This opinion perhaps might receive ſome corroboration by adverting to the judiciary; a co-ordinate branch of the government, the officers of which are under like obligations with the members of the aſſembly, to ſupport the conſtitution of this and of the United States: In Dallas's reports, vol. III. p. 274, Reſpub. verſus Cobbett, chief juſtice M'Kean thus expreſſed himſelf—"There is no proviſion in the conſtitution, that in ſuch caſe the judges of the ſupreme court of the United States ſhall control and be concluſive, neither can congreſs by a law confer that power, there appears to be a defect in this matter, it is a *caſus omiſſus*, which ought in ſome way to be remedied." In numerous other inſtances, courts have expreſſed opinions upon the imperfections of the conſtitution.

With theſe preliminary obſervations the committee proceed to obſerve, that after the moſt diſpaſſionate examination they have been able to give the memorials for and the remonſtrances againſt the call of a convention, they are of opinion, that although there are many excellent proviſions in the conſtitution which ought to remain ſacred, yet ſome parts are defective, and ought to be reviſed and amended. And that this important object might be obtained by the good people of this commonwealth without riſking their liberties, or hazarding their peace or tranquility. They have their own experience—the example of many of their ſiſter ſtates—the example of the United States, the conſtitution of which has incorporated in it a proviſion for alteration and which has been put in practice repeatedly without danger or diſadvantage to the citizens of the United States.

On the ſubject of changing or altering conſtitutions, and the danger which by ſome is predicted, the committee cannot better expreſs their ideas, than by adopting the language of judge Wilſon, "A change of government," ſaid he, "has been viewed as a deſperate event, as an object of the moſt terrific aſpect; becauſe it has been thought that government could not be changed without tearing up the very foundations of the ſocial eſtabliſhment. It has been ſuppoſed that in a tranſition from one government to another, the body making it muſt be diſſolved; that every thing muſt be reduced to a ſtate of nature; and that the rights and obligations of the ſociety muſt be loſt and diſcharged.

"In many parts of the world, indeed, the idea of revolutions in government is by mournful and indiſſoluble aſſociation connected with the idea of wars, and of all the calamities incumbent on wars. But joyful experience teaches us in the United States to view them in a very different and much more agreeable light, to conſider them only as progreſſive ſteps in improving the knowledge of government, and increaſing the happineſs of ſociety and mankind."

Your committee preſume that the citizens of this commonwealth are not leſs wiſe, prudent, virtuous, or patriotic, than thoſe who called for and compoſed the convention that framed the preſent conſtitution fifteen years ago; that the people at this time may be as ſafely truſted with themſelves as at any previous period, which the oppoſers of reform can poſſibly point out.

But while the committee expreſs theſe ſentiments, they conceive that ſufficient time and opportunity cannot be had within the preſent ſeſſion of the legiſlature, for the majority of the people fully to expreſs their opinion, on this very intereſting ſubject: and that the number of petitions already preſented are not ſufficient to authoriſe the legiſlature to take meaſures for the call of a convention at this time—Therefore offer the following reſolutions:'

Reſolved, That although the Houſe of Repreſentatives are impreſſed with the opinion that the preſent conſtitution is defective, yet the number of petitioners are not ſufficient to juſtify at this time, any meaſures being taken by the legiſlature for calling a convention; but they refer the ſubject to the good people of Penſylvania, themſelves, to whom of right it belongs, to adopt ſuch meaſures as their wiſdom may direct, to give a fair and full expreſſion of their opinion to the ſucceeding legiſlature.

Reſolved, That as ſoon as the people ſhall fully intruſt and inſtruct their repreſentatives in general aſſembly to call a convention, proviſion ſhall be made to accompliſh ſuch inſtructions and directions.

ALBANY, March 29.

On Tueſday laſt the Houſe of Aſſembly of this ſtate took into conſideration the reſolutions from the ſtates of Maſſachuſetts, North Carolina and Kentucky, propoſing three ſeveral amendments to the conſtitution of the United States, and adopted the following reſolutions. The reſolutions, reſpecting the amendments propoſed by the ſtates of Maſſachuſetts and North Carolina, paſſed the houſe *unanimouſly*.

Reſolved, That it is inexpedient for the Legiſlature of this ſtate to agree to the amendment to the federal conſtitution, propoſed by the legiſlature of the ſtate of Maſſachuſetts, that the repreſentatives be apportioned among the ſeveral ſtates according to the number of their free inhabitants reſpectively.

Reſolved, That it is inexpedient for the legiſlature of this ſtate to agree to any reſolution ſimilar to the reſolutions adopted by the ſtates of North Carolina and Maſſachuſetts, having for their object the procuring an amendment to the federal conſtitution to prohibit the importation of ſlaves or people of colour, from the Weſt India Iſlands, from the coaſt of Africa or elſewhere, in the United States, or any part thereof, prior to the year 1808.

Reſolved, That the reſolution from the commonwealth of Kentucky, having for its object an amendment of the conſtitution of the United States, ſo as to confine the judiciary power of the courts of the United States to caſes in law and equity, ariſing under the conſtitution and laws of the United States, and treaties made, or which ſhall be made under their authority, caſes affecting ambaſſadors, other public miniſters and conſuls, caſes of admiralty and maritime juriſdiction, controverſies to which the United States ſhall be a party, and to controverſies between two or more ſtates, be poſtponed until the next meeting of the legiſlature.

NEW-YORK, *April* 3. 1804.

We learn by the ſhip Octavia, capt. Hazard, from the Mediterranean, that as the Engliſh ſhip Aurora of 22 guns, and a frigate were convoying a large fleet, near the Barbary coaſt, they were attacked by two French frigates—In the engagement the Aurora was blown up, and the frigate was taken with 20 ſail of merchantmen.

Capt. Fowler, from St. Croix, informs us that the French fleet in the Weſt Indies have taken Nevis, the town of Baſſeterre in St. Kitts, and were going to Tortola.

Madