of the other two is said to have been commandant at Basseterre, where the Negroes first rose on the whites, and a third appears to be a servant to the two.

After receiving the Negroes on board I made the best of my way for Boston, my destined port, where I arrived safe the 29th of December, in the year of our Lord one thousand eight hundred and two.—And the Negroes took their liberty and quitted the brig Argo, under my command.

BENJAMIN CUSHING.

Boston, January 12, 1803.

SALEM, January 19.

Arrived last evening, schooner Sally, captain Flint, in 27 days from Surrinam. Left Surrinam on the 22d December.—Spoke, in Surrinam river, schooner Mary, Sprague, of Newport, a ship and a schr. from Baltimore, names unknown, another ship and a brig were in company, but could not learn where from.

January 20.

Entered, schooner Sally, Flint, Surrinam.

Cleared, ship William, Obear, West-Indies; schooner Polly, Day, Wilmington, N. C.

NEW-YORK, January 26.

Entered, brigs Comet, Worth, Charleston, 4 days; Olympus, Allen, New-Bedford, 10; schooners Mercury, Batty, St. Johns, N. B. 43; Industry, Post, Washington, 5; Eagle, Clarke, Newbern, N. C. 4; Columbia, Bryan, do. 5; Polly, Brown, Squam Beach, 2; Virginia, Pitnam, Savannah, 7; Miranda, Sayre, do. 11; Toker, Gardner, Nantucket, 9; Young Lion, Seaman, Norfolk, 4; sloops Sea Flower, Wells, do. 4; Cornelia, Wilmot, Fredericksburg, 20.

Cleared, ships Allegany, Coffin, Madeira and Calcutta; Grace, Tyler, Jamaica; brig Eliza, Schnell, Bremen; schr. Ann, Bunce, St. Lucia.

Arrived, schr. Columbia, Bryan, 4 days from Newbern, N. C. Jan. 23, run ashore on Cape May, and was obliged to heave overboard 20 barrels rosin, but got off without any damage to the vessel.

PHILADELPHIA, January 27.

We are desired to state, that the Chevalier de Foronda wrote to the Spanish minister of foreign relations, on the 11th of November last, announcing that the yellow fever had disappeared at Norfolk, Baltimore and Philadelphia, & that the board of health of Philadelphia and eighteen physicians had declared the disease to be entirely dissipated. This communication is made in order to correct any erroneous impression which may have been produced by the extract of a letter from Cadiz, which appeared in this paper of yesterday.

Cleared, brig Hannah and Sally, Sulger, Cadiz.

The brig Germania, Wunenberg, from Bremen, has arrived at Reedy Island.

Left at Bremen, Nov. 11th, no American vessels. In lat. 33, N. long. 44, W. captain W. spoke sch'r Success, Moore, from Philadelphia to Teneriffe.

AUGUSTA, January 12.

On Sunday evening last, a gentleman arrived in this city from Natchez, which place he left on the 9th of December, he informs that the governor general of New-Orleans, had issued his official orders to all the officers of government, to hold themselves in readiness to deliver up their respective offices; and he further states, that the dragoons belonging to the city of Orleans, had been sent down as far as Plaquemines, to escort the French officers up by land on their arrival. This gentleman confirms the shutting the port of New-Orleans, which has occasioned great consternation among the inhabitants of the Western world.

Flour was selling at the Natchez for one dollar and fifty cents per barrels.

CHARLESTON, January 15.

Yesterday arrived the brig Unanimity, Prebble, St. Thomas, 23 days.

On the evening before last, capt. Prebble, of the brig Unanimity, which arrived yesterday from St. Thomas, spoke a ship off North-Edisto, in seven fathoms water, 38 days from Bristol, bound to Savannah, which informed him, that war had recommenced between England and France, and that the English fleet was in motion, getting ready for sea. Captain Prebble did not learn the name of the ship nor captain.

Bills of indictment have been found against William Weathers and William Butner, charged with an attempt to rob the South Carolina bank. Their trials, we understand, are to commence on this day.

FEDERAL GAZETTE.

SATURDAY, *JANUARY* 29.

