like a soldier of honour, who his nothing were with to repose in hinder.

In the mean time, should that happen with which we are threatened by universe lance, I shall not the lide condition, as tiful, and conformably to the condition, to sinde perfect and prospectus to be rejected; to make the colony prosper and to protect all individuals; but while the great capitulas shall be, and the people to peceable men, it is my duty to pur for the nulledrion and cultivation of public people. Incompatible therewith, the continued authorities of the colony, are invited to denounce to me all those who either by words or conduct, disturb the good order and tranquility we now enjoy, that I may give directions for their deportation as being unworthy to remain in an country they would wish to overthrow. I likewise recommend to all generals and commandants of the detachments under their details, the full and the due execution of my proclamation of the 21 Fimaire, and to publicate it all the Parishes, and not to be mitted in the affidavitions which it contains.

Brave soldiers, generals, officers, fabodiliers, and fabiliers, do not listen to enthusiasts people, who are never better pleased than when they fire your perfect what is wrong in order to have a pretext for delivering you up. Attached to the cause of the colony, rally round your chief that it may fectially and be preserved in its perfect tranquility. I will lead you in the path of honor, I will show you the way you ought to pursue. Yes, my soldiers, it becomes you, as faithful officers of fabodiliers and of all military virtues, to conquer or die at the post.

The perfect edifiers shall be printed, read and published wherever it shall be deemed expedient, transferred on the receiders of the administrative and civil authority bodies, and forwarded all over the colony.

Long live the Republic, 29th Fimaire, year 10 the of the French Republic, one and indivisible.

(Signed)

TOUSSAINT LOUVERTURE.

The Governor of St Domingo.

GOVERNOR'S MESSAGE.

To the Senate and House of Representatives, of the Commonwealth of Pennsylvania.

Gentlemen,

I have read and considered the act of the General Assembly, entitled "An act defining the holding of offices and emoluments under this state, incompatible with the holding or exercising of offices or appointments under the United States." I have reconsidered and deliberated on it, by day and by night, with the first purpose of it. I have circulated it to my friends and to the principal officers in which it originated, together with my objections, which are as follows to wit:

1. Since the present constitution of Pennsylvania was established, on the second day of September, 1790, at this period, no complaint or application has been made by petition or otherwise, by any branch of our government, legislating that any officer under the government of the United States, or member of Congress hold, an office in this state, that was supposed to have a tendency to affect the sovereignty or freedom therefrom, from which I conclude that the patriots made by the constitution of the twen the government of the United States, and of this state, with respect to the administration of their respective powers, has been carried far enough, and is perfectly satisfactory to the people.

* 2. I cannot conceive a reason for introducing such an act at this time, when the good people of this commonwealth can entertain no apprehensions of a wish, of the part of the presidential and the fortunate representation in the Executive and Legislative departments of our national government, to impair the constitutional freedom of the individual states.

It appears to me to intimate an unreasonable jealousy and difficult, not only of the wisdom and great chief magistrate of the union, but also of the chief magistrate of Pennsylvania, both chosen by the people themselves, and which is be unequivocally disposed to secure and promote their happiness.

3. Because a few months ago I prefended a gentleman, not his distinguished for delicacy or high talents, to accept the commission of recorder of the city of Philadelphia, *during his good behaviour*, though then attorney of the United States for the eastern district of Pennsylvania, in the holding of which office at the time, I am not happy enough to determine any conflict or incompatibility, and therefore it shall appear very extraordinary indeed, in me, to cooperate in an act that declares his commission shall not only be vacated, but if he exercifes the office for a time, he shall be adjudged as a criminal, when there has not been, nor can be even the slightest foggestion of misbehaviour or incapacity.

4. Because as perfect, every resolution, has two, gentlemen of this state, who have been appointed by me, that can be affirmed by the act, one has been accepted, whether a member of Congress, was appointed a commissioner in the state of Pennsylvania. What publication ante to Pennsylvania from their appointment? Do not comprehend, especially when it is considered that their commissions have been distinguished for particular attention, and that, in your revolutionary and republican principles it will be very difficult to find a gentleman of the law qualified for office of recorder of the city of Philadelphia that has not been admitted to practice in those of the courts of the United States, and of this state, and yet, I have not an I perceive the danger to be apprehended for the liberties of the state, from a member of Congress, or a fabiliate, &c. under both branches of our government.

5. I conceive the act to be not only unnecessary and inexpedient, but in the precedent alarming, as all persons holding offices during good behavior, the tenure of their commissions ought not to depend on every gale that blows. The Legislature cannot vacate or impair a constant delinquity made between the commonwealth and an individual. Herefore, even the power, will not function is left, and the commission of the man will much doubt its confirmitionity. The power of the Legislature is plenary, but the officer cannot be removed without being convicted of a misdemeanor in office, and then, where otherwise specially provided in our state constitution; and I believe, I may be permitted to acknowledge, integrity and fortitude of my former brethren in the forenoe courts, in the determination of a judicial decision on this question; when I do not forbe to be ashamed to be deemed no equal by them in fabilitity of factefs. What confidence warns me not to do, I must leave to the impartial and the patriotic future, by me fo much respected and esteemed.

