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TO ALL THE THE PARTY OF THE PAR

FRIDAY, SEPTEMBER 14, 1804.

From the NATIONAL INTELLIGENCER.

TO THE PEOPLE.

THE DEFENCE.—NO. I.

The period draws near, when you will be called upon to exercise one of the highest functions with which freemen can be invested. They alone deserve the name who chuse their own rulers, and through them make their own laws. This is your prerogative! May it long remain so, whatever the infatuation and folly of other nations! And while we pity the low state to which their ignorance and a tyrant's wrongs have reduced them, let us cherish, with the zeal of our fathers, the lofty sentiments of freedom, scaled with their blood.

Devoted to liberty and justice, the history of the world should teach you, as you wish to preserve them, to be jealous and vigilant. It should teach you that rule:s are more apt to be tyrants than servants: and that, with whatever sanctivy they may declare themselves the friends and guardians of your rights, they are most apt, under this insidious mask, to subvert them by a criminal career of ambition. It is true, that they generally flatter to betray you; and that while they are busied in the immolation of liberty, they are loudest in its praise.

As then you value your rights, examine with an unbending severity the conduct of your rulers. The more important the duties with which a public character is invested; the more imperious the necessity of a rigid scrutiny. When the station to be filled is the highest in your power to bestow, the duty becomes a sacred one; and you become traitors to yourselves not to discharge it. It is criminal in a man to play the tyrant; but that crime is of the deepest hus wich a free people perpetrate by neglecting the means for the preservation of their liberties. The tyrant is hurried on by the fury of his passions; while the people have no in- | of the union-and recommend to their ducement under Heaven to abandon their duty. The first may influence the judge necessary and expedient." period in which he lives: winte the last too often decides for ages the destiny of | these duties are mardatury; the term

a nation. to elect your chief magistrate. In the gistra e, to give information or advice, discharge of this duty, at the last period, you raised to that high station a citizen distinguished for the various | give information, and he shall recommend services rendered to his country. Of menners simple, affable and winning, and with an understanding penetrating and perspicacious, he had long commanded | lute injunction of this duty, so far as it in the wide circle of his friends a respect | relates to the recommendation of measoftened by affection. Even his enemies, notwishstanding their dislike of his political opinions and actions, acknowledge | and executive power-to give the execued their love for the man. Enured from infancy to the active scenes of life, and called by the exigencies of the revolution to a vigorous participation in ture. But these considerations, however its toils, he had, notwithstanding, found powerful on the mind of the framers of a time to pursue the early bias of a mind attached to philosophical pursuits, and from the action of a sound judgment upon a large stock of acquired materials, had gained a reputation in the literary

It is not surprising, therefore, that we find him in the legislature of his own state. then the widest field of action presented by the state of the country, animated by the honest enthusiasm ofyouth, transcending the dull routine of duty and laying the foundations of future regreatness and prosperity by devising and recommending plans of great and general utility. Three vast objects appear to have engaged his patriotic efforts; education, religious toleration, and the reform of the criminal code. Like other philanthropists he but in part succeeded. He obtained something to be done to advance the interests of learning; and be lost only by the casting vote of the Speaker a law for mitigating the penal code. On the interesting point of religion his victory was complete; and every man was guaranteed the free exercise of his conscience and religious opinions. But, however imperied the success of his plans, he sewed seed in a seil far frem rincongenial, which have since rewarded Mall his efforts. He has the satisfaction pf-beholding the citizens of his native assiste enjoying every blessing that religious and civil-liberty can bestow; sustaining their state institutions with ability, estabultranslusing their virtues into the Reveral departments of the general go-

Such is the man, with, four years ago, called to the head of your affairs. You esteemed him then wise and virtuthe placed nould not have placed him at the very altar of your rights.

He was then, however, untried in the discharge of the duties of the First Manievicines and talents, he was liable to desposing the bopes of his country. Has he desappointed these hopes !—This is the object of the present enquiry. If he The select pour duly, whatever pain it males of private life.

In order to decide this enquiry, it is necessary to state the duties of a Chief Magistrate, and to compare with them the measures of Thomas Jefferson-

The duties of the President of the United States are, fortunately for the preservation of our liberties, fixed by a written Constitution. In every other mation on the face of the earth they are but vaguely defined by a dark and shifting prescription, varying with the temper of the times, and the character and views of those who administer the government. Under such systems, if they deserve the name, Executive power advances with a step as steady as time, towards its own aggrandisement. By the co-sperating influence of force and patronage it gradually saps every mound raised against its encroachment. Accordingly under such governments, liberty is but a shadow, dependent entirely on the sun shine of royal favor. To guard against this great evil, this gravitating principle of political institutions, the Constitution of the United States has wisely laid down certain rules, so plain, that every mind can determine how far they have been observed. Let us, then, on this occasion, resort to them as our unerring guides.