Tom Paine and Samuel Adams cut a conspicuous figure in this day's Gazette. It is difficult to tell whom the old Jacobin abuses most—the author of Christianity—the founder of the Federal nation—or the advocates of both.

The Hiram, Bacon, of Alexandria, has arrived at Charleston.

Savannah, January 14. Arrived, ship Comet, Stevenson, Baltimore.

January 18. Cleared, brigs Smilax, Smith, Baltimore; and Neptune, Carew, Alexandria.

Our city, for the second time this week, was this morning alarmed by the cry of fire resounded through our streets. The first was on Thursday night. A house in south Howard-street took fire from the Franklin stove being placed too near the floor. It was extinguished without doing much mischief. The other fire took place this morning, and was first discovered about half past two o'clock, bursting out from the roof of the back building of No. 125, Baltimore-street. From the intense coldness of the morning, and the consequent slow assemblage of the citizens, it threatened much havoc. Providentially the wind was still—the lookers-on few—and the exertions of those who gave a helping hand very steady. These contributed to and effected on this occasion, as they will on every other, its speedy extinction.

The supposed cause of its origin, was a communication of the fire in the chimney through a flaw, to the adjoining wood. The damage was confined to the back building.

Died yesterday, at 12 o'clock, Mrs. *Priscilla Shaw,* relict of Mr. Archibald Shaw, after a lingering illness, which she bore with that fortitude, patience, and resignation to the will of God, which can only be inspired by divine grace.

Her friends and acquaintances are invited to attend her funeral to-morrow at 3 o'clock, P. M. from No. 90, Bond-street, Fell's-Point.

It has ever been a favorite maxim with Mr. Hay, the *protege* of Callender, and the rest of the "sect," that what would be tyrannical and wicked in the national government, would be consistent with liberty and republicanism, if done by the state governments. Thus to pass any law by the former, touching the press, even to render its liberty more extensive and unquestionable, by enabling the defendant to plead the truth in evidence, would be the height of despotism—but for the state governments to be able to lay the most rigid restraints upon the press—to declare truth to be a libel—to imprison all printers as persons of *bad fame,* who dare to denounce the very plunderer upon the high way, is to be esteemed the palladium of our rights! Such is democratic consistency! Such is the doctrine of George Hay, and such the *theory* of our *gracious* Philosophic Chief!

This conclusion is fully established by the conduct which both of those *illustrious* personages have adopted with respect to libels and the sedition law. Both have agreed in denouncing the latter as tyrannical, & both concur in punishing printers in the *state* courts, where the maxim is, "The greater the truth, the greater the libel."

This course of proceedings clearly developes the motives of that affected sensibility exhibited by those demagogues for the liberty of individual states, and those pretended alarms at the aggrandizement of the national government. Set a man at the head of a state government, and there is just about the same difference between his powers and those of a president of the United States, *constitutionally,* as there is between the negro-whipper of Virginia and the plain citizen of Connecticut, domestically. Let a president of the United States become a state demagogue, an anti-federal advocate for state supremacy, and by his artful slang and flattery, get an ascendancy over nine states, and he is a more dangerous, and ten to one, a more tyrannical master, of the lives and fortunes of their individual *subjects,* and through them, of the whole union, than George the IIId. upon his throne has it in his power to be. He has not only his state partizans, but the most vindictive laws of the state, to be his ministers of vengeance. The subtlety of the thing makes it the more detestable. For he may cause an honest man, for having spoken or published the truth, to be incarcerated and declared an out-law, or, what is equivalent, a person of *bad fame;* and still *appear* a staunch republican and a loud bawler against a general law which shall cause *truth* to be respected, but wilful, malicious *lies* to be punished in courts of justice. Awake, arise, fellow-citizens, and view your true situation. You have restricted the whole body of the union—the sovereignty of the people—from passing any law abridging the liberty of the press—and yet in every state in the union, under the *common law,* the truth may be a libel. Thus admitting the absurd and anti-federal doctrine, that *a part is greater than the whole!*

These reflections have been forcibly impressed upon our minds by a late high-handed measure which has been lying in embryo some time, and is at length assuming "the very form and pressure" of a monster, at head-quarters. Orders, it is reported, have been sent to several district attorneys to have the editors of SIX Federal prints arrested for sedition, among whom we have the honor to be included. Now we like this! It is *God-like,* because it is *Bonaparte-like,* and must forever silence those snivellers who have falsely accused the *Great Mammoth* of imbecility! As far as respects ourselves, however, we know the report to be premature. In one state, (New York) the mandate, it would appear, has been implicitly obeyed, and the publisher of one of the most valuable prints in the union, the Balance, has been arrested and bound over to his good behavior, that is, not to publish the *truth* against his majesty; for "the greater the truth, the greater greater the libel."

