

TO THE PUBLIC.

HAVING seen with great surprise in some of the public newspapers an attack upon my judicial character, signed with the name of Mr. CABELL, a member of Congress, I think it proper to take some notice of it, on account of a mistake in point of fact which he seems to have committed. From the tenor of his observations, any one would conclude that I wrote the charge he condemns with a view to draw forth a censure upon him or some other members of Congress who had written circular letters to their constituents. The truth is, I never knew that Mr. CABELL had written any circular letter at all, until I heard the presentment read in Court, nor have I seen the letter alluded to this hour. I had indeed seen printed letters of one or two other members of Congress from the same State, but had them not in my thoughts when I prepared that charge, which I wrote deliberately in Philadelphia, in order to be delivered in Maryland and Virginia. The same charge was delivered substantially in both States, and without a view to any particular person. With regard to the sentiments of that charge, I am ready on all proper occasions to vindicate every word of it, as well as the propriety of delivering such a charge on such an occasion. In the mean time, I have a right to expect, that if the charge be censured, it shall be censured for what it really contains, and not for what exists merely in the imagination of the censor. I have no hesitation in saying, that if it has the tendency Mr. CABELL ascribes to it, it does, in my opinion, deserve a severer censure than any he has bestowed upon it.

The conduct of the Court after the presentment has incurred Mr. CABELL'S censure. It is difficult to say what can escape it if the conduct of the Court on that occasion cannot. They knew not such a presentment was in contemplation. It was brought into Court the same day that the charge was delivered, and without any adjournment having taken place, and agreeable to the usual practice, I presume, in Virginia, (though different from that in some other States) was read by the Clerk without even being seen by the Court. None of the circular letters which were the object of the presentment was produced to the Court, nor in possession of the Judges. The Jury were asked if they had any business to require their attention longer, or if they wished to stay to consider of any. They answered in the negative. The Attorney for the United States was asked if he wished them to be detained longer. He declared he knew of no occasion for it. They were then discharged. Were the Court to censure the Jury for their censure of a publication which they themselves had never seen? Or to direct a prosecution upon a publication without knowing the contents of it? Ought they in any instance indeed to direct a prosecution in the presence of the Attorney, within whose particular department it lies, and when no occasion calls for their immediate interposition? Were they to interfere unnecessarily, they might justly be charged with becoming parties to a prosecution and incapacitating themselves from the impartial conduct of Judges afterwards. Whatever might be the intention of the Jury, which was composed of very respectable men, it has been a frequent practice in some of the southern States for Grand Jurors to present what they considered as grievances though they could not be the foundation of a criminal prosecution in the Court. I have known such presentments containing very heavy charges against the Government itself. It never occurred to me to be proper to suppress a practice which I found established, whether the exercise of it was agreeable to my private sentiments or not; and I incline to think, had the Grand Jury at Richmond, instead of presenting those circular letters, presented any obnoxious act of the Government, and the Court by an exertion of power had arbitrarily suppressed the presentment, it would have been the subject of a very virulent—and possibly a very just—invective, by some of those persons who have no scruple in condemning the Court for not interfering with this.

With regard to the illiberal epithets Mr. CABELL has bestowed, not only on me, but on the other Judges of the Supreme Court, I leave him in full possession of all the credit he can derive from the use of them. I defy him or any man to shew, that in the exercise of my judicial character, I have been ever influenced in the slightest degree by any man, either in or out of office, and I assure him I shall be as little influenced by this mode of attack by a member of Congress as I can be by any other.

JAMES IREDELL.

Edenton, North Carolina, June 21st, 1797. Those Printers who have published Mr. CABELL'S observations are requested to publish the above.

Extract of a letter from Doctor Samuel H. P. Lee, Member of the Connecticut Medical Society to Elijah Perkins, M. D. of Philadelphia, dated New London, June 16th, 1797.

