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FROM THE VIRGINIA ARGUS.
December 5.

As the general assembly of Virginia will commence their session on Monday next, we take the liberty of recommending to their particular attention, the important subject of the judiciary of the United States.

The extraordinary proceedings in the case of *Aaron Burr*, so severely and justly censured by *Lucius*, in his eloquent letters to the chief justice, (two of which we have now the pleasure of presenting to the readers of the Argus) clearly shew that an *independent* judiciary (that is to say, a judiciary not controuled by the laws, and above the fear of violating them) is a very pernicious thing. That the federal judiciary is, in this sense of the word, *independent*, is perfectly certain; since no power at present exists, by which it is probable a judge could be punished, even for palpable treachery to his country and wilful perversion of the law; a trial before the supreme court of impeachment being only a solemn and expensive farce.

Every friend of a free government must wish the members of the judiciary to be independent of all improper influence; to be free from the smallest suspicion of being governed by fear, favor, or affection; and to enjoy salaries sufficient to set them far above the temptation of briberry or corruption.

But this desirable independence of the judges is very different from that which places them above the law; enabling them not only to legislate by their decisions, but to vary from and dispense with those decisions, whenever it suits their purposes.

It is evident that, in delivering his opinions in the case of *Burr*, judge *Marshall* must have known that he possessed the latter of these two species of independence; that he felt himself to be *legislating* on the subject of treason, and even dispensing with the law which the supreme court of the United States had previously declared on the same subject; that as he looked down with contempt on the opinions of the people, so also he was conscious of being above the reach of punishment.

But such a state of things ought not to be tolerated in a free country. No person should be above the law—and, especially, those who interpret and apply it to the cases of others, should be compelled to obey it strictly themselves. True it is, that a judge ought not to be *punished* for an error of opinions, where that error is not produced by an improper bias. But where the opinions of a judge are found to be continually or systematically hostile to the liberties of the people, or injurious to their safety, even though no proof of corrupt motives can be exhibited against him, he ought to be *removed from office*.

Offices ought not to be considered as the property of *individuals, but of the public*: and those who hold them are only trustees for the general good. They do not hold their honors and salaries for their own sakes; that they may live at ease and fatten on the treasury; but merely for the purpose of performing useful and laborious duties, for which they are entitled to, and ought to receive, an adequate compensation. A *removal from office* ought not therefore be considered, as a *punishment* for a crime; neither ought it to take place in those cases only where a *crime* has been committed.

A want of skill and knowledge in the law, a defect of understanding, or the possessing and acting under the guidance of erroneous and dangerous principles, are all good and sufficient reasons for removing a judge from office—If the point is frequently otherwise considered, it must arise from the mistaken impressions generally entertained concerning the independence of the judiciary, or from the idea that an office is the property of the Judge who holds it, and that he ought not to be deprived of his *property* without conviction of a crime, opinions which are certainly contrary to those laid down in the Bill of Rights of Virginia as the foundation of all good government.

Yet, for none of these glaring defects, can a judge be removed, from office, as the constitution of the United States now stands.

It is time therefore, that an amendment should be proposed authorising and requiring the president to remove any judge from office at the request of a majority of both houses of congress. Such an amendment could not have the effect of producing any improper influence on the minds of the Judges, or of diminishing their *legitimate* and *useful independence*. A good judge would never be prevented from doing justice by the fear of losing his place, and a bad one ought to be subject to the wholesome controul of his country. The opinion of the majority of both houses of congress would generally be on the side of justice and, if it sometimes erred, it is better in a free country that the will of the people should prevail, (the government being instituted *for them* and to be administered according to *their wishes*) rather than the will of a few persons, whose interest (being in conflict with that of the great body of the community,) will much oftener lead them to wrong.

All human institutions are imperfect; but the proposed amendment, though it would not be algether free from evil, would most assuredly be a great and important improvement to the constitution of the United States.

We hope, therefore, that the general assembly of Virginia, always ardent and active in the cause of republicanism, will not be hindmost on this occasion, but will take up the subject early in the session, and propose the amendment as speedily as possible.

