ing that equality and justice are done; an inequality and injustice are synonimous terms?

Is it not most manifest in every point of view, that virtue and honesty are proper and necessary to a free republic?—Who need be told that in a democracy, where all offices are either immediately or mediately in the gift of the people, the several citizens who wish for any office will consider that the natural path to preferment is virtue and merit. That the electors, though not all virtuous, will notwithstanding respect virtue in others.—That where the sovereignty, the government, is in the great body of the people, whoever doth good to the government, (administering in character) does good to the whole people.—That doing good to the whole is acting a virtuous part, which is natural for the several members to do, when the sovereignty is in the hands of the people. Self preservation and the promotion of our own individual happiness impels us to seek the public good in such a government—according to an universal law of nature, each body seeking its own preservation. Whoever in such a government doth act so vicious a part as to seek to build up himself or his friends at the expense of the rights of the people, does so far wage war against this free and virtuous government; and if a large body of the people are under the influence of such, then the constitution and rights of the people are in great danger.

Such apostate republicans, acting from base and sinister motives, having lost sight of the public good, and of all that is truly noble in government, will of course be plotting the overthrow of this virtuous government, and are *prepared* to promote a vicious government, suited to their present taste and disposition; which being of course opposed to a free and virtuous republic, is vicious. The foundation of the virtue of the former consisting in this that the sovereignty or supreme power lies in the hands of the body of the people: but the viciousness of the monarchical form lies in this—that the sovereignty being in the hands of one or a *few*, the experience of nations compels us to expect, that the gravitation will tend towards themselves and their friends, to the prejudice of the public good; such being the selfishness and love of power, which is found in the human breast.

The judicious and candid Montesquieu gives a sad catalogue of the vices which experience of *all nations*. Yes! and he most pointedly lays it down (though doubtless a virtuous man himself,) that according to the nature of a despotic monarchical government, vice is a necessary attribute, without which it cannot be properly conducted. Look at the virtue, glory and happiness of the Greeks and Romans under their republican governments; and see the reverse under their arbitrary monarch

When we hear the high federalists denouncing the friends of our democratic constitutions as enemies to christianity, it excites in us emotions of pity for the weakness of human nature, as well as abhorrence for its vices. What; to be friends to christianity must we denounce and fly from the virtuous government which he hath instituted, and embrace the vicious kind which he hath forbidden!!

To suppose that Christ would institute a free and virtuous government for his people as christians, and a slavish and vicious form for them as citizens, is holding up a most shocking idea of Christ and his government.—On which side of the question then, are we to look for the friends, the consistent friends, of christianty, and of the rights of the people.

CHRISTIANUS.

*FROM THE REPUBLICAN ADVOCATE.*

To the People of FREDERICK COUNTY.

In the "Republican Advocate" of July 22d and 29th, I have shewn that ye are indebted to the *republican interest* of this state, "for securing to the people, *on a constitutional basis*, the right of unbiassed suffrage—the *peaceable* corrective of abuses in civil concerns; and the safeguard of tolerance in religious belief and worship, to all denominations of christians."

Civil and religious liberties are the choicest blessings of freemen. To obtain these righss, the American people struggled through a long and painful seven years war. To preserve them, they are deeply interested in the selection of public characters, who are to hold the trust of every thing dear to them.

Two sets of men offer themselves for public confidence—known by the names of republicans and federalists. The former are the friends to equal suffrage, and the friends to the regular end constituted authorities of government;—the latter when in proper, attempted to curtail the right of voting, by confining it to the more wealthy, and now view with rivetted dislike, every act of the administration.

Although the *leaders* of federalism have opposed every measure of the government, republican principles have increased beyond the most sanguine expectation. Truth is powerful and will prevail. The *people* of the United States have placed the government of the *union* in the hands of republicans—Out of seventeen state governments, fourteen are also entrusted to the management of republicans; and the three remaining states are making rapid advances to a union of sentiment in republican principles and measures.