On this occasion we cannot avoid remarking the prophetic spirit of Mr. Harper, and the insincerity and disgusting slang of Messrs. Nicholas and Gallatin, when the sedition act was under discussion in 1801. The following extracts are given from the speeches of those gentlemen on that memorable occasion:

Mr. HARPER.—"We are called on, sir, for the reasons why this act* should now be continued. I will give my reasons most freely. Whether they be the same with those which actuate the conduct of other gentlemen, I know not, but in my mind they deserve all consideration. I wish to revive this law, sir, as a shield for the liberty of the press, and the freedom of opinion; as a protection to myself and those with whom I have the happiness and the honor to think on public affairs, should we at any future time, be found by the imbecility or the mistakes of any future administration in this country, to commence an opposition against it; not a factious, profligate and unprincipled opposition, founded on falsehood and misrepresentation, and catching at the passions and the prejudices of the moment; but a manly, dignified, candid and patriotic opposition, addressed to the good sense and virtue of the nation, and resting on the basis of argument and truth. Should that time ever arrive, as it may arrive, though I earnestly pray that it may not, I wish to have this law which allows the *truth* to be given in evidence on indictments for libels; I wish to have this law as a shield. When indicted myself, for calmly and candidly exposing the errors of government and the incapacity of those who govern, I wish to be enabled, by this law, to go before a jury of my country, and say that what I have written is true. I wish to interpose this law between the freedom of discussion, and the overbearing sway of that tyrannical spirit, by which a certain political party in this country is actuated; that spirit which arrogating to itself to speak in the name of the people, like fanaticism arrogating to itself to speak in the name of God, knows neither moderation, mercy, nor justice; regards neither feeling, principle nor right, and sweeps down, with relentless fury, all that dare to detect its follies, oppose its progress, or resist its domination. It is my knowledge of this spirit, sir, of its frantic excesses, its unfeeling tyranny, and its intolerable revenge, that makes me anxious to raise this one mound between its fury and public liberty; to put into the hands of free discussion, one shield against its darts. This shield, I have little doubt, will, at length, and perhaps very soon, be torn away; for the spirit of which I speak, goaded by conscious inferiority, stimulated to madness, by the envy of superior talents, reputation and virtue, knows to brook no check upon its rise, no censure upon its excesses: but I will not sanction my own death by my own voice. I will not yield one barrier to freedom and the right of opinion, while I can defend it. I regard this law as such a barrier; feeble perhaps, indeed, and ineffectual to check the progress of that tyrannical spirit which even now can scarce restrain its rage; but tho' feeble, yet dear to freedom, and never to be abandoned by freedom's friends. And in order to keep up this barrier to the last, I shall now, while I may, vote for the continuance of that law, which mitigates the rigor of the common law in this respect, and protects the liberty of the press and of opinion, by enacting that the truth may be given in evidence on indictments for libels against the government."

* *The Sedition Act.*

Mr. GALLATIN. "The reason now given was not to protect the government from libellous writings, but, on the contrary, the gentleman from South-Carolina, (Mr. Harper) commended and supported its continuance as a limitation to the powers of government, or in other words, as a protection to himself from what he supposes will then be in the power of the government. He supposes that he might be induced to make some remarks on the conduct of a future administration, and wishes this to protect him from what he denominates the severity of the common law. This idea is built upon the supposition that before this law passed, we had a common law. On the subject of the law, Mr. Gallatin confessed himself not very well calculated to argue, but he could contend for facts.

