

TUESDAY, SEPTEMBER 1.

A message from the senate with a bill providing for the punishment of certain crimes. Also the bill for allowing compensations to the members of the house and senate, and their respective officers; in which the senate has concurred, with amendments.

Upon motion, the report of the committee of elections, on the election of members for the state of New-Jersey, was taken up for a second reading.

This brought on a variety of observations and propositions; but no determinate principle of discussing the subject being readily agreed to, and several motions being made and withdrawn,

Mr. VINING proposed, in substance, the following resolution: viz. Resolved, That the facts reported by the committee of elections, and the documents therein referred to, respecting the election of the members from the state of New-Jersey, are not sufficient to support the prayer of the petition for setting aside said election.

Several members spake upon the proposition; but an adjournment being called for prevented a decision.

European Accounts, by the late arrivals.

LONDON, MAY 7.

The debates on the intended motion for the abolition of the slave trade, promise to be of the most interesting kind. The report of the Privy Council, which has been printed for the use of the members of the House of Commons, is the most voluminous ever seen, if we except the report some years ago on India affairs. It is a very large folio closely printed, and nearly one fourth of it tables of calculations. The pains, however, that has been taken, correspond with the great importance of the subject—too important to be hurried by a mistaken humanity, excited by the recital of facts either ill founded, or long ago done away.

HERMANSTANDT, MAY 20. One of our spies has had the address to procure a passport from Prince Moutor Jeni, by means thereof he had an opportunity of traversing the whole of Wallachia. According to his report there are 40,000 Turks and Tartars in the neighborhood of Grind, on the shore of Jalomiza.

BUDA, MAY 30. On the 5th inst. three divisions of the Hussars of Graven arrived at the camp between Carlstadt and Thurn; they were the next day followed by a battalion of Colonel de Nadefty. The 9th, two other divisions of the Graven Hussars joined the camp—the centinels extend as far as Saluin and Rakovisa. There are fifty pieces of cannon in the village of Schweza.

FRANKFORT, JUNE 9. The main body of the Prussian army is exceedingly numerous: Its right wing covers Selistria, and its left extends as far as Orfova. It is estimated that the Turkish infantry amount to 169,000 men, and the cavalry 200,000.

The grand Ottoman army assembled near Widin, appears disposed to enter Wallachia.

PARIS, JUNE 25. The National assembly continue their sittings sometimes till three or four in the morning.

Paris is full of alarms, joy, misery and rejoicings!

LONDON, JUNE 30. We may consider Bender as now in the hands of the Russians. General Kamineky, to whom the siege of it was committed, has conducted it in such a manner, that it was in his power to take possession of it whenever he pleased after the first three weeks. But by a singular instance of selfdenial, he was resolved to wait the arrival of Prince Potemkin, that he might have the honour of completing the conquest of this important fortress.

The Poles have a new cause of complaint against Russia. The Empress had promised them, that no more of her troops should enter the territory of the Republic; and she even declined the permission offered by the Diet to let 500 Russians pass at a time through the territories of Poland, lying between Russia and Turkey.

But notwithstanding this promise on the part of the Empress, a whole army of Russians lately marched through Polish Ukraine, to make head against the Seralkier, who gives out that he is going to cross the Danube to succour Bender, and recover Ockzakow.

How this step of the Empress will be relished by the Court of Berlin we know not; but we fear that the consequence of this step will be felt in Great Britain.

Extract of a letter from Abo, Sweden, May 29.

"Last night a courier passed through this place on his way to Stockholm, from the frontiers with the news of an action having taken place between the Russians and the Swedes, in which the former had 500 men killed on the spot, the Swedes lost only 19. A baggage magazine belonging to the Russians was burnt."

ARRIVALS. NEW-YORK.

Saturday. Packet Jean Jacques, Lewis le Grand, Bourdeaux. Brig Peggy, Mulboland, Bristol, 53 days. Brig Betsey, Sinclair, Hull, 49 days. Sunday. Brig Princes Ann, Richardson, Aberdeen, 66 days. Monday. Brig Commerce, Tyrie, Barcelona. Tuesday. Schooner Nancy, Tatem, St. Croix.

NEW-YORK, SEPTEMBER 2.

Monday 3 o'clock P. M. the Hon. Major General LINCOLN, the Hon. CYRUS GRIFFEIN, and Col. DAVID HUMPHREYS, Commissioners Plenipotentiary from the United States for treating with the southern nations of Indians, sailed from this city for Georgia.

NONTOWEKA a chief of the Cherokee nation is a passenger with the commissioners.

Every movement in this business has been marked with the most decided promptitude and dispatch. The bill providing for the supplies is short and comprehensive—as soon as it was completed the appointments were made. Two days constant and close application were given by the President and Senate in conferring upon, and arranging this important business.—Gen. LINCOLN received notice of his appointment on Tuesday evening of last week, and sat out the next morning for this city—he arrived here late on Saturday evening, and on Monday the commissioners sailed. This is doing business—thus is the public service expedited, and the public money saved by a wife, an industrious, and patriotic Supreme Executive.

The Most Hon. WILLIAM FEW, Senator of the United States took passage with the commissioners for Georgia.

Of all the curses that can befall a free people there is none pregnant with more fatal consequences than to have it become unpopular to support the government and administration which the people have established. LIBERTY, disgusted with so vile a principle, and finding no rest for the sole of her foot among a restless and factious generation, takes her flight never to return.

The old enemies of our federal honour and happiness are reviving from that torpidity into which they were chilled by the majesty of the union, which led to the adoption of the new government. A few scouting parties have been popping their short pieces at several minutiae of the administration, just by way of trial. Some honest people have heard the distant whizzing, and have supposed danger was near; but let them be on their guard and prepare for more serious alarms. The overthrow of the constitution is yet a darling object with many; and if the administration can be enfeebled by essential restrictions, or rendered odious by lies and defamation, it will not be the fault of some persons, if we are not disappointed of peace, law, freedom and government, after all our exertions to secure them under the new constitution.

Extract of a letter from Fredericksburg, August 29.

"Mrs. WASHINGTON, the Mother of our PRESIDENT, died this afternoon."

From Norfolk, we learn that seven Sailors have lately been apprehended there, charged with having committed PIRACY!—The only Particulars related, are—that they belonged to a Vessel from Port-au-Prince bound to some Port of America—that on their coming within Sight of Land, they formed a Design to plunder the Vessel, under a Supposition that there was a large sum of Money on Board—that to effect this, they murdered the Captain, Mate, and Cook; plundered the Vessel of what Money they could find, sunk her, and came on Shore in the Boat. The Story they related respecting the Vessel which they had left, appearing rather suspicious, they were apprehended, and one of them turned Evidence against the rest—so that there is no Doubt of their having committed the above inhuman act.

A List of His Most Christian Majesty's Ships now lying at the Mouth of York River.

Table with 3 columns: Ships' Names, Guns, Commanders. Includes L'illustre, La Leopard, L'Andromache, La Sensible, L'Active.

The above Squadron was to sail for Boston on Thursday last.

OF DEBTS.

"OWE NO MAN ANY THING."

"One must sometimes bear the reproach of selfishness, in order to pay a debt, or to keep out of it: The contempt which attends avarice, and the tendency of the present age to charity, and expensive living, render this difficult—Hence young persons are apt to go to greater expence than they know they ought, and commit one error, in order to avoid the imputation of another.

"Distinction between apparent and real approbation—between that which is ill, and that which is well founded—between a temporary and a permanent one.

"The shew of wealth and liberality procures apparent approbation: Outward respect and flattery, are the reward of ostentatious entertainments, but indicate no solid respect: The wife disapprove of excess in appearance, and sit uneasy at a feast which they know has cost more than the giver can afford.

"A reputation founded on conduct which we ourselves know to be wrong, yields little satisfaction but one that is well founded, is always accompanied with self-approbation: If it should be denied for a time, the consciousness of meriting it, and the hope of justice, will more than balance its temporary suspension.

"At death, a man's character is fixed: Some have been accounted selfish and contracted as long as they lived, and it appeared at last that their object was not to hoard, but to render to all their due. This should teach us to beware of imputing avarice to those who in all probability are only laboring to be just.

"A person who transgresses the bounds of economy to obtain a character, loses it at death.—Acts of benevolence with other men's money, will leave a stigma upon the memory, which a sense of injury will perpetuate from generation to generation."

to feel the weight of the whole community. A government which may make, but not enforce laws, cannot last long, nor do much good. By this power too, the people are gainers. The administration of justice is the very performance of the social bargain on the part of government. It is the reward of their toils—the equivalent for what they surrender. They have to plant, to water, to manure the tree, and this is the fruit of it. The argument therefore, a priori, is strong against the motion, for while it weakens the government it defrauds the people. We live in a time of innovation; but until miracles shall become more common than ordinary events, and surprize us less than the usual course of nature, I shall think it a wonderful felicity of invention to propose the expedient of hiring out our judicial power, and employing courts not amenable to our laws, instead of instituting them ourselves and the constitution requires. We might as properly negotiate and assign over our legislative as our judicial power; and it is not more strange to get the laws made for this body than after their passage to get them interpreted and executed by those, whom we do not appoint, and cannot controul. The field of debate is wide. The time for consideration has been too ample, and that remaining for debate is so short, that I will not enter fully into it. The gentleman from South-Carolina (Mr. SMITH) has very ably proved the inexpediency of the motion. I will confine myself to another point, and if I can establish it, it will narrow the discussion.