Living under a *government* the offspring of our own choice, affording to its citizens the protection of their persons, and property, "and the right of worshipping GOD in christian faith according to that persuasion of the mind which arises from the understanding," *it* has a just claim to your confidence and support. The very idea of the power and right of the people to establish government, presuppose the duty of every individual to obey and support the established government.

To good men, it is a matter of serious regret, that the best administration must encounter opposition; hence, while we view the violence and mistaken zeal of the discontented, the friends of the people are not astonished at the *present opposition* to the government. There will always be designing, ambitious men; and it should be the constant efforts of good citizens to guard against the *intrigues* and *resentments* of the *leaders* of a *fallen* party, who, in or out of power, have uniformly adhered to measures calculated to entail upon the nation, extravagance, taxation, and war with European powers.

The leadsrs of federalism oppose every measure of government, because the many good things that have been done, were effected by those they dillike. Thus opposition becomes, in *their estimation*, a duty of self-love. They seem to think themselves bound by all the motives of personal *infallibility*, to defeat the success of every measure, however wise and advantageous, which was not devised by them. When in power under the administration of Adams, *these leaders* did little else but raise *unnecessary* armies, devise measures of taxation, and run the nation in debt.

Exactly the reverse, is the conduct of *republicans*. Under their [illegible] respected abroad and *tranquil at home*; the people *relieved* from internal taxes, and the national debt *diminished* millions of dollars. The *leaders of federalism*, incapable or unwilling to manage [illegible] and secure these blessings to the nation, *sicken* at the prosperity of the country, because their conduct in opposing these measures is placed in an odious point of view.

Men of benevolent tempers have too many opportunities of remarking with horror, to what lengths this disposition is carried by the *leading federalists*. They cannot but see, *these few individuals*, to gratify their vanity, pride and obstinacy, endeavoring to sacrifice the best interest of society to their passions, caprices and their ill-will. Moderate men are invited to investigate and enquire into the measures of the administration, and to follow the inferences of a candid research after truth. To follow the cavilling refinements of *predetermined* opposionists, every eye must see and every heart must feel to be degrading, and contrary to the genius of our government.

Upon the subject of a *few men organizing* an opposition to the deliberations of government, the language of the *great* and *venerable* patriot WASHINGTON, in his farewell address to the people of the United States, must speak feelingly to the heart of every American: His words are, "all obstructions to the execution of the laws, *all combinations and associations under whatever plausible character*, with the real design to *direct, controul, counteract*, or *awe* the *regular deliberation* and *action* of the *constituted authorities*, are of *fatal tendency*. They serve to *organize faction*, to give it an *artificial* and *extraordinary force*; to put in the place of the delegated will of the nation, the *will of a party*, often a *small* but *enterprizing minority* of the community."

Can language describe in more glowing colors, or condemn in more pointed terms, the *little band* of discontents in this county?—The *federal leaders* in Frederick Town have set in motion combinations and associations under the name of *Committees* (chosen in some districts by 15 or 20 persons, and in others by 5 or 6) for the express purpose of directing, controling and counteracting the *action* of the constituted authorities. It is hoped that the people will reflect, and in the manly tone of freemen express their disapprobation of such conduct.

In offering you my thoughts, my sole desire is to harmonize public opinion in support of the authorities known to the laws. The attempts of the *opposionists* to *foment jealousies* and to *enfeeble the administration* by *self-created associations*, should unite every honest heart in support of republican characters at the next election.

BARCLAY.

*New Market, August* 15.

A gentle Carriage Horse, for sale. Enquire at this Office.
August 23, 1803. 3

WASHINGTON, August 29.

