shoals with the sails aback. We could not in addition to this avail ourselves of an anchor, as we had no boat capable of carrying one; and if we had had such sufficient for the purpose, it would have been impracticable to have laid it out, the enemy occupied almost the ground it should have been placed in.

The gun boats having taken a station on our starboard quarter, commenced a firing, directed principally at our masts and rigging, which we returned with 2 guns from our main deck and 3 of our quarter deck carronades, which, from the very great heel the ship had, took no effect. The guns we got out abaft were rendered entirely useless from the same cause, although we cut away the stern as much as could be done to any purpose; for by endeavouring to give them a direction to bear upon the enemy, they could not be run out far enough to avoid setting fire to the ship, which they once did, but it was soon extinguished without difficulty or confusion. After finding it impossible to press the ship off the rocks by lightening her, and seeing every prospect of getting her afloat at an end, I ordered the foremast to be cut away, in order to right her in some degree, if possible, and to render our guns more manageable; but this produced no effect, and seeing the ship so very firmly grounded on rocks, having but 12 feet water forward and 17 abaft, I conceived any further attempts as evidently useless.

After having tried every expedient that could be thought of to contribute to our relief, and exerting ourselves to the utmost from the time of our grounding until half past four, P. M. in endeavoring to get the ship afloat, and at the same time in resisting the enemy, but finding all hopes of the first vain, and not being able to bring our guns to bear to effect the latter, I called a council of officers to consult them on the subject of a further resistance, or the necessity of surrendering to the enemy. Upon a deliberate consideration of our situation, it was the unanimous opinion that it was impossible to get the ship off, and that all further resistance would be but unnecessarily exposing men, in a situation where neither perseverance nor fortitude would be of any benefit to our country or ourselves; and it was unanimously agreed that the only thing left for us to do was to surrender to the enemy, which was accordingly done, after drowning the magazine, and destroying as many articles as possible that might be of use to the enemy.

Having stated to you, Gentlemen, a narrative of facts, which you will find verified by the evidence to be heard, I shall conclude after making one observation.

The usage of nations appears, that where there is no probability of successful defence, and all means of escape have been tried; the *flag* may be struck without injuring the commander's honor. These tacit but admitted regulations are founded on principles of humanity, and a nice and delicate attention to national and individual honor. If, under such circumstances, a commander's honor be preserved, how free from censure must it appear when placed in a situation without being able in the least to injure the enemy, and no means whatever of extricating himself.

WM. BAINBRIDGE.

29 *June*, 1805.

The Court having deliberated on the evidence deduced from the testimony of the witnesses, heard in this case, are decidedly of opinion that Captain WILLIAM BAINBRIDGE *acted with fortitude and conduct in the loss of his ship, the U. S. frigate Philadelphia, on the 31st Oct. 1803, and that no degree of censure should attach itself to him from that event.*

JAMES BARRON, *President.*
WILLIAM EATON, *Acting Judge Advocate.*

RAGS.

The highest price, in *Cash* or *Books* will be given for any quantity of clean Linen and Cotton RAGS, by Rapine Conrad and Co. Capitol Hill.

June 24—

Valuable property for Sale.

THE *subscriber being desirous of* removing from this part of the country, will offer for sale, to the highest bidder, on Wednesday the 20th of November next, if fair, if not the next fair day, the plantation on which he resides. The property contains upwards of 500 acres of land, and is situated in the Forest of Prince George's county about four miles from Upper Marlborough and thirteen from the city of Washington upwards of 150 acres of the above is very valuable wood land, the balance arable, except about 30 acres of meadow, to which 15 or 20 more may be added at a small expence, remarkably level and equal for the production of tobacco, Indian corn, and small grain, to perhaps any land in the county. The improvements are a comfortable framed Dwelling house, sufficient for the accommodation of a large family, and every necessary out houses, four good tobacco houses, overseers house, blacksmith's shop, all in good repair, an extensive garden and two wells of good water. A further description of the above valuable property is deemed unnecessary, as it is presumed that no one will bid for the same without previously viewing it. The terms of sale will be made known on the day of sale, and provided the proprietor can meet a satisfactory sale thereof, he will on the same day offer for sale a valuable personal property, consisting of negroes, stock of various kinds, household furniture, plantation utensils. The terms of sale for which will also be made known on the day of sale.