The Constitutional duties and powers of the President are:

1. To give to Congress, from time to time, information of the state of the union, and to recommend, to their consideration, such measures as he shall judge necessary and expedient.

3. To command in chief the Army and Navy; and the Militia, when in actual service.

4. To appoint all executive and judicial offices, except of a subordinate na-

5. To make treaties.

6. To take care that the laws be faithfully exycu ed.

And to secure the execution of these duties, and such others as are imposed by the Constitution, he is required to take the following onth of office.

"I do solumnly swear that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect and desend the Constitution of the United

The first duty is two f.14-The President " shall. from time to time, give to the Congress information of the state consideration, such measures as he shall

It must not escape one notice that both used is " shall ;"—it dies not, therefore, You are called on once in four years | rest in the discretion of the Chief Maaccording to any theory of government established in his own mind; but he shall such measures as he shall j dige necessary and expedient. For one, I do not hesitate to say, that I consider the absosures, a defect in the Constitution. It tends unnecessarily to blend legislative tive a dangerous agency in the enaction of laws; and to diminish the free will & unprejudiced deliberations of the legisla-Constitution, are divested of all their influence when applied to the Magistrate, on whom its execution is devolved. What would be a virtue in the one case, be-

comes a crime in the other. The information required by the Constitution has been supplied by the President in a liberal stream. It may confidently be affi ined that the mass laid before Congress during the last four years has not been exceeded, either in interest or magnitude, by that furnished during any antecedent equal period. Whatever relates to interior concerns has, in every instance where its importance justified it, been exposed; and the mysterious obscurity, in which diplomatic relations are usually involved, has been happily dissipated in an eminent degree. The wishes of the legislature and of the people have, in most instances, been anticipated, and in no case, as under preceding administrations, has a veto been passed upon legislative requisitions. In some few cases, it is true, complaints have been made, that the public were not duly informed of passing or impending events; but in all these cases, it has alterwards manifestly appeared that the government had withheld no information, whose communication would not have done more injury than good.

It is, perhaps, to be regretted that there is no regular official journal published of executive acts: Were such a journal published, at periods however remo'e from the occurrences recorded, it would ultimately afford more correct means of judging of the conduct of the cabinet, and thereby produce a more rigorous responsibity to public opinion, that at present exists. But until provision is made for this, we must expect, from the nature of executive acls, some degree of obscurity to envelope the grounds on

which they were taken. Considering the peculiar circumstances, under which the present Chief Magistrate came into office, the people had right to expect from him a full and liabitual disclosure of his measures, and the motives which dictated them, so far aseither could tend to promote the public good. An omission by his prodecessor,

to make such a disclosure, was one of the grounds on which he was ejected from power, and the belief that Mr. Jefferson would evince, a contrary course unquestionably conspired with other expectations, to insure his election.

The responsibility of all the public men to public opinion is an essentional feature of the republican creed, and it is manifest, that all responsibility, to a body not possessed of the means of forming an enlightened degision, must be ideal. To give a salutary vigor to this principle, a full disclosure of the state of the treasury, of every description of public burthen, from the greatest to the least, of | tia. all compensations, fixed by law or ascertained by executive agents, has been statedly made; together with ample details elucidating the situation of every establishment under the government. Even the sacred ground of patromage, so prudently veiled in darkness by most governments, has been opened to the view of the nations, and the rewards of favourites, if such there are, nakedly exhibited.

A momentary clamour has been rais ed at the alleged suppression of information on two subjects of very various importance;—the repairs of the Berceau; and the negociations respecting Louisiana. But time, by dissipating the obscurity attending those events has proved that the first was a link in the chain of amity that new so happily unites us with the most powerful nation of the world: and that the secrecy attending 2. To pass a qualified veto upon the the Louisiana negociations was directly, perhaps inseparably connected with the su cess that crowned the final result. For had the pending steps been at the time avowed, there is every reason to think that ir jurious delays and obstacles, altogether frustrative of the possession of that territory, would have been interposed by rival rations England, accustomed to interfere in whatever related to France, would have scarcely suffered such an occasion to pass without improving it to the permetion of her own interest, either directly by benefiting. herself or injuring her rival; & Spain would too probably have exerted every nerve to avert a measure, which, it is known, she deprecates, however errone ously, as unfriendly to her power in this part of the world.

In the discharge then of this constitutional duty, we contemplate in the measures of the Executive, a devotion to the republican principle of giving the fullest information to the people, unalloyed with the imprudence, to which an impulitic extension of even sound principles is too

apt to be carried by enthusiasts. The other branch of this duty, is the recommendation to Congress of such measures as he shall judge necessary &

expedient. We have seen that this is not a power, which the Presiden may or may not, but one, which the constitution expressly declares he shall, exercise. Under this constitutional injunction, sanctified by an oath of office, peculiarly solicitous of engaging the utmost efforts of the chief magistrate in its preservation, he has recommended to the consideration of Congress several measures. It is unkecessary at this time, to enumerate any but those of considerable importance.