*Extract of a letter from Thomas Appleton, esq. ire, American consul at Leghorn, to the secretary of state, dated May 29th, 1803.*

"Yesterday I obtained from the governor, who is chief of the Senita, or health office, after months of unavailing efforts, considering the total impossibility of his ascertaining at what time and in what places the yellow fever may exist or subside in the ports of the United States, that every captain of a vessel, who shall be the bearer of a patent or a bill of health, declaring "that no contagious fever reigns in the town," and certified by the mayor or the first magistrate, by the chief of the health-office, and by the naval officers of the port, then such vessel shall be subject only to the usual term of 24 days quarantine, and that the merchandize may remain on board during the period, free from the tax of one per cent. but that all vessels not provided with this document shall positively endure the rigor of the present existing law."

*Extract of a letter from an officer on board the United States frigate New York, to Dr. William Rogers of this city.*

"April 25th, 1803, off Sardina—Early in the morning the gunner's mate had been returning the signal lanthorns into the gunner's store-room, as usual, and also the match which is kept burning during the night. He returned and the gunner went immediately down unto the cock pit, and it seems took a light into the store room to see if every thing was properly secured, when from the snuff of the candle or otherwise, fire was communicated to a considerable quantity of powder, upwards of an 100 weight,—The explosion took place precisely at 8 o'clock, those in the cock pit suffered beyond conception, though most of them have survived it. The gunner, "Morrill" died the following night and also a boy named Hamilton. Mr. Shults died in about thirty six hours. Burrior, captain's clerk died since our arrival here (Malta.) Dr. Weems is yet ill, though recovering fast, as likewise are Mr. Alexis, midshipman, Kennedy, purser's stewart, M'Gee, mariner. Mr. Lewis, midshipman, and Mr. Israel well. The explosion [illegible] quarter deck hatches up—started the magazine, ward-room and cabbin bed heads. Exertion alone saved us. The fire was extinguished in one hour."

The reflecting mind must derive no little felicity from a comparative view of the present situation of the United States and that of the old world; and our utmost gratitude must be excited, towards the *Supreme disposer of human events*, who has blessed us with a mild and free government, by men who possess both virtue, wisdom and discernment of the blessings which it is our happy lot to possess. While a war of extermination is pursuing in Europe, while one part of the world has raised the horrid engines of murder against the other; we are blessed with all the felicities of peace and prosperity, extending our population, and encreasing our commerce. While millions of our fellow-men are doomed to be *immolated* at the shrine of despotic ambition, barely for the possession of the insignificant island of Malta, a mere spec upon the terrestial map, we have peaceably added a vast and extensive territory to our almost unbounded empire, by the pacific policy of negociation, and for a *trifle*, too small to be mentioned with the immensity of the purchase. Happy American! next to *Him* who presides over our destinies, let our greatful hearts respect, love and revere the wisdom and prudence of that administration, which has preserved to us these envious enjoyments.

What would have been our situation had not the good sense of the nation rejected the wild vagaries of aristocracy, masked under the assumed name of *federalism?* We should at this time be tasting the bitter and nauseous cup of war.—the blood of our brave and valiant citizens would be moistening the banks of the *Missisippi*; and the produce of our hardy western brethren would be rotting in their graneries—our merchantmen would fall a prey to French and Spanish cruisers—our seamen perish in loathsome prisons—our national treasury become exhausted—the springs of enterprise and industry would loose their tension, and the concomitant, evils of war would loose to us the successful exertions of a long uninterrupted series of peace and prosperity,

Can we too much applaud?—Can we be too grateful?—Can we feel too proud of a discernment which directed us to place at the head of our empire, men who have averted such evils, and ensured to us so much felicity.