CLEMENT BROOKE.

Prince George county Maryland,
September 20—wtf

WASHINGTON CITY.

WEDNESDAY, SEPTEMBER 25.

To-morrow MR. HARWOOD takes his BENEFIT, and appears in the comic character of *Crabtree* in the incomparable play of the SCHOOL FOR SCANDAL. The attractions of this piece are so numerous, that they have seldom failed to command a large audience. In the present instance, although the company is not strong enough completely to fill all the characters, yet we are of opinion that most of the leading ones will be well sustained. But, independently of these, there are other considerations, which ought to ensure a crowded house. Mr. Harwood, in his line of acting, is unquestionably the first performer that has ever appeared upon the American Boards. He has generally been a member of the strongest companies on the Continent, and we may venture to say, without fear of contradiction, that he is unrivalled. Added to this, he is a gentleman of classical talents and handsome attainments. We understand that his engagements with the present company have expired, and that he is consequently at liberty at any moment to leave them. How important then is it to adopt, if possible, the means of detaining him among us. Should he depart, he will leave a chasm not easy to be filled. No means, we should suppose, would be so likely to retain him, as an unequivocal demonstration of the estimation in which his talents are held. As too he is not a cameleon, and cannot therefore be expected to live on air, he may feel himself under an obligation to look elsewhere, if it be not obtained here, for a more substantial aliment. Need we, after these remarks, express our hope, that every friend of the Drama will on *Thursday* give his attendance at the Theatre?

A BYE LAW

TO ESTABLISH AN ACADEMY FOR THE EDUCATION OF YOUTH AT THE CITY OF WASHINGTON.

Be it enacted by the Board of Trustees, that the following plan of an Academy at the City of Washington be and is hereby established.

1. The Academy shall consist of as many schools as circumstances may require, to be limited at present to two; one of which shall be situated within half a mile of the Capitol, and the other within half a mile of the President's House. It is understood that these positions are temporary, and consequently subject, at any future period, to alteration.

2. In those schools poor children shall be taught reading, writing, grammar and arithmetic; such branches of the mathematics as may be deemed necessary to qualify them for the professions they are intended to pursue, and receive such other instruction as is given to pay pupils and as the Board may from time to time direct. Pay pupils shall besides be instructed in geography and the latin language. The schools shall be open each day, Sundays excepted, from six to eight hours as may hereafter be provided by rules and regulations which may be established by the Board. There shall be a vacation, annually, which shall not commence prior to the first day of August nor continue longer than the tenth day of September, unless otherwise directed by the Board. In each school the principal teacher shall be under an obligation to instruct as many poor children as may be offered, provided the whole instruction shall not exceed one hundred and twenty quarters of full tuition in each year.

3. Poor children shall be educated free from expence. The price of tuition to other pupils shall be Five Dollars per quarter, payable at the expiration thereof to the principal teacher of each school, and accounted for by him to the Treasurer.

4. There shall be appointed by the Board, for each school, a principal teacher, who shall in connection with a superintending committee hereafter to be appointed, have the direction of the school, subject in all respects to the control of the Board. He shall, in full compensation for his services, receive an annual salary of Five Hundred Dollars payable quarterly on the third Mondays of January, April, July and October, and the entire amount of tuition money until the number of pay pupils amount to fifty, and beyond that number as shall be fixed by the Board. It shall be his duty, out of this provision, to pay for the rent of a school house, for the fuel consumed, for all other expences incidental to a school, and for such assistant teachers as may be necessary; it being understood that, according to the number, age and progress of the scholars, they shall be instructed in separate apartments, by persons properly qualified. The number of assistants required, their qualifications, as well as all other details to be settled with the concurrence of the superintending committee and the principal teacher.

5. There shall be annually chosen, for each school, a committe composed of three members who shall be styled the superintending committee. They shall, in addition to the foregoing authority, have power to admit poor children into the school placed under their superintendance under such regulations as the Board may from time to time prescribe; provided that neither they nor the principal teacher, to whom alone the circumstance shall be communicated, shall disclose a knowledge of those who are educated as poor children. They shall visit the school at least once a month without, generally, giving previous notice; and shall, half yearly, in the months of January and July, make a report to the Board of their proceedings, and of the state of the schools.