FLOUR, inspected in the town of Alexandria, for the quarter, ending the 11th December, 1807;
45,311 barrels flour,
2,543 half barrels flour.
AMOS ALEXANDER,
Flour Inspector.

We are informed that the Brutus brings information, that before she sailed all the coast of France was declared in a state of Blockade, and that the principal ports were actually invested *(Gaz. U. S.*

FROM THE N. Y. MERCANTILE ADVERTISER.

Extract from Voltaire's age of Louis XIV.

"From 1663 till 1672 each year of this ministry was distinguished by *the establishment of some manufacture* or other; the *fine cloths*, which had been brought from England and Holland, were fabricated at *Abbeville*.—The king *advanced to the manufacturer* of each working loom two thousand livres, besides considerable gratuities. In the year 1669 about 14,200 *woollen looms* were reckoned to be in the kingdom. The *silk* manufactures, then brought to perfection, produced a commerce of above fifty millions currency of that time; and the advantage drawn from it was not only very much above the prime cost of silk necessary in their fabrication, but the cultivation of the mulberry trees soon put the manufacturers in a condition of dispensing with foreign silks for the warp or chain of their stuffs.—From the year 1660, they began to make excellent looking glasses as at Venice, which city had always before furnished the whole consumption throughout Europe; and they soon made pieces of this kind, which for largeness and beauty could never be imitated (equalled he meant) by any other place. The carpets of Turkey and Persia were surpassed at the Savonnerie, a place in Paris, so called from the soap works formerly carried on there. The tapestry of Flanders was inferior to that of the Gobelines, which vast inclosure (so called) was filled with above 800 workmen. Within this enclosure was also made a beautiful kind of mosaic work, and the art of marquetry, or inlaying, was carried to its perfection. 180 girls were employed in lace works, and 20 principal men were brought from Venice and 200 out of Flanders, who had 36,000 livres given to them for their encouragement. The manufactory of the cloths of Sedan, and that of the tapestry hangings of Abusson, degenerated and fallen into decay, were re-established. The rich stuffs, in which silk is mixed with gold and silver, were fabricated at Lyons and Tours with renewed industry. It is a thing well known, that the ministry purchased in England the secret of that ingenious machine by which stockings are made ten times faster than by knitting. Tin plates, steel, fine delft ware and Morocco leathers, which were always brought from abroad, were made in France. But the Calvinists, who possessed the secret of making tin-plates and steel, carried it away with them in the year 1686, upon the revocation of the edict of Nantes; and imparted this advantage, with several others, to foreign nations. The king every year expended about 800,000 of our livres upon the ingenious works of taste which were fabricated in his kingdom, of which he made presents."

The above extract is peculiarly appropriate to the present period of American history, when the good sense of the nation has been directed to the *encouraging manufactures, in which alone true independence consists*—America possesses, within itself, *all the means of extensive manufactures*. All that is necessary to ensure their success is proper encouragement *from the government*, without which it is vain to calculate on their permanency to produce any national benefit. The great obstacle hitherto in the prosecution of extensive works has been the want of sufficient capital; to remove which it is necessary that several individuals combine their funds, or that proper and adequate support be given by the government. The best mode of doing this is certainly by establishing literal premiums for given quantities and qualities of the different articles manufactured. This excites a spirit of laudable emulation, and leads to individual exertion, which seldom fails to accomplish its objects, if the reward be certain and commensurate. One of the first things to be done is to secure to the *introduction*, as well as the *invention*, of ingenious and useful machines, &c. a proportion of exclusive right in the manner of a patent, which should be *free of expence*. Let the term be regulated according to the nature of the case, and such as will hold up to foreigners an inducement to *bring hither their discoveries in the same manner as is now practised in Great Britain and Ireland, France and Holland*, where the greatest benefit has been experienced from this wise regulation; even though in the former countries an enormous expence is attached to the obtaining a patent, which is frequently a bar to useful inventions becoming public. How contradictory is it to load with expence, that, which in its very nature, is designed as a gratuity. I am sorry we should have adopted, even in a small degree, this mistaken policy; for although 35 dollars are but a small sum, to what a patent costs in England, yet to a poor inventor, it may prove an insuperable obstacle to his progress. The next point of consequence appears to be granting acts of incorporation to companies established for the prosecution of manufactures; by this means, the capital of the country is concentred, and monied men will be secure in their advance, without being personally obliged to attend to the details of a concern, of which they may be entirely ignorant. Let these and similar regulation be pursued, and let it be seen, that the present step is not a mere transient pique or manœuvre; that instead of being, as it is generally conceived in England, a "*scarecrow of negociation*," the people of the United States are finally *determined to carry it into effect*, and render *themselves independent of foreign aid*, and in a short time we shall find artisans flocking to our shores to reap the benefit of so wise a measure, and prosecute in a land of freedom those arts, which in their own country are loaded with excessive impositions and grievances—to place themselves and families in opulence, instead of leading the life of the most painful drudgery, by which they can scarce obtain the bare necessities of existence.