In his address to the seventh Congress at the opening of their first session, he says, "other circumstances, combined with the increase of numbers, have produced an augmentation of revenue arising from consumption, in a ratio far beyand that of population alone; and though the changes in foreign relations. now taking place so desirably for the whole world, may for a season affect this branch of revenue, yet, weighing all probabilities of expence, as well as of income, there is reasonable ground of confidence, that we may fairly dispense with all the internal taxes, comprehending excises, stamps, auctions, licences, carriages and refined sugars; to which the postage on newspapers may be added to facilitate the progress of information; and that the remaining sources of revenue will be sufficient to provide for the support of government, to pay the interests of the public debts, and to discharge the principals in shorter periods than the laws, or the general expectapences which the imposts could not meet. But sound principles will not justify our taxing the industry of our fellow citizens to accumulate treasure for wars to hap. pen we know not when, and which might not perhaps happen, but from the temptations offered by that treasure-These views, however, of reducing our burthens are formed on the expectations that a sensible, and at the same time, a salutary reduction may take place in our habitual expenditures. For this purpose, those of the civil government, the army and navy, wili need revisal."

In the same communication, the President invites the attention of Congress, without expressing any opinion, on the

revision of the Judiciary establishment. These two objects are those which have in the greatest degree, divided pub. lic apinion. The propriety of the measures adopted by congress in relation to mentioned in this place as forming part of the measures suggested or recommended by the President, in order that the whole may be presented to the view of the reader. Besides these, he has, in his several communications, altracted

lowing topics:

He is recommended,— A retrenchment of unnecessary ex-

An abolition of useless offices, An adherence to specific appropria.

-A reduction of the army. An impartial selection of jurors, A revisal of the naturalization laws,

A faithful payment of the interest, & a prompt discharge of the principal of the public debt.

The establishment of a Dry Dock.

CURTIUS.

From the Federal Gazette.

Messrs. Tundt & Brown, As many people are not aware of the enormous duty paid at present by the importers of dry goods, you have herewith a statement to shew how the duties are calculated at our custom. L. Sterling.

A case hosiery, first cost 100 00 Carriage from place of manufactory to Liverpool & shipping charges there-

Export duty in England, 4 00 £. Sterling, 105 5 0 Ad valorem duty here, 1st.

10 10 G

add 10 per cent.

f. Sterling, 115 15 6 Then charge according to law on one hundred, and fisteen peuads fifteen shillings and six pence 17 1.2 per cent. is- f. Sterling, 20 5 1, amount of duty on every one hundred pounds first cost in England; which is more than one fifth of the first cost. Thus the reader will observe that the importer here pays duty not only on the first cost of the goods, but on every expence to and at Liverpool-as also on the export duty there.

On linens, cloths, and such like, the duty is 2 1-2 per cent. less, on glasswore and many other articles it is about 5 per cent higher.

PORTSMOUTH, (Eng.) July 9.

This morning a packet for the hon. East India Company was landed from the Rambler, whaler, which passed this port for the river, which is said to contain the unpleasant intelligence of the loss of nine sail of homeward bound China ships at the Prince of Wales's island; seven of which were burnt, and two taken. The French force (Linois) consisted of 3 ships of 84 guns, 2 of 50, and several frigites: it is therefore supposed that admiral Hartsinck has joined him, as it is known that Linois had but one ship of the line. The master of the East-India ship Unicorn also landed, which ship was also taken on her outward bound passage, near Cape Horn.

PHILADELPHIA, Sept. 12. COMMERCIAL.

We are indebted to a respectable mer- through the country: chant and an obliging friend for a were communicated by Messrs. Hope | presents, greeting. & Co. of Amsterdam, to Sir Francis in this city. No doubt, therefore, can be entertained of the correctness of price current subjoined.

REGULATIONS About the Tea Trade in Amsterdam, July, 1804.

Pursuant to these regulations it is permitted from this date, and during the course of the year 1805, for ships coming direct from China, and with cargoes tion had contemplated. War, indeed, of tea and other articles, to enter and and untoward events may change this unload in our ports, provided they come prospect of things, and call for ex- direct from China. Such cargoes to be placed under the management of the Asiatic Council, against a recognition of 64 per cent. of the gross proceeds, and further on the usual condition of the company's sales-and it is not expected that any difficulty will be made for the admission of any American vessels although they might have touched at some port in America, provided bulk has not been broken, and the cargoes arrive here in the same state as when shipped in China, without addition or deduction, and on satisfactory proof thereof being produced.