6. For paper, pens, ink, and books necessary for the instruction of poor children, there shall be annually appropriated the sum of fifty dollars for each school, for the expenditure of which, the principal teachers shall account quarterly with the Treasurer.

7. There shall be annually on the second Tuesday in January, after the ensuing year, a public examination and exhibition of all the pupils at such place as may be provided by the Board.

8. The Academy shall be opened on the first Monday in January next; and applications for the place of principal teachers addressed to the Secretary of the Board, are invited until the first Monday in December next.

SEPT. 19, 1805.

Robert Brent, Vice-President of the Board.

W. Boyd, Secretary.

Ordered, That the following exposition of the views of the board in the passage of the foregoing bye-law be published therewith.

W. BOYD, *Sec'ry.*

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The provisions of the act, under which the board exercise their power, contemplate the establishment of an Institution in which every species of knowledge essential to the liberal education of youth may eventually be acquired.

Such an institution embraces three great departments: Schools for teaching the rudimens of knowledge necessary to the common purposes of life;—a college, in which the higher branches may be taught;—and an university, in which the highest and most splendid attainments may be acquired.

The benefits of schools being in a great measure local, they will probably derive their principal support from the district: those of a college, and more especially of an university being likely to be co-extensive with the U. States and countries in their vicinity, they may naturally claim the beneficence of liberal and public spirited men throughout the whole extent of the union, and justify the hope of national assistance.

The eventual success of this institution greatly depends on the cautious, gradual and progressive disclosure of its features, as time and circumstances shall dictate. While, therefore, it would seem to be the duty of the board to keep constantly in view, in every step they may take, the three great objects enumerated, it is, perhaps, sound policy to undertake nothing which they do not actually possess the means of effecting; and rather to retard than precipitate the accomplishment of objects for which they have not the necessary resources. By this means the institution will command the public confidence, and the liberal friends of science will, without distrust, bestow their patronage. It ought not to be forgotten that most of the plans projected in the city have failed, principally from undertaking them before the necessary means were acquired. By avoiding this common error of sanguine minds, by commencing their arrangements on a moderate scale, by attending, in the first instance, more to objects of utility than shew, and by rejecting all indulgence of visionary hopes, the board will be most likely to dissipate the apprehension that this institution may share a like fate with many of those that have preceded it, and by these means, perhaps even accelerate, and certainly render more certain, the ultimate rise of those structures which the metropolis, from her local situation, has a right to expect.

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In our paper of the 18th inst. it was remarked that a mistake had been committed in the date of commodore Barron's letter to Mr. Eaton, and that it should be Dec, 22, 1804, instead of March 22, 1805.

We are informed that this statement is erroneous, and that the letter is really dated *March* 22.

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DINNER TO CAPTAIN BAINBRIDGE GIVEN BY THE CITIZENS OF WASHINGTON.

BY 3 o'clock the company had collected, and at half past 3 the dinner was served up. CAPTAIN TINGEY and COLONEL WHARTON having been previously chosen *President and Vice President* for the day.

CAPTAIN BAINBRIDGE was handed by the officers appointed to the seat at the right hand of the chair; and CAPTAIN JAMES BARRON to that on the left—The other officers present and the citizens of Washington took their seats as convenient, and without distinction. After dinner the following toasts were drank, accompanied by music from the band of the Marine corps, and the elegant Italian band, arrived in the frigate President.

1. THE PRESIDENT OF THE UNITED STATES.
Air—Jefferson's march.

2. THE VICE-PRESIDENT OF THE UNITED STATES.
Patriotic Air.

3. THE HEADS OF DEPARTMENTS.
Hail Columbia.

4. *The Navy of the United States*—Small in appearance, but great in execution.
Yankee Doodle.

5. *Commodore Samuel Barron*—Restoration of health to him—May he enjoy the congratulations of his countrymen, and long live to face our foes and compel honorable peace.
Patriotic Air.