In the course of my practice with Doctor Perkins's Patent Metallic Instruments, a very extraordinary case of *Scarpes Escadens*, or what is commonly called, *Salt Rheum*, or *Tetter*, came under my notice, and as the points wholly perfected the cure, I will give you a short history of the complaint, as it had appeared during near 14 years. Mr. E. F. Inn-keeper in my neighbourhood, applied to me for relief some time last February, I found him sitting in an easy chair, clothed in a loose gown, and apparently exhausted for want of sleep and rest. He informed me that he had not been able to lay in bed, or

wear any other cloaths than loose linen for near three months, that his disorder raged most during the winter months, that his strength failed him, his appetite bad, and that he had nearly despaired ever recovering from this recurrence of his complaint. On examining the surface of his body, it was one continued ulcer; the breaking out of the Rheum was followed by a copious discharge of bloody sanies, which collecting and adhering to the surface of his body became of a fleshy like appearance, and by their irritation produced a collection of purulent matter. The superior extremities, the head, neck and breast were incriminated entirely with scabs, and inflamed sores, some of the Glands greatly swelled and very painful; the legs and feet swelled and ulcerated. He informed me that this was the condition he had been in for several years, but never before so bad as now, that it disappeared in hot weather so that he was tolerably comfortable; and that he had been attended by many physicians to no effect. Seeing no great prospect of relieving him by medicines I was determined to try the Points, thinking they might at least relieve the pains and inflammatory affection of the skin, and accordingly used them myself, or had them used two or three hours incessantly, by which time he found himself so much relieved, he wished to continue the practice—a lad was ordered to use them three or four times a day; he grew better, the inflammation subsided, and the wounds all began to digest and heal, the scabs fell off, and left the skin entire, though very delicate and tender. In 4 or 5 days he walked and in four weeks was perfectly well and strong, had an increasing appetite, and undertook business, which he had neglected for many years. It is proper to observe that in the course of this practice he took every three or four days a solution of Salts and Manna to remove costiveness, but no other kind of medicines whatever as I was determined to see the effect of the points in so extraordinary and obstinate a disease. I have used the points in many other obstinate cases, and have found them to conquer the complaint by a close perseverance in the operation, and am convinced that the failures, which have accompanied this useful practice, and which have naturally shaken the confidence of many who have given them but a partial trial, have proceeded from their neglect in this particular—the man is now very healthy, and no appearance of complaint about him. I have in many instances used the points in ulcerous fore legs, and oedematous swelling, with good success; they evidently remove the inflammatory disposition and leave the destroyed parts capable of healing without the trouble of tedious dressings—I have had one case of deafness in a gentleman about 75 years of age, very much relieved by the use of the points.

WALPOLE, (N. H.) June 10.

As a convincing proof of the aversion entertained by the Emperor of Russia against feditious and jacobinical principles, a censorship of literature has been established at Riga; and all prohibited books, are immediately committed to the flames. Notwithstanding the common patriotic rant on the liberty of the press, we are positive that if all works, like the poems of Rochester, the Common Sense of Tom Paine, and the essays of Honestus felt the rigour of an Emperor, and sustained the fiery trial, which the curate and barber of Cervantes might impose, this world of ours would roll with much less friction, than at present.

In France, Abbe Sieyes, the political metaphysician, has been attacked, by a desperado, probably an enthusiast of liberty; and dangerously wounded. Three pistol balls fired at a retired man of letters, for writing on topics of government, graduate, pretty exactly, the state of freedom among the French usurpers. The brilliancy of Buonaparte's victories cannot enliven the heavy gloom of the Republic. The enslaved people, driven like wrecks, down the rough tide of power, and compelled to content themselves with the *nomine dulce libertatis*, while the reality is monopolized by an infernal oligarchy,—continually cry with one accord, "Oh! the fierce wretchedness that glory brings us." Her present policy is but for a moment; it will prove "Brief, as the lightning, in the coldest night." Some daring soldier of her armies will grasp supreme power, and whether saluted Caesar or King, his little finger will be thicker than Louis's loins.

It is said Buonaparte in the flush of victory respected the little village of Peteeoli, the natal spot of Virgil. At the feet of the Muses, even the Mars of France is Hercules at the Court of Omphale.

June 26.

PRESBYTERIAN COMFORT. A witty democrat, deploring the fate of Mr. Livingstone, neglected by the house, and mal-treated by Porcupine, in spite of eloquence and apt allusion to Shakespeare, applies to the New-York orator a fragment from Dr. Watts: "See what a Living-stone The Builders did refuse!"

TO CORRESPONDENTS. The elegant translator of the dedication of "The Arab family" is thanked for his pure version, and his private patronage. We shall be most happy if he will make his classical deposits in the Museum.—Communications from Connecticut are always solid and shining: the gold of that land is good. The tender verses of Myra shall appear. A pious offering to the domestic charities would disarm criticism, even if the fair author had made that offering incorrectly. Monsieur Rigadon is a most pleasant Marcel. His *coupees* are striking, and his music approved. He is at liberty to exercise his "fantastic toe," and to dance the hayes through any of our columns.

From the FARMER'S WEEKLY MUSEUM. "Let us get up early." SOLOMON could hardly have written three thousand proverbs and a madrigal to his love, with such wisdom and wit, if he had not, by the air and scenery of the morning, corroborated his health and kindled his fancy.—Whether active as a king, or indolent as a lover, he perceived that early hours were auxiliary both to business and pleasure, and therefore judiciously advises to rise with the lark.

In our climate, a midsummer morning is dream not SHAKESPEARE himself should be permitted to tell. Blankets and pillows look so dull and warm, and green graze and trees so cheerful and refreshing, it is wonderful the sluggard cannot even with half-shut eyes, discern such wide extremes, and prefer strolling in the fields to tumbling in bed.

But in the course of my parochial visitations, my early tap at many a door is often answered by a voice exclaiming from behind a curtain; it is the voice of the sluggard. The cock has crowed thrice, and certain robbers have sung two hymns and a ballad, before half my acquaintance have "girded their loins," buckled their shoes and combed their hair. Yet these creatures, not content with the raps of the night, swathe themselves like so many Egyptian mummies, in a sheet, four hours after sunrise, and then have the impudence to rise and talk of business, and the beauty of the day.

The princely poet, author of our excellent text, when exhorting to summer enjoyments, points not to the night season, nor to the "inner pavilion" of the palace, but informs us that his "bed is green," and his love displayed in the open air.

The gallant Solomon could invite the blushing belle of Egypt to a morning's stroll, into the vineyards, and give her his love, amidst the dews of dawn. Well wert thou called wife, thou gallant prince, if it were only for thy knowledge of the female heart. Well didst thou know that the buds of beauty, like the blossoms of Shinarah, stealing fresh vigour from slumbers, expand all their sweetaels to the morning ray. In our time, the torpid admirer snores, amidst the evening fog, the praises of his mistress, while the sprightly strains of his serenade are obtunded by the thick mists of midnight.

In close parlours and the long winter's eve, we may pour over rent rolls and engross marriage settlements. Let the city lover, in cork soled shoes, golooshs and flannel, court the delicate maiden, in the close cap and comfortable bed gown. But he, that would woo thee buxom Health, must

"Brush with hasty steps the dews away," must not seek thee behind fire screens, or lolling on a sofa, but must erect a lodge in the village; and before the day-break, and the shadows flee away, when the rose and the mandrake give a sweet smell, listen for thy jocund song, mingling with the matin of the lark. In lieu of the ticket for the fedit theatre, or the card of the crowded ball room, the American lover should bid good morning to his fair one's night-cap, and salute her with the early call of arise, my beloved and come away, for the flowers appear on the earth, and the time of the singing of the birds is come. Yet modern enamourtos, in compliment to the indolent delicacy of the day, *bow* their booties "with fell" and whisper "I charge you, O ye daughters, by the roes and the hinds of the field, that ye stir not up nor awake my love till the pleafe."

But the morning air breathes not for lovers alone. If the philosopher will arise and meditate at the morning tide, though he may not rival the fame, he may attain the hale old age of Franklin.

The divine, by the light of the rising sun, may catch hints from creation, which may serve to raise the affections of his flock to him who divided the light from the darkness.

The merchant who opens his counting house windows to the earliest breath of morn, may perhaps find a reward in the custom of the early purchaser.

The lawyer, who has groped the preceding day in the intricacies of special pleading, when he views the peaceful face of morning, and is enlightened by the beamy sun, may perchance, from the serenity of the hour, be led to con the grateful eulogium of "blessed are the peace makers."

While the blythe husbandman, whom Providence has ordained to mingle pleasure with profit, finds, amidst his lowing herds, bleating sheep and flushing fields an excitement to the talk of the coming day.

THE LAY PREACHER.

SPEECH OF DAVID WOOD, While standing in the pillory at Charlestown, New Hampshire, May 27th, 1797, for forging a deed.

SYMPATHIZING FRIENDS,

You come here this day to see a sad sight: a poor old man publicly disgraced for attempting to make a penny out of fifty acres of Vermont rocks; and yet I see some here in gay coats, mounted on naggish horses, who have made thousands out of lands, to which you had no more title, than I to David Dray's rocks. But you are great rogues and wear silver spurs, and white beaver hats, and flourish your loaded whips, forget what you once were, drink your Madeira, and talk of your millions of acres, and set at your ease; while poor I, who have speculated a little, in a fifty acre lot, which would not maintain a woodchuck, must stand here; for I am a little rogue, and have no pretensions to be a great speculator.

Let me ask you, what is the difference, as to sin, between a man, who forges a deed and sells lands under it, and a man, who sells lands, to which he knows he has no title? You all know the great Squire—he bought lands in Boston at the time all their great men were caught in the Georgia land trap. The Squire came home by the way of Hartford, at the very moment when the Hartford foxes were waiting for the loss of their tails, in the same spring trap. The Squire found he had bought the Devil, and was determined to sell him again on the best terms he could. He put spurs to his old mare, rode before the news, and sold to the widow Lowly and her two sons, who had just come of age, about fifty thousand acres of land, which lay the Lord knows where, and to which he knew he had no title, and took all their father the old deacon's farm in mortgage, and threatens to turn the poor widow upon the town, and her two boys

upon the world; but this is the way of the world. The Squire is a great speculator, he is of the quorum, can sit on the felloes, and fine poor girls for natural mis-steps; but I am a little rogue, who speculated in only fifty acres of rocks, and must stand here in the pillory.

Then there is the state of Georgia. They sold millions of acres to which they had no more title, than I to David Dray's land. Their great men pocketed the money; and their honorable assembly publicly burnt all the records of their conveyance, and are now selling the lands again. Georgia is a great honorable state. They can keep negro slaves, race horses, gouge out eyes, fend members to fight duels at Congress, and cry out for France and the guillotine, and be honored in the land; while poor I, who never murdered any one, who never fought a duel or gouged an eye; and had too much honor to burn my forged deeds, when I had once been wicked enough to make it, must stand here in the pillory, for I am a little rogue.—Take warning by my sad fate; and if you must speculate in lands let it be in millions of acres; and if you must be rogues, take warning by my unhappy fate and become great rogues.—For as it is said in a pair of verses I read when I was a boy, Little villains must submit to fate, That great ones may enjoy the world in state. And again, A little knavery is a dangerous thing, Great cheats will flourish, while the small ones swing.

CONGRESS.

HOUSE OF REPRESENTATIVES, SATURDAY, JULY.

(Concluded from yesterday's Gazette.)

Mr. OTIS observed that the gentleman from Pennsylvania had furnished a conclusive argument in favour of the proposed tax; for if a certificate of naturalization was not required by law, the duty would be optional and consequently fair and equitable.—He agreed that the present amendment was merely a question of revenue, but the policy of a tax was always a fair object of discussion, and it was therefore proper to consider the indirect and remote effects of the present bill upon the naturalization of foreigners. He denied the expediency of affording too great a facility to their admission among us.—In the infancy of the country it was necessary to encourage emigration, and foreigners of all countries had been wisely invited and allured to settle in our territory.—To the industry of emigrants many parts of the country were indebted for the most valuable improvements in agriculture and the arts—and he knew foreigners who were an honor to the United States, who had aided in forming their constitutions, in fighting for their liberties, and who were not less meritorious citizens for not being born in the country. There were others in that house and other legislatures, who were entitled to the highest consideration and respect.—He rejoiced in the advantages derived from persons of this description; they would not be affected by the present tax; but he was not anxious to give a greater latitude to the laws of naturalization; on the contrary he thought it wise to retain that privilege.—He did not believe it to be longer necessary to rely upon that source of population; but considered the native American germ to be amply sufficient for the production of such citizens as were worth cultivation.—He denied that the manners of Europe were the manners of this country. In that quarter of the world a revolution of manners of the most formidable nature threatened the subversion of all moral principle, of all social order, and a system of profligacy had swept off every vestige of what ever was most amiable and respectable in the eye of humanity.—He trusted the case was different in this country.—It was true that Pennsylvania was indebted in a great measure for her prosperity to the industrious establishments formed by foreigners of various descriptions, but it should also be remembered that the foulest stain in the annals of that state was not to be imputed to natural born citizens.

This amendment he said would not affect those men who had already acquired lands in this country, nor the deserving part of those who might seek an asylum in it. Persons of that description would easily pay the tax.—But it would tend to foreclose the mass of vicious and disorganizing characters, who could not live peaceably at home; and who after unshaking the standard of rebellion in their own countries might come hither to revolutionize ours.

He felt every disposition to respect those honest and industrious people whether Germans, Irishmen or foreigners of whatever country who had become citizens; and to fraternize with them while they remained obedient to the laws, and faithful to their adopted country; but he did not wish to invite hordes of wild Irishmen, nor the turbulent and disorderly of all parts of the world, to come here with a view to disturb our tranquility, after having succeeded in the overthrow of their own governments.

Mr. POTTER was willing to agree to make the sum ten dollars, in order to shorten the business, though he did not think 50 too much.

Mr. COIT thought it unfortunate that they should, in this instance, have wandered from the object of the bill. He trusted when the friends of the bill, who were all friends of this measure, saw the difficulty which would attend the incorporating of the subject with it, they would give it up.

Mr. BALDWIN was in favor of the smaller sum. He said this was a subject upon which it was always found difficult to legislate, as different parts of the country had very different ideas upon it. In the part of the country from whence he came the people would not approve of such a tax, he believed there were parts of the country which would not object to a tax of 1000 dollars upon the object; but it was not so in other parts. All the prosperity in some states depended upon emigration and to lay a heavy tax of this kind would be to do violence to their feelings. When he heard different gentlemen express their opinions he knew they were the opinions of the people, from whence they came: if they were as well acquainted with the whole of the country, as with 50 miles round their own homes, their sentiments would be different.

Mr. SITGREAVES thought this tax as justifiable and as much connected with the present bill as the tax upon lawyers, and that 20 dollars would be a reasonable sum. The question for inserting ten dollars was put and negatived and then 5 was moved and carried, there being 56 in favor of it.

The question was then upon agreeing to the proposition as amended.

Mr. SWANWICK spoke at length on this subject, and dwelt particularly on the hardship which the poorer part of emigrants would experience in paying this tax and if they did not pay it, they would be living in the country as foreigners, and not as citizens of a free country.

Mr. VENABLE did not consider this as a tax which would fall equally on all foreigners who became citizens, but partially upon those who might have occasion for certificates, and even duplicates of them.

The question on this proposition was taken by yeas and nays follow.

YEAS.

Messrs. Allen, Baer, Bayard, Bradbury, Brookes, Bryan, Champlin, Clay, Cochran, Craik, Dana, Davis, Dennis, A. Foster, D. Foster, Glen, Goodrich, Gordon, Grifwold, Grove, Hanna, Hartley, Hindman, Hofmer, S. Lyman, Matthews, Morgan, Morris, Otis, Potter, Reed, Rutledge, Schureman, Sitgreaves, Sewall, Shepard, Simmickson, N. Smith, W. Smith, (C.) Thatcher, Thomas, Thompson, Van Allen, Varnum, Wadsworth, J. Williams.—46.

NAYS.

Messrs. Baldwin, Baird, Benton, Blount, Burgess, Cabell, Claiborn, Clopton, Coit, Dawson, Dent, Elmendorf, Evans, Fowler, Gallatin, Gillespie, Harper, Havens, Holmes, Jones, Livingston, Locke, Lyon, Machir, Macon, McClenahan, McDowall, Milledge, New, Nicholas, Parker, Skinner, W. Smith, (P.) Sprigg, Standford, Sumpter, Swanwick, A. Trigg, J. Trigg, Van Cortlandt, Venable, R. Williams.—42.

Mr. BAYARD moved to strike out the exception in favor of patents for military land, on the ground that they were mostly in the hands of speculators; but after some conversation his motion was negatived, the yeas and nays being taken upon it, 71 to 12. The yeas were Messrs. Bayard, Brookes, Cabell, Dent, Elmendorf, Gillespie, Havens, Locke, Reed, N. Smith, Van Allen and Varnum.

Mr. CHAMPLIN moved to strike out foreign bills of exchange from any duty, owing to the embarrassment such a duty might occasion, from a foreign merchant not being able to say whether a bill was drawn upon a proper kind of stamp.

This motion was also negatived. Upon the amendment of the committee of the whole to strike out the following words, the yeas and nays were called, "except notes issued by any bank," &c. which was carried 76 to 11. The yeas were Messrs. Bayard, Champlin, Cochran, Craik, A. Foster, D. Foster, Hartley, Hofmer, Sitgreaves, N. Smith, and W. Smith (C.)

Mr. CRAIK moved to strike out the whole of the clause relative to a duty on bonds, bills and notes, which was negatived without a division.

Mr. GALLATIN moved to strike out the clause which forbids the receiving of any paper not legally stamped in any court of justice in evidence; and the yeas and nays were taken upon it as follow:

YEAS.

Messrs. Baldwin, Bard, Benton, Blount, Bryan, Burgess, Cabell, Claiborne, Clay, Clopton, J. Davis, Dawson, Elmendorf, Fowler, Gallatin, Gillespie, Hanna, Havens, Holmes, Locke, Lyon, Macon, McClenahan, Milledge, New, Nicholas, Parker, Skinner, W. Smith, (P.) Sprigg, Standford, Sumpter, A. Trigg, J. Trigg, Van Cortlandt, Varnum, R. Williams, 57.

NAYS.

Messrs. Allen, Baer, Bayard, Brookes, Champlin, Cochran, Coit, Craik, Dana, Dennis, Dent, Evans, A. Foster, D. Foster, N. Freeman, Glen, Goodrich, Gordon, Grifwold, Grove, Harper, Hindman, Hofmer, S. Lyman, Machir, Otis, Potter, Reed, Sewall, Shepard, Sitgreaves, J. Smith, N. Smith, Wm. Smith (C.) Swanwick, Thatcher, Thomas, Thompson, Wadsworth, Van Allen, J. Williams, 41. The bill was ordered to be engrossed for a third reading on Monday. Adjourned.

For sale,

A pair of very handsome Bay Horses,

Near sixteen hands high, well broke, and perfectly gentle. Enquire at Mr. Kelson's Stables, Church-alley.

Also, for Sale,

A Chariot and plated Harness. June 31. d'op.

PIANO FORTE.

LONGMAN & BRODERIP'S ROYAL patent Piano Forte with a green board, an excellent toned instrument. For sale at Mr. Salters, No. 56, S. Fourth Street. July 6. d'w

Three hundred Dollars Reward.

ON Friday morning last the office of the Philadelphia Gazette, fronting on Chestnut Street, was feloniously entered, a door forced open, and cash to the amount of Eighty Dollars, in New-York, Delaware and Philadelphia notes, taken therefrom.

On Saturday night, the same villain (or some other, actuated by motives equally detestable) returned, and after forcing the lock from the back door of the office, took from the above mentioned desk the following notes, &c.—One New-York branch bank note of 100 dollars; one Baltimore note of 10 dollars; two do. of 5; one bank of North America, of 10, torn through the middle; three a dollar and three a dollar Columbia notes; one dollar note of the bank of Maryland, torn through the middle and a piece of paper pulled on the back; a number of Philadelphia notes; one half eagle, and some silver—the whole amounting to about 170 dollars.

A number of papers, the utility of which, from the darkness of the night, the villain was not able to perceive, were returned through the channel of the post office this morning. THREE HUNDRED DOLLARS will be paid for the discovery of the perpetrator of the above robbery, so that he may be prosecuted to conviction. Office of the Philadelphia Gazette, July 3, 1797.