THOMAS MCKEAN.

Lancaster Feb. 24, 1802.

WASHINGTON CITY.

WEDNESDAY, FEBRUARY 10, 1802.

Extract of a letter from William Kirkpatrick, Esqr. to the Secretary of State, dated at Malaga, Sept 25, 1802.

"I am happy in having it in my to say power to acquaint you, that the rigorous quarantine, which has been imposed for near a twelve month past on the Spanish ports, is now, and has been reduced to ten days, which is a circumstance very much to merchant vessels trading to this country."

HOUSE OF REPRESENTATIVES, U. S.

ON MONDAY *the House of Representatives* resumed its deliberations on a motion made by Mr. GILES, for repealing the act for the establishment, &c. of the MINT.

The House being in committee of the whole, Mr. Bayard, a member of the committee rile, in order that the rebellious should be referred to a select committee.

This motion was supported by Messrs. Bayard, Giles, Dana, Bayard, Mitchell, Bayard, and Dennis; and opposed by Messrs. Gordon, S. Smith, Randolph, Griffin, and Macon.

On the question, the motion for rising was negatived, 53 to 42.

The *resolution* was then agreed to, and reported to the House; when Mr. Bayard moved for the matter for a reference of it to a select committee, which motion, after a debate was postponed to 2 o'clock, was lost—Yeas 32—Nays 44.

The House then concurred with the committee of the whole; and a committee was appointed to bring in a repealing bill.

(Debate in our next.)

The Speaker informed the House that he had received a *confidential Communication* from the President of the United States, which he read; and which he proposed until the next day.

Mr. Bayard, from the committee of ways and means, reported a bill supplementary to an act entitled "An act more effectually to provide for the national defence, by establishing an uniform militia throughout the United States"—which was read twice, and made the order for Thursday next.

ON TUESDAY a confidential communication from the President of the United States was read with closed doors.

The House went into committee of the whole, Mr. Varnum in the chair, on the unfinished business of yesterday, on the year 1802, which was reported with no amendment, agreed to by the House, and ordered to be engrossed for a third reading to-morrow.

The House then, proceeded to the order of duties on goods exported to New-Orleans, &c. was read a third time, and passed—Yeas 81—Nays 21.

The House went into committee of the whole, Mr. John C. Smith in the chair, on the bill for the relief of Samuel H. Howard, and other officers of the courts of Maryland.

A choice of Federal Representatives, in the first Rathers District, Massachusetts, was run on the last trial. The votes were, for Orchard Cook, 735; Nathaniel Dennis 1031; Marcus Morton, 373; and Thomas Bruce, 120.

FOR THE NATIONAL INTELLIGENCER.

MR. SMITH,

An anonymous writer in your paper of Feb. 18, has repeated his attack upon Mr. Tracy respecting documents No. 4, which accompanied the President's message, relative to the treatment of the bulletin in the federal courts.

When Mr. Tracy is attacked by name, and in his official capacity, he is called of "*palpable errors*," he claims the right of self defence; and if your prefa is open for the *attack*, in exposed it will, a fortiori, admit the *defence*.

The Petition in his message, dealing of congress, says, "and that Cary may be able to judge of the proposition which the defendant has made, I transcribe it, has to perform, I have called the bill enclosed from the federal States, and now lay before congress an *exact statement* of all the cases *decided since* the first establishment of the courts, and of those *depending* when additional judges and judges were brought in to their aid."

The two prominent points are, the time the cases of the *decided* commence. Upon a *cursory* view of the document, it appears, that, conceived several important errors in both.

In the debate, he mentioned, Maryland, Pennsylvania, Virginia, North-Carolina, Massachusetts and South-Carolina, as the states, from which he produced 3 or 600; and added, that there were errors alike in the statements of Newhampshire, Connecticut, and the Jerseys, per of the 25th January, an anonymous writer has given a more accurate statement of Mr. Tracy's fair denial, and further made a bold affertion, that the combatants in the debate, were actually and vizzily continued in the very papers of the document referred to by Mr. Tracy. In your paper of the 29th of January, by an exemplification of the document itself, it is shown that Mr. Tracy, had stated the mistakes correctly, and that, in addition to them, the cases in the district of South-Carolina were erroneously stated.

The first mistake was too forcible to be fairly denied, even by this anonymous writer, yet, anxious to say the last word, he has recurred to the Act of Feb. 1801, with some curious remarks, which excite pity rather than indignation.