6. *Men in captivity*—May they never want generous friends who would die to relieve them.
Air—The Galley Slave.

7. *Commodore Rodgers and the officers of the Mediterranean squadron.*
Air—Patriotic.

8. *Captivity Triumphant*—May the recollection of past sufferings be lost in the approving voice of the nation.

At this toast CAPTAIN BAINBRIDGE rose, and in a short but appropriate speech, returned thanks to the company in the name of himself and officers, on which the company gave 3 cheers.

SONG—*The sweet little cherub that sits up aloft, to take care of the life of poor Jack.*
Air—Jemmy's returned from Dover.

9. *Captain Eaton*—The man who had the abilities to plan, the perseverance to promote, and fortitude to establish the fame of the American character, in a land where it was scarcely known, in defiance of slavery or death.
Air—The battle.

10. May the powers of Barbary hence forward learn, as all Europe knew before that, the threat of chains to Americans only inflames to victory.
Air—The sons of Alknomack.

11. *Lieutenant O'Bannon of the Marines, and Midshipman Mann*—The heroes who first planted the American banners on the walls of Derne.
Song and Air—Hearts of Oak.

12. *Consul Nelson* (of Denmark) and *Cidi Hamet Degese* (of Tripoli)—The foreigners, who like the good Samaritan, owns every man in distress his neighbor.
Air—Charity.

13. May we never lose a ship but in chase of the enemy.
Patriotic Air.

14. *Col. Lear*—The patriotic pacificator, who effected an honorable peace with Tripoli.
Music.

15. *Mediterranean Laurels*—May America never want such hands to gather, nor such heads to wear them.
Patriotic Air.

16. *The Bashaw of Tripoli*—May he profit by the lectures he has received on the Laws of Nations.
Oh dear what can the matter be!

17. No chains but those of Love—no captivity but to the American Fair.
With women and wine we defy every care.

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The highest social order prevailed, and benignity dwelt upon every countenance. Several patriotic and other appropriate songs were interspersed with the toasts, and the company broke up at an early hour.

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An elegant Dinner has been given at RICHMOND *to Captain* BAINBRIDGE *and his Fellow Officers, at which the following toasts were drank.*

DR. W. FOUSHE presided as Chairman, and MERIWETHER JONES, Esq. as President.

1. The people of the United States.
2. The President.
3. *Our Navy*—Like Hercules, in its infancy, it has destroyed a serpent.
4. *Commodore Preble*—the officers and crews of the Mediterranean squadron.
5. *Sommers, Israel and Wadsworth*—the Decii of America.
6. *Decatur*—What American can hear his name and not be proud of his birth place?
7. *Gen. Eaton*—Cambyses and Alexander traversed deserts to enslave nations; the American chief to liberate his brave countrymen.
8. *The officers and crew of the Philadelphia*—Magnanimous in captivity, they supported the dignity of the American character, unsubdued by the gloom of a dungeon, unappalled by a sanguinary banditti.

[Capt. BAINBRIDGE rose, and thanked the company in the name of himself, and no doubt of all the officers of the Philadelphia, had they been present. It was the proudest wish of his heart to protect the rights and preserve the flag of his country, free from violation.]

9. *Spain*—If she *must* have American counsellors, we would advise her to exchange the corps with the *black gown*, for the *corps militaire*.
10. *Peace, preferable to war*—War, to insult. In defence of our commerce, may our brethren lately liberated, fill the *chasm* in the *carreer* of their *glory*.
11. *The new principle in the Tripoline treaty*—American *prioners* are no longer to be *slaves*.
12. *The Permanent Mediterranean Fund*—Our most efficient negociator.
13. *The Administration*—The success of its *measures* the best proof of its *energy*.
14. The *once ridiculed* Gun-Boats of the United States, now converted into models for the experienced artists of Europe.
15. *The hero of Hohenlinden*—Whosoever disdains to convert his country into a land of slavery, deserves to have a land of liberty for his country.
16. *The States of Barbary*—No longer a disgrace to the civilized world, did an American spirit inspire the cabinets of Europe.
17. The American Fair.

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The election in *Vermont* has terminated in the re-election of *Isaac Tichenor*, governor, and *Paul Brigham*, lieut. governor, both federal.