It is further permitted from this date to the 1st of October, 1804, to forward from the United States whole cargoes of tea as originally imported from China, by transmitting them in other vessels. with the option of keeping back the other Chinese articles imported with them, and such cargoes of tea will be them will, in its proper place, be dis- admitted in our ports in the same mantinelly discussed. They are merely ner as those coming direct from Ufina on payment of a recognition of a per mership, the business will in future be conducted under the firm of FINLEY, TAYLUR and on payment of a recognition of 8 per on the usual conditions of the company's FINLEY who will continue, as usual, the sales: and satisfactory proofs must be Flour Grocery and Lique Business at their produced that such shipments shall have store; Noi-43, Notiff Howard-sneeting. taken place in the United States on oct

the attention of the legislature to the fol- / before the 1st of October next, after which this permission ceases,

The sale this year will probably take place towards the middle of September. the quantity of quarter chests to be no less than 40000 and not to exceed 60000.

For the next year it is not yet decided whether there will be one or two sales, but the whole amount is not to exceed 60000, and to be no less than 40000 quarter chests-Of this quantity about one half has been contracted for, the remainder to be supplied from the excess which may take place in the importation Unceasing efforts to perfect the mili- of this year, and the remainder from the arrivals in 1805, in proportion of their respective quantities. The surplus to be reserved for the first sales in 1806. The charges on the sale of tea, including commission, brokerage, &c. amount to about 5 per cent.

PROBABLE PRICES OF TEA:

1804.

1805.

Bohea Congo 36 40 48 Company Southong Singlo & Tunkay 40 43 Hyson Skin Hyson 58 60 LONDON PRICES CURRENT, JULY 13 1804. Havanna, white Sugar, 64 a 90. 46 a 542 Foreign W. I clayed 50 a 85. Muscovado 46 a 55a Java in cannisters 46 a 60e in bags 40 a 522 Foreign West India 130 a 154: 115 a 125 133 a 140s Java Sea Island Cotton, 18d a 2x 2d Upland 184 a 15d New Orleans 14d a 17d Pepper, Black Cochineal, 19:61 a 22:61 Spanish Flora Indigo, 9:91 a 12:56 S bree 8, 9, a 11. Corkeer 7s 6s a 8s 6d Logwood, Campeachy 24! a 251 41/ a Tobacco, Virginia 3 1 2d a 7d

NATCHEZ, August 14. By a gentleman arrived here yester-

4 1-2d a 5d

3 1.2d a 5d

3 1-.da 4 1-24

Maryland

Carolina

Georgia

day, from the neighborhood cl. Bayou-Sarah, we have been favored with the following information: "That Mr. Nathan Kemper, with a party of about 30 men, with colors flying and hoins sounding, marched from the neighbourhood of the line of demarkation between this territory and West Florida, on the 7th instant, against the fort of Baton Rouge, on their way, they made prisoners of John O'Connor, esq. (an alcaide) and captains Pintedo and Terry.

They arrived on the following morning about day light, near the fort. The Spanish commandant, (apprised of their intentions) had posted a piquet of 18 or 20 men, who hailed the party as they approached; they immediately answered by a volvey from their rifles, dispersed the Spaniards, two of whom were observed

Kemper returned on the following day, with his party, to the Bayau Sarah; he has established his head quarters near the house of a Mr. William Cobb. The following is an exact copy of a paper which is posted up at the quarters of Kemper, and at several other places

For a people to be free it is sufficient copy of the following regulations that they will it: we the undersigned, relative to the tea trade. They citizens of the West Florida, send these

Whereas the despotism under which Baring & Co. London, and by the lat- | we have long greated, has grown into an ter transmitted to their correspondent | insupportable burthen, and as it is long since admitted, men are born with equal rights, we the undersigned inhabitants of the statement. We are indebted to that part of the dominion called West the same gentleman for the London Florida, have resolved to throw off the galling yoke of tyranny, and become freemen, by declaring ourselves a free and independent people: and by supporting with our lives and property that declaration, and we do by these presents, invite our fellow sufferers throughout the province aforesaid, to repair to the standard to aid in the effecting our common emancipation; we piedge ourselves solemnly to each other, and to our fellow men interested in the events, to svoid as far as practicable the effusion of blood (save that of our common enemy) and in all cases shall private property, be held succed. So soon as our emancipation is effected we will offer ourselves to some government accustomed to freedom.

Those who set up in opposition to our operations for the purposes aforesaid, will be viewed as our common enemy, the enemy of mankind and of liberty, & will be treated accordingly.

Given under our hands on the south side of the line of demarkation, in the province aforsaid, this first day of Floridian Freedom, August 7th, 1864. An informant further, adds, that Messrs O'Connor, Pintado and Terry were liberated, on the return of the party, who exacted their parole of honor, to take no active part against them during the continuance of the contest.

The subscribers HAVING isken. Themas Finley into par

FINLEY & TAYLOR.