"Whatever might be the opinion of some gentlemen as to its existence, and its applicability to the crimes specified in this law, he would ask any gentleman to prove wherein the practice of our government had recognized the principle. He would take upon him to say that since the first establishment of the government, no process had been issued, under the common law, for any libel against the government. Was, not this, he asked, sufficient to satisfy the gentleman that he might rest safely without the aid of this law? He surely can have nothing to fear."

"Mr. NICHOLAS said it was at all times unpleasant to make personal comparisons; it was fortunately unnecessary on the present occasion to say any thing of the character of the persons who are likely to be in power; the time is so near at hand that their conduct may be left to speak for them. For himself he would say, that he expected very different conduct from that anticipated by the gentleman from South-Carolina. He hoped for an administration which would go very far in healing the divisions which so unfortunately existed among us. He should take much less pleasure in the prospect of change than he did, if he did not expect from it a reunion of a great part of the people of the United States, and that the time might return when we should again consider each other as brothers."

Post-Office,

Baltimore, January 29, 1803.

☞ *Letters for the British packet Lady Arabella, for Falmouth direct, will be recived at this office until 6 o'clock, P. M. To-Morrow, the 30th instant.*

CHARLES BURRALL,
Post-master.

P. S. The inland postage to New-York must be paid on all letters for the packet.

Sale by Auction.

ON MONDAY,

The 31st instant, at 10 o'clock, at our auction room, at the head of Gay-street dock, will commence the sale of

DRY GOODS, among which are,
6 trunks chintz and calicoes
1 case dimities
1 trunk umbrellas
2 do. Irish linen
1 case nuns' thread

Also,

Cloths, cassimeres, worsted hosiery
7-8, 9-8 and 6-4 cambrick muslin
Silk shawls, &c.

And at 12 o'clock,

38 hhds. sugar
7 pipes brandy
4 do gin
5 hhds. 4th proof rum
11 chests hyson skin tea
4 pipes and 3 half pipes Madeira wine
5 barrels anniseed and essence of cloves
12 bags pepper
1 trunk Kirby fish hooks, &c.

LEMMON & CAMPBELL, Auct's.

January 29.

For Sale,

TWO NEGRO BOYS, the one twelve, the other fifteen years of age. As they are to be sold merely because the owner has not proper employment for them, some assurance will be expected from the purchasers that they are not designed to be transported out of the state. For further particulars enquire at this office.

January 29. eo3t

Notice.

THE subscriber respectfully informs all persons indebted to the estate of John Lee Webster, late of Harford, deceased, that having extended indulgence as long as he can, consistent with a proper regard to the interest of the heirs, all of whom are now of age to receive their respective portions, he is prompted by a sense of duty to close the settlement of said estate. As it is inconvenient to make personal application to all, he takes this method earnestly to request those indebted to the estate, to make immediate payment, otherwise suits will be instituted without respect to persons, and no further notice given.

JOHN S. WEBSTER,
Surviving executor of John L. Webster, deceased.

January 29. w1st

First Notice.

In the case of ABRAHAM G. HAMMOND,
A BANKRUPT.

WHEREAS a commission of bankrupt, founded on the act of the congress of the United States, passed on the 4th day of April, 1800, entitled "An act to establish an uniform system of bankruptcy throughout the United States," has been awarded and issued forth against Abraham G. Hammond, of Baltimore, in the district of Maryland, inn-keeper, dealer and chaplain; and he has been declared a bankrupt: He is hereby required to surrender himself to the commissioners in the said commission named, or the major part of them, on the thirty-first day of January instant, the twenty-eighth day of February, and eleventh day of March, next ensuing, at three o'clock in the afternoon of each day, at the public office of the commissioners, No. 49, Water-street, in the city of Baltimore, and make a full discovery and disclosure of all his estate and effects; when and where his creditors are to come prepared to prove their debts, and at the second sitting to choose assignees, and at the last sitting the said bankrupt is required to finish his examination. All persons indebted to the said bankrupt, or that have any of his effects, are not to pay or deliver the same but to whom the commissioners shall appoint.

By order of the commissioners,
SAMUEL STERETT, Clerk.

January 28. (J29) 2awt11Mh