Lexington, September 6.

APPOINTMENTS BY THE PRESIDENT.

JOHN BRECKINRIDGE, Esq. attorney General of the United States.

JOHN COBURN, Esq. Judge of the territory of Orleans.

From Vincennes we learn that Benjamin Parke, Esq, is elected member of Congress for the Indiana territory.

We also learn, that the Canal Company have been incorporated—and it is said they will go into immediate operation as a Banking Company.

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It was yesterday reported, and this morning we are told from a correct source, that the late Spanish intendant, *Morales*, has received orders from his court to sell all the vacant lands in East and West Florida, and it is said sales will be immediately made, even of lands within the boundary claimed by the U. States.

Orleans Gaz. Aug. 3.

We understand that the following are the boundaries of the purchase made by the commissioners appointed by the U. States to treat with the Chickasaw and Chactaw nations of Indians: Beginning where the boundary line between the state of Tennessee and the Indians strikes the Ohio River; thence down the Ohio to the Tennessee River; thence up the middle of the Tennessee River to the mouth of Duck river; thence up Duck river to where the Columbian road crosses it; thence, with the road, southwardly, to the top of the dividing ridge between Buffaloe and Swan River; thence including all the waters of Elk river, to the Chickasaw old fields, near the Muscle Shoals; thence a direct line northwardly to the United States' boundary.

Tennessee Gaz.

Charleston, August 30.

DIED—At his house in this city, on Wednesday last, in the 82d year of his age, the venerable and highly respected GENERAL CHRISTOPHER GADSDEN.

The long and meritorious services of this most valuable and lamented citizen are too well known to his countrymen to require a lengthy recital of them here—suffice it to say, that he was one of the earliest patriots of Carolina and the revolution; that as a soldier in the field, as a statesman in our councils, and in the private walks of the citizen his whole life was devoted to the service of his country.

As early as the year 1765, he was appointed a delegate to meet delegates from the other parts of the continent, at New-York, to consult on measures to ward off the dangers that then threatened America. The obnoxious acts of the British Parliament then complained of were soon after repealed. A few years after, when oppression again made its appearance, and it was found necessary to oppose it by arms, General Gadsden early appeared by his writings and example to animate his countrymen to join in the righteous cause. Throughout the arduous conflict he shared in all their dangers and difficulties. When this city was compelled to surrender to the superior arms of the enemy, in the year 1780, he became a prisoner; but so much was his influence dreaded by them that, instead of permitting him to enjoy the terms of the capitulation, he was seized, with several other enterprising and valuable citizens, and sent to Saint Augustine, where he underwent a rigorous and close confinement. On the return of peace, he was restored to his country. He was immediately called to her councils, and for a number of years represented this city in the legislature. He was constantly re-elected to this trust, until finding the infirmities of age approaching, and beholding the country happy in the government of her choice, he chose to retire from all public business.

His fellow-citizens, to evince the sincere regret his departure has occasioned, assembled yesterday to pay their last and most sincere respect to his remains.

Captain Kalteisen, the venerable commandant of Fort Johnson, as soon as he was informed of the death of the General, had the colors of the fort hung in mourning, and fired a gun every ten minutes, from the morning of yesterday until the body was interred. The vessels in the harbor had their colors half-masted thoughout the day.

At eleven o'clock, the regiment of artillery, of which he was the founder, by raising the first company in the year 1755, paraded at his late dwelling; they were there joined by the officers of the squadron of horse and of uniform companies of the infantry of this city. His Excellency the Governor, the judges, the officers of the federal and state governments in this city, the members of the corporation and its officers, all the clergy of the city, and a very numerous concourse of his former friends and fellow-citizens, formed in procession at one o'clock, and were escorted by the military to St. Philip's church; where after the performance of the funeral service by the Rev. Dr. Jenkins, the body of this great and good man, bedewed with the tears of his country, was deposited in its parent earth.

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Extract of a letter from an officer of the late Philadelphia frigate to his friend in Philadelphia.

"The final acceptance on the part of the Bashaw, of the terms proposed by col. Lear, was instantaneously followed by the unclosing of those bolts and bars, which had so long retained us in dreary