The branches of the judicial power of the United States, are, the admiralty jurisdiction, the criminal jurisdiction, cognizance of certain common law causes, and of such as may be given by the statutes of Congress. The Constitution, and the laws made in pursuance of it, are the supreme law of the land. They prescribe a rule of action for individuals. If it is disputed whether an act done is right or wrong, reference must be had to this rule; and whether the action is compared with the rule of action in a State or federal court, it is equally out of the power of the judges to say that right is wrong, and wrong right: If a man is restrained of his liberty and sues in a State court, the defendant shews, that he was a marshal and served a precept according to a law of the United States, he must be cleared; otherwise the law of the United States would not be the supreme law of the land. But there is a substantial difference between the jurisdiction of the court, and the rules of decision.

In the latter case, the court has only to enquire into the facts and the rules of action prescribed to individuals: In the former, they do not enquire how, but what they may try. The jurisdiction of the court is the depositum of a trust. The supreme power in a state is the fountain of justice. Such streams are derived from this fountain to the courts, as the legislature may positively enact. The judges as servants of the public, can do that only for which they are employed. The constitution has provided how this trust shall be designated. The judges must be named by their christian and fir names, commissioned during good behavior, and have salaries. Causes of exclusive federal cognizance cannot be tried otherwise, nor can the judicial power of the United States be otherwise exercised. The state courts are not supposed to be deprived, by the constitution, of the jurisdiction which they exercised before over many causes which may be tried now in the national courts. The suitors will have their choice of courts. But who shall try a crime against a law of the United States, or a new created action? Here a jurisdiction is made de novo. A trust is to be exercised, and this can be done only by persons appointed as judges in the manner before mentioned: The will of the society is expressed and is disobeyed, and who shall interpret and enforce that will, but the persons invested with authority from the same society? The State judges are to judge according to the law of the State, and the common law. The law of the United States is a rule to them but not an authority for them. It controuls their decisions, but cannot enlarge their powers. Suppose an action brought on a statute declaring a forfeiture equal to the whole of the goods against him who shall unlade without a permit: Before the law was made, no court had jurisdiction. Can a State court sustain such an action? They may as properly assume admiralty jurisdiction, or sustain actions for forfeitures of the British revenue acts. I mean no disrespect to the State courts. In some of the States I know the judges are highly worthy of trust; they are safeguards to government, and ornaments of human nature. But whence would they get the power of trying the supposed action? The States under whom they act, and to whom alone they are amenable never had any such power to give, and this government never gave them any. We may command individuals: But what right have we to require the servants of the States to serve us. Nay, Sir, it is not only true that they cannot decide this cause, if we neglect to make provision by creating proper tribunals for the decision, but they will not be authorized to do it even if we pass an act declaring that they shall be invested with power: For they must be individually commissioned and salaried to have it constitutionally, and then they will not have it as the States judges. If we may empower one State court, suppose the supreme court, we may empower a ll, or any, even the justices of the peace. This will appear more monstrous, if we consider the trial of crimes. A statute creates an offence. Shall any justice of the peace be directed to summon a jury to try for treason or piracy? It is true the government will not direct a thing so wickedly absurd to be done. But who will believe government may lawfully do it? It would be tedious to pursue this subject, or even the ideas connected with it very far. The nature of the subject renders it difficult to be even perspicuous without being prolix. My wish is to establish this conclusion, that offences against statutes of the United States, and actions the cognizance whereof is created de novo, are exclusively of federal jurisdiction; that no persons can act as judges to try them, except such as may be commissioned agreeably to the constitutions. That for the trial of such offences and causes tribunals must be created. These with the admiralty jurisdiction which it is agreed must be provided for, constitute the principal powers of the district courts. If we must pay judges, we may as well employ them. The remnants of jurisdiction which may be taken away, are scarcely worth transferring to the State courts, and may as well be exercised by our own.

Several other gentlemen spake; but the committee rose without coming to a vote upon the motion, and the house adjourned.

(This debate to be continued.)

MONDAY, AUGUST 31.

The engrossed bill to suspend the operation of a clause in the collection law was read a third time.

Mr. BLAND informed the house that the towns of Petersburg and Richmond laboured under the same difficulties, and had similar grievances to complain of, with the inhabitants of Georgetown and Alexandria—he moved therefore that this bill should be re-committed for the purpose of adding a clause to relieve those places. It was accordingly voted that the bill be re-committed to a committee of the whole.

A memorial from HUGH WILLIAMSON, in behalf of the trading interest of North-Carolina, representing the hardships that state suffers, by reason of the alien tonnage duty being levied upon their vessels in the states under the new government.

This memorial with that from the commanders of the packets from Rhode-Island and Providence, were referred to a committee of the whole house.

The committee appointed for the purpose, reported that they had examined the enrolled bill for registering vessels, and to regulate the coasting trade—and found the same correct. The speaker then affixed his signature to the same.

In committee of the whole, upon the bill for establishing judicial courts—Mr. BOURNOR in the chair—the third section under consideration.—The debate was very long this day; and after 3 o'clock the motion for striking out the clause was negatived by a large majority.

Adjourned.