A FRIEND TO MANUFACTURES.

DENMARK—A statement of the number of Births and Deaths in the kingdom of Denmark for the year 1806, in which Greenland and Iceland are not included, makes the Births 75,259—Deaths 59,695 by which it appears that the Births exceed the Deaths by 19,564

DRAMATIC—A new Comedy called "*Time's a Tell Tale*," was brought out at Drury Lane on the 22d October. It is from the pen of Mr. Henry Siddons, and is very favourably spoken of.

We extract the following notice of *Humbold* from a late Moniteur:

"There has lately appeared in Spanish, a Peruvian work, composed of tracts furnished by the inhabitants of Peru, relative to the natural history and manners of that interesting country. Extracts have ben given from this work in the English and German languages, to gratify the curiosity excited by the travels of Messrs. Humbold and Bompland. The volume, which is the fruit of these travels, affords much instruction and amusement. The marvellous is, perhaps, carried too far in some instances, especially in the mention made of the little dogs, met on the banks of the Huallaga, whose heads are said to have shone very luminously during the night. But too undoubted facts, and beautiful descriptions amply compensate. We shall now give extract an account of the riches heretofore drawn by Spain, and which she still continues to draw from this part of America.

"In the space of two hundred and sixty-eight years, that is, from the conquest to 1740, she has drawn from Peru the immense sum of nine thousand millions of piastres, and her annual importation still continues at five millions."

The following is the act of the Legislature, for "Quieting possessions" alluded to in our paper of Saturday. Our readers will judge whether Mr. T. B. Dorsey and the large majority with whom he acted, were thy of that censure which has been so liberally heaped upon him in the Federal Gazette for his exertions to carry it through the house of Delegates. Of the 43 members in favor of it only two were lawyers—of the minority, seventeen in number, there were seven gentlemen of the bar.

Ev. Post.

"AN ACT

For quieting possessions, and securing and confirming the estates of purchasers.

"Whereas deeds for conveying slaves and other real estates, have been executed and acknowledged by feme covert, and doubts have been entertained whether they ought to vest the property therein intended, because the precise form of acknowledgement has not been pursued: And whereas doubts are also entertained whether deeds acknowledged under a power of attorney, and executed in the name of the attorney, and not in the name of the principal, are valid: And whereas doubts are also entertained whether deeds acknowledged before two justices of the peace who were not justices of the county court, are valid: And whereas also deeds of bargain and sale have been executed without having given the same a due notoriety, and deeds property has long been possessed by an, and if such deeds are judged void, the purchasers will be deprived of the estate they were given, it having been obviously intending and intention of the parties to such deeds that the property should be effectually conveyed therein; and it is just and proper that such defective deeds should be made valid by law; therefore