His first remarks were derived, he says, from an examination of the history of State's office *before it was* established, and of the laws, as published to the *public*. As Mr. Tracy had nothing to guide him but the documents itself, as he laid before the Senate, and referred to this writer, in his remarks of the 25th of January, made a bold affertion in the strength of the document, yet, as he says, he was not guided by it at all, but, by an examination of the laws, in his intimacy with the office of state; he is required, now, to look at the document, which *has been* laid before the public, and he will discover Mr. Tracy was correct.

Mr. Tracy but neither been detected nor guilty of "*palpable errors*" with respect to Virginia, North-Carolina, the errors are precisely as he stated them to be in the document, it has fell to no "*new charge*" against them; they are, (as at first alledged) manifest errors in the document.

Maryland is entirely omitted, and Pennsylvania is represented as *not depending cases*. Virginia, North-Carolina, Massachusetts and South-Carolina, are represented as *decided cases*, and when it was discovered that there were errors in the document, Mr. Tracy thought its authenticity was shaken, and that it behoved him, to give the correct statement as to cases *depending* at the institution of the new court—After being shown from every footing, as to the correctness of the document No. 8, it is left to the candid to be a little shocked at the tone; but it is owing to a *naughty* clerk, and not to the President. Pray, sir, who is responsible for the clerk's blunder? knowledge!—Not Mr. Tracy surely.

Mr. Tracy, in his message, has endeavoured to prove his opinion, that the judiciary ought to be reduced, one from another, to a proper state; and, I think, he will easily be seen that the mistakes in one line, if intended, can never really affect the main, and have no tendency to influence upon them.

Mr. Tracy, in your paper, though in this case it does not, that there was no intention to deceive; but it will be remembered, that the document was referred upon any motion—Let this writer be waxed, full document be in your print from its defender than it can be from any affailant. *The remarker have unwittingly brought to light* not only a little more than his *talents* of 10 lines, but a great deal more. This writer says, that this document states the number of *depending* causes for each district in each counties only in the western and eastern, and that care was bellowed upon this statement. How was Mr. Tracy to know all this? His means of knowledge must be derived from the document itself, and that he has stated, and really represented both in respect to *dependity* and *decided* causes, in only two points of all, in which it was produced by the President.

Our work is to the errors being charged upon the President—The work of his indiges are, "I have called to the president and now lay before Congress, *an exact statement, &c.* The President proves not to be "exact" but erroneous; was it from *naughty clerk* alone, was this part of the indiges, and the President, being fatisfied that he could not look every week of 10, in, yet, he ought to go forth? Such defenders are the worst of enemies, let the writer be wary.

Feb. 5, 1802.

Hannibal, Jun. 17, 1802.

From an official Gazette printed in the Spanish language at Havana, the following has been translated for the Philadelphia Gazette.

Order of the Marquis de Somerofos, Governor and captain general of the Havana, and of the Island of Cuba.

All the natives or fubjects of Spain and Strangers, who shall not be authorized to reside in this Island, conformably to the laws, and others of the foreigners, shall leave it within the space of one month from the date of this order, informing them that, if they do not obey the present order they shall be treated with the severity which the laws, and, more particularly those who, in opposition to the order, shall transfer commercial benefactefs.

The time allowed to quit the island will be two months, for those who shall have bubinefs or accounts to fettle, on account of royal revenue, or, shall have brought into this island provisions and other articles, during the year; But the fees having been fixed for the 1st of December inclusive, they must finse that time just begin to fettle their accounts—the aforesaid time is consequently sufficient for the conclusion of their indiscils.

NOTICE.

THE Copart-nership of MCCORMICK and COCHRAN, being by mutual consent dissolved, those indebted to them, are requested to pay their respective shares thereof to Alexander McCormick, who will pay any demands due by the said firm.

ALEX. MCCORMICK,
WM. A. COCHRAN.

Feb. 10, 1802. 9t

☞ The business will be carried on by Alexander McCormick.

NOTICE.

MY wife Eleanor Bunlavy, having or her own account, and without my leave or provocation, left my bed and board, I hereby warn any person giving her credit on my account, as they cannot expect being paid by me. Her residence is in the city of Washington county, for when which I am unable to pay.

CHARLES DUNLAVY.

Washington, Feb. 10, 1802. 9t

The Bulletin formerly printed on
BY DR. WILLIAM ROGERS,
Is now printed
BY WILLIAM H. GRAYHAM,
Who informs the inhabitants of the District of Columbia, that he has opened an establishment in the various branches of printing, especially curious like a hand bill.