*Amer. Pat.*

*The probable extent of our Missisippi purchase.*

The purchase of Louisiana, as at present explained, is much more interesting than it was at first deemed. The grant by France is, it seems, in *all the extent in which Louisiana was heretofore held by France or Spain*. Now it is certain, that immediately before the peace of 1763, France held, in full sovereignty, that part of the country between the river or gut of Iberville and the Missisippi on the west, and Mobile bay and river on the east, together with half of the Mobile bay and river, and the free navigation thereof.—All these she ceded by the treaty of 1763 to England; who ceded the Mobile country to Spain, and Spain to France. This fixes our right to the same, and makes the bay and river of Mobile our present eastern boundary. It is of vast importance to the Missisippi territory, and the states of Tennessee and Kentucky, and the western part of North Carolina, as there is a communication from all of them to the gulph, by the waters that empty into Mobile bay and a small land carriage of about thirty miles. The bay of Mobile is a much more practicable water than the mouth of the Missisippi; and is quite as much so as the bays of Boston, New York or Delaware. A great commercial town must grow up there, as the upper country on the Mobile waters, is very fertile. It is pretended that France told to us because England would otherwise have taken it. Why then did not England take it in the war between her and France and Spain, immediately before 1801; and why did not our former administrations think of acquiring it for us? It is a truth that the acquisition of Louisiana is a grand event, and its benefits to the United States will be felt by the latest posterity. If the people of Connecticut were to pay for the best half of the land, what they paid for the Connecticut Reserve, or New Connecticut (forty cents per acre) they would pay ten or twelve times fifteen millions of dollars; for the land is nearer to the sea, far richer, and capable from climate, of yielding the most desirable productions.—Notwithstanding all this, a few of the federal and foreign *editors* are incessantly disgracing their *heads* and *hearts* by undervaluing the bargain against convictions of all candid federalists.

*Aurora.*

From the NATIONAL INTELLIGENCER.

*Concerning the Washington and Jefferson Judiciary System.*

THE present government of the United States, (legislative and executive) has been most vehemently attacked upon the subject of the judiciary department. What have they done? In the year 1789, the first judiciary law and the first judiciary system of the United States was framed by Mr. Adams, Mr. Elsewortli, governor Strong, judge Patterson, Mr. Vining, doctor [illegible] Bassett, Mr. King, governor J. Henry, Mr. Carroll, Mr. R. H. Lee, governor Johnston and Mr. Few in the Senate. Mr. Elsworth was the draughtsman of the first judiciary law, passed in the presidency of, and approved by Washington. The Adams judiciary law of 1801, deprived the judges of the supreme court of the United States, of their right and power of original jurisdiction in nearly all matters affecting the persons of the citizens and of private foreigners, and nearly in all matters relating to private property, private contracts, commercial transactions, &c. also in cases where the United States are a party; and in short nearly the whole of their power to hold jury trials, and to entertain *originally* private and criminal suits. That law, in fact, deprived them of the powers, offices and duties of *judges of the circuit courts* of the United States. It left them only judges of the appellate court in federal and private cases, and judges of the court for certain public cases. Thus did the judicary act of the legislature of 1801, with the approbation of president Adams, abrogate the body and substance of the powers, duties and offices of the judges under the judiciary system of the United States, as it was formed, adopted and established by the Washington administration. The exception against the judiciary law of the United States and against the Jefferson administration is that they abrogated this alteration of the Washington judiciary of 1789, by the restoration of their circuit and original powers, duties and offices to Messrs. Marshall, Cushing, Paterson, Chase, Washington and Moore.

It is a part of the powers and duties of the legislature to give a right constitution to the courts of law. If one legislaiure could deprive the present judges though appointed for life, of the far greater part of their powers, or in other words of their respective offices, the question occurs whether another legislature could not and ought not to restore those powers to them in their original form, substance and extent. Had any of the six supreme judges died or resigned after the Adams judiciary law of 1801, the restoration of the Washington system into the hands of the judges appointed for life under it would have become impracticable; but happily for the constitution they all remained alive to be restored to the places to which they had been commissioned for life. If the principles on which the arguments against the last repealing law are found to be sound, this reasoning as to the Washington system and the original judges is conceived to be irrefragable.

The power to modify the courts of law, was exercised with a strong hand by the framers of the Adams law of 1801, in the case of the six judges of the supreme court of the United States already stated. But in the cases of the district judges in the several states, a no less hand was applied by the framers of that act, for they deprived all those sixteen district judges of their powers, duties and offices as judges of the circuit courts of the United States. This was done by the new modelling of the Washington circuit courts. Thus did the Adams system of 1801, turn all the judges of the circuit courts of the United States off the bench, up into the supreme court, or down into the district courts.

To shew, in the strongest light possible, the unreserved manner in which the legislature of 1801, with the consent of president Adams, exercised a control over the constitutions of the courts and over *the offices of the judges* appointed during good behaviour, and of course (with good behaviour) for life, the 24th section of Mr. Adams's judiciary law need only be examined. As it will not be credited, that Mr. Jefferson and the legislature of 1801-2, could be censured by any man, who passed or countenanced that 24th section, its own words (as in page 249, vol. 5 U. S. Laws) are given: "And be it further enacted, that the district courts of the United States, in and for the districts of Tennessee and Kentucky *shall be and are hereby abolished*; and that all and singular *the powers, authority and jurisdiction of said courts* (that is the whole powers and offices of the two *annihilated* district judges of Kentucky and Tennessee) shall be and hereby are vested in and shall be exercised by the circuit courts, by this act directed to be holden, in and for the districts of East Tennessee, West Tennessee and Kentucky respectively, within the limits of their respective jurisdictions; and that *the circuit judges* to be appointed for the sixth circuit aforesaid severally shall be invested with, possess and exercise *all and singular the powers*, now vested by law in the district judges of the United States."—That is, the new circuit judges were invested with the very and proper offices of which the district judges were deprived.

After a calm and attentive perusal of this 24th section of Adams's judiciary law of February 1801, whereby *two judgships for life* are abolished, let this honest and judicious nation pass its high sentence on those, who declare it to have been unconstitutional in the Jefferson judiciary to restore those two district judges to their seats in the district and circuit courts, and the six supreme judges to their seats in the circuit courts, and the six supreme judges to their seats in the circuit courts, according to the Washington judiciary law of September 1789.

JURICOLA.

*Alexandria, August* 29.

The atrocious outrage on our national independence, which is the subject of the following protest, will we doubt not sink deep into the hearts of our fellow-citizens; though we trust we have now an administration that will not tamely submit to such insults. We have seen and approved the means taken to prevent American sailors volunteering into the French navy, because it was our wish to see our country take a part fairly; but if that measure was right, how indignantly ought the compelling our native born citizens to be resisted, by those who value the rights of the United States, or the prosperity of the citizens. We understand that the unfortunate David Kitchell, who is thus compelled to fight the battles, of a king who strove to enslave his country, and bribed Hessians and Indians to scalp, and murder its inhabitants, is a native of Maryland of very respectable connections.

*United States of America.*
*District of Columbia, ss.*

Know all men by these presents, that on this day, personally appeared before me, Cleon Moore, notary public for the town and county of Alexandria, in the district of Columbia, residing therein, and by law duly admitted and sworn John Hand, master of the sloop Hiland of Philadelphia, John Albright, mate, and Mr. Joseph Hughes, a passenger on board, and severally made oath upon the Holy Evangelists of Almighty God, that they sailed in and with the said sloop from Philadelphia, on Sunday the 21st inst. bound for Alexandria, and with the rest of the crew, had a man on board named David Kitchell, *a native citizen of the United States*; that on Monday the 22d. about sunset, at the *mouth of the Delaware Bay*, fell in with the British sixty-four gun ship called the Leander, commanded by capt. Cain, who sent an officer on board the said sloop, and he began to examine the men; he went on board the ship, and immediately between sunset and dark, returned to the sloop, and pressed and took on board the ship the said David Kitchell, against which the said John Hand, the master, remonstrated, and told the officer that he was a native citizen of the United States of America, which he would immediately prove, but the officer declared that *he had a right to press him*, as he had no protection, which the said John Hand said was true, but that never having heard that any attempt was made to press seamen from coasting vessels, he had not provided this voyage, nor never did any other voyage