"II *Be it enacted by the general assembly of Maryland*, that all deeds heretofore made for the conveyance of property, real estate, inheritance or freehold, or declaring or limiting any use or uses, or for conveying any estate for above seven years, and acknowledgments of a release or relinquishment of a right of dower in lands, tenements or hereditaments which have been acknowledged by feme covert in which acknowledgements the precise form prescribed by law has not been observed, and all deeds for conveying any estate as aforesaid, heretofore made and acknowledged by virtue of a power of attorney, in which the acknowledgement is made by the attorney in his own name or his principal; and all deeds for conveying any estate as aforesaid, heretofore made and acknowledged before two justices of the peace of any county in this state in which the acknowledgment is made and all deeds of bargain and sale for conveying any estate as aforesaid heretofore made, and not recorded shall be, and the same are hereby declared to be, of the same effect and validity to pass the property and estate therein and expressed therein, as if such deeds had been, by feme covert, acknowledged in the presence of a chancellor or judge, as is such deeds had been acknowledged by the attorney in the name of the principal, as if such deeds had been acknowledged before a judge of the state general court, or before a judge of the county court, as if such deeds had been duly recorded; provided it shall appear by the acknowledgement of such femes covert, that the same was made willing, and out of the presence and hearing of the husband; and provided also, that in every other respect the aforesaid deeds have been executed acknowledged and recorded, agreeably to the laws heretofore made on the subject.

"III *And be it enacted*, That any two justices of the peace shall have the same power and authority to take the acknowledgements of deeds for conveying property as aforesaid as the judges of the county courts respectively have.

"IV. *And be it enacted*, That all deeds hereafter made by any feme-covert for conveying property as aforesaid, and all acknowledgments of release or relinquishment of a right of dower, shall be good and effectually to pass the estate, or bar the said right of dower therein limited or expressed, provided it shall appear by the acknowledgment thereof, that she made the same voluntarily, and out of the presence and hearing of her husband, and that the same deeds shall be in all other respects, executed, acknowledged, and recorded according to law.

"V. *And be it enacted*, That all deeds for the conveyance of property as aforesaid, which may be hereafter acknowledged by any attorney in fact in his own name, shall be as good and valid in law as if acknowledged in the name of his principal; provided, that in all other respects the said deeds shall be executed, acknowledged, and recorded agreeably to law.

"VI. *And be it enacted*, That nothing in this act contained shall effect, or be construed to extend to any case where a recovery has been actually had in opposition to any defective deed or deeds in any court of justice in this state."

WAR DEPARTMENT,
December 2nd, 1807.

SIR,

I have the honor in compliance to a resolution of the House of Representatives of the 25th ult. to transmit herewith a statement of the respective number of the officers, non-commissioned officers and soldiers; composing the army of the United States, noting the number wanting to complete the present establishment.

I beg leave also to state that in addition to the directions given in July last, letters were written on the 22d day of Oct. ult. to each of the governors, of the several states, from whom no reports had been received, urging the necessity, of forwarding to this department with as little delay as possible, the muster rolls and inspection returns of their respective quotas of one hundred thousand militia. A small proportion of the returns however have yet been received: And, as the governors were generally authorised by the President of the United States to accept, as a part of their respective quotas, such volunteer corps as may offer their services, in conformity to the act of congress of the 24th February last, the Secretary at war will not possess the necessary documents for forming the estimate directed to be laid before the house, by this resolution of the same date as the former until he shall receive the returns before mentioned.

There is reason however to expect, that the militia will be in his possession within a short time, as it appears from letters received from the governors to whom letters addressed to them on the subject have been received, every exertion has been made on their part, to have the returns made and forwarded.

I have the honor &c.
Very respectfully sir
H. DEARBORN.

To the honorable
The Speaker of the
House of Representatives.

A statement of the respective number of officers, non-commissioned officers, musicians, and privates, composing the army of the United States, agreeably to the establishment established by law, and the deficiencies of each, as per returns received at the War Department to the 1st December, 1807.

General and staff officers—1 Brigadier general, 1 adjutant and inspector, 1 paymaster of the army, 3 majors, 27 assistant military agents, 1 [illegible] 7 paymasters of the [illegible] 31 surgeons' [illegible]

Corps of Artillery—1 [illegible] lieutenant colonel commandant, 1 adjutant taken from the line, 20 captains, 20 lieutenants, 20 second lieutenants, [illegible] sergeants, 1 [illegible] musicians, 1 [illegible] privates.