Jan 29 1802. 6t

FOR SALE,

THE fubscriber is authorized to sell a tract of land containing four hundred acres, lying in Prince George's county, Maryland, adjoining the district of Columbia, and about two miles from the City of Washington, on a good road to that port of the Eastern branch, now called Bladensburg, and is fituated, the land, except a small part inclosed, is of an excellent quality, and has on it a large tobacco house, and several houses fuitable for the accommodation of labourers. The land has on it some elegant fishheries for cotton, for consumbing a view of the river and the city, and is within 3 miles of the Navy Yard. Inquire the 9th day of March next (and if it be unsold then will be offered for sale the next day, if fair, if not, the next fair day thereafter) at the house of the subscriber in the city of Washington.

PHILIP D. BAKER.

Attorney for J. Addison.

Jan 12, 1802. 9t

Lodgings,

EQUALLY desirable as any other Lodgings, than any in the city. Inquire room 6 at Washington Tavern and at Greenleaf's Brewery where other rooms may be had. One fashing is also furnished by

J. SLEAKE.

Washington, Jan. 30, 1802. w3t

[By Authority.]

AN ACT

For the protection of the commerce and seamen of the United States against the Tripolitan Cruisers.

WHEREAS the Regency of Tripoli, on the coast of Barbary, has commenced a predatory warfare against the United States:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful fully to equip, officer, and employ such vessels of war, as may be judged by the President of the United States, for protecting effectually the commerce and seamen thereof on the Atlantic Ocean, the Mediterranean and adjoining seas.

Sec. 2. *And be it further enacted*, That it shall be lawful for the President of the United States to instruct the commanders of the public vessels, fufficiently afforefaid, to fetzelze, seize and make prize of all vessels, goods and effects, belonging to the Bashaw of Tripoli, or to his subjects, and to bring or lead the same into port, to be adjudged, libelled, and distributed according unlaw, and also to cause to be done all such other acts of precaution or hostility as the Bashaw may will justify, and may, in his opinion, expedient.

Sec. 3. *And be it further enacted*, That on the application of the owners of any vessel so seized, the Secretary of the Treasure the President of the United States may grant to the vessel, commissions, in the form which he shall direct, under the seal of the United States; and such proceedings shall be instituted against prizes, shall have the like authority for fabodiling, detaining, taking and bringing into port, and for condemning vessels, goods, and effects as the before mentioned public vessel officers may be lawful for, and shall therein be fabodiled to the infractions which may be given by the President of the United States for the regulation of their conduct; and their commissions shall be revocable at the pleasure of the President. Provided, That before any commission shall be granted, as aforesaid, the owner or owners of the vessel for which the same may be requested, and the commander thereof, for the time being, shall give bond to the United States, with at least two responsible sureties, not interested, in such vessel, in the penal sum of five thousand dollars; or, if such vessel be fitted out for a cruise, in the penal sum of fifty men, in the penal sum of twenty thousand dollars; with condition for faithfully fulfilling the trust of the United States, and the instructions given to the commander, and for indemnifying the United States for all damages and injuries which shall be done, contrary to law, by such commander, or by such commissioned vessel; and for delivering up the commission, when revoked by the President of the United States.

Sec. 4. *And be it further enacted*, That any Tripolitan vessel, goods or effects, which shall be captured and brought into port by any private armed vessel of the United States, shall be condemned, as aforesaid, may be adjudged to the owners of such private armed vessel, to the owners and officers, and men of the capturing vessel, and shall be distributed according to the agreement which shall have been made between them, or, in failure of such agreement, according to the direction of the court having cognizance of the capture.

Sec. 5. *And be it further enacted*, That the officers who be engaged to serve in the navy of the United States for a period not exceeding two years, that the President may discharge the same former, if he shall judge it expedient, may be dispensed with.

MATTHEW LYON, MACON.

Speaker of the House of Representatives.

A. BURR,

Vice-President of the United States, and President of the Senate.

APPROVED, Feb. 6, 1802.

TH: JEFFERSON.

President of the United States.

To Alborne Sprigg, Esq.

SIR,

YOUR publication of the 7th inst. has put come to hand; if I am not mistaken, my conduct in regard to the Sprigg's was engaged to you his left rent, on the 25th day of May last, and to the Sprigg's, I know nothing. I cannot with convenience to my feelings, and the publick expectation, to be ready to Pledging that you do not with an advantage, that you may obtain, and, that, the Sprigg's Ranger upon equal terms. I now propose, that, you, and the gentleman of your rent, run Lo Boo over the River de Gues Pomeroy, and, I will meet you there, according to the rules of the Annapolis jockey club, for your mutual benefit.

I live a mile from Haves de Grace, and the Sportsmen to crude, you have perhaps to go or miles further to travel to your home, within the office of a water pedge.

I have the 100 of Fewer sent to fun the race arrives, and I am doing those preparations, for the reception of the Gues Mr. Tayloe is expected to sup my mare to run.

my fly,

Your obedient humble servant,

T. M. FORMAN.

Feb. 9, 1802. 3t