Corps of Engineers—2 colonels, 2 lieutenant colonels, [illegible] captains, 2 first lieutenants, [illegible] second lieutenants, [illegible] sergeants, [illegible] corporals, 80 [illegible], musicians, [illegible] privates.

NOTE. Deficiencies from the latest returns that also have been received, are wanted to complete the establishment. It is believed, however, altho' not accurately known, that the number of recruits at the different rendezvous, is nearly sufficient to supply their deficiency.

Corps of engineers, at present consists of 1 lieutenant colonel, 1 major, 3 captains, 3 first lieutenants, 1 second lieutenant, 6 cadets, 1 teacher of French language, 1 ditto of drawing, 1 corporal, 18 privates.

H. DEARBORN.

WAR DEPARTMENT,
December 2d, 1807.

[On Monday the 7th inst. the following resolution was read in the House of Delegates of this State.]

"*Resolved*, That [illegible] thousand dollars be reserved and retained out of any appropriated money in the Treasury, to be applied in such manner as this Legislature shall by law direct, for the *use and benefit of county Schools* in this State, for the *education of poor children*.

APPOINTMENTS

By the Governor and Council of Maryland, November, 1807.

Richard Cromwell, lieut. Jacob Late, ensign of capt. Henry Keeter's comp. 28th reg. Frederick.

John Fright, ensign of capt. Robinson Eastbrune's comp. do. do.

Henry Boteler, captain of a company do. do.

William Crane, paymaster, 21st regiment Kent.

Samuel Vincent, quartermaster, 39th reg. Balt.

George Johnson, capt. Edward Wier, jun. lieut. and Samuel Willon, jun. ensign, 49th reg. Caecil.

William Jones lieut. col. of the 25th regiment, Somerset.

Isaac Atkinson, major, ditto ditto.

James Walter, captain of a company, ditto ditto.

George D. Atkinson, lieutenant, ditto ditto.

William Waller, captain, George Jones, lieut. Ezekeil M Gilliss, ensign, do. do.

James Bayley, captain; Lewis Smith, lieutenant; William H. Langford, ensign ditto ditto.

Amos A. Evans, surgeon's mate, 49th reg. Caecil.

George Keyser, captain; Willliam Jordan, lieutenant; Lloyd Marsh, ensign, 27th reg. Balt.

Nicholas Norris, quartermaster, do. do.

Levin Gale, captain, Thomas Oar, lieutenent, Samuel Jackson, ensign, 30th regiment, Caecil.

Absalom Oldham, adjutant, ditto ditto.

John Blackford, capt. Joseph Smith, lieut. Ely Baker, ensign, volunteer company, Washington.

Joseph Harlan, captain. Tobias Rudolph, 1st lieut. Nicholas L. Dawson, 2d lieutenant of an artillery company attached to the 1st brigade.

William H. Nicholson, captain, John Tilghman, lieutenant, John W. Price, ensign of a volunteer company, Queen Ann's county.

William Newton, captain, Levin Raleigh, lieutenant, William Husson, ensign of a company in the extra battalion, Dorchester county.

Henry Snider, captain, Sylas Bayley, lieut. John Wright, ensign of a company in the 13th regiment, Frederick county.

FREDERICK-TOWN, Dec. 9.

An Express from the seat of Government, passed through this town on Monday morning last, at about 2 A. M. destined to Detroit—On what occasion I have not learnt. *Volunteer.*

American,
AND
Commercial Daily Advertiser.

THURSDAY, DECEMBER 17, 1807.

By some unaccountable irregularity in the mail department, we have not received our regular communications from New-York, but, from a different medium, we have obtained New-York papers of the 14th, from which we extract the following

IMPORTANT INFORMATION,

Received by the U. S. schooner Revenge, in 30 days from Brest, and by the Brutus, in 20 days from Liverpool:

That Great Britain was to issue, on the 6th ult. a decree, declaring all the ports in Europe under the influence of France, in a state of siege and rigorous blockade, and stationing no neutrals to enter this port, unless with cargoes the produce of Britain and its colonial dependencies.

Bonaparte is stated to have declared to our minister at Paris, that he will have no neutrals. The British, by their conduct, declare the same, of course, we have to choose our adversary. Mr Rose is stated to have sailed from Lymington in the Statira frigate, on the 8th Nov. This arrival may be hourly expected in the Chesapeak.

Great Britain may now be considered to be at war with all the world.

New York, December 15.

"Our London papers by the ship Brutus, and the Pennsylvania, which arrived on Saturday evening, extend from Liverpool, are to the 12th ult. The extracts from them given in the Newspaper Gazette of this day will be found very interesting. It will be seen that the Statira frigate sailed from Lymington for America, with Mr Rose on board, the 9th of November. He was expected to arrive in the Chesapeak where his frigate was bound. Mr Monroe was still in England, but it was expected he would shortly follow the Brutus to Liverpool.

American Flour was sold at [illegible]

"The Government of Denmark having declared against Great Britain, the latter has sent a Letter of Marque and general reprisal against the Danish ships and property.

"Government has seriously granted a [illegible] to the King of Prussia, the [illegible] of Hanover, the [illegible] and all other [illegible] Mr Talleyrand and [illegible] of the army of France and [illegible]

Liverpool, Nov. 2.

Yesterday a considerable number of letters received here from Gottenburg, Lisbon, and Oporto. We have seen one from a very respectable authority, in which it is mentioned, that Lucien Bonaparte had been recalled from his retirement at Rome, and had arrived at Paris, where he experienced the most favourable reception from Napoleon. It is well known that Napoleon offered him the crown of Portugal two years ago, and it is highly probable, that the present reconciliation and visit to Paris, is connected with a similar offer.

"The Caesar of 80 guns, London of 98, & Conqueror of 74, with the Raleigh sloop of war, and several small vessels which sailed from Torbay on the 15th ult. under the orders of Sir R. Strachan, have proceeded to Lisbon.

"It is reported that Lord Gambier will have the command of the secret Expedition now lying out at Plymouth; and that Sir H. Popham will be captain of the fleet. The last mentioned officer, it was rumoured left town last night to join the Admiral's flag ship.

Lord Gardner, it is said, is about to resign the command of the Channel fleet, for the admiralty, in which case sir J. T Duckworth succeeds to the command of the Channel fleet. His lordship continued windbound in Torbay, on Thursday, with twelve sail of the line.

"Sir Sidney Smith has left town to take the command of the secret expedition with which he is entrusted. He will hoist his flag on board the Pompee, and his force will consist of six sail of the line and 5000 military.

"Letters from St. Petersburg, of the 6th ult. mention the important circumstances, that Lord Leveson Gower had directed sir Stephen Shairp to acquaint the British merchants residing in the Russian ports in the Baltic that in reply to a proposal of his, count Romanzoff had informed him, "that he must decline under the existing circumstances, to enter into any negociation for a renewal of the treaty of commerce with Great Britain."

"The object of Mr. ROSE's MISSION we are given to understand, is to propose to America a compensation for resigning the colonial carrying trade of France, by suspending our own navigation law in favor of America, and permitting her to trade unrestrictedly in the produce of our W. India Islands.

November 10.

We feel great pleasure in announcing to the public the safe arrival of the homeward bound India fleet, under convoy of the Africa, of 64 guns, They passed Portsmouth last night, and we have no doubt reached the Downs early this morning. The fleet left St. Helena on the 3d of September.

General Whitelock was on Monday last put under an arrest preparatory to his trial by a court martial. The charges will be preferred against him by sir Samuel Achmuty. They are seventeen.

"The ships of the line going upon the secret expedition are all in readiness for sailing. They are at Plymouth. The light infantry of the German Legion commenced their march from Deal on Monday last for Portsmouth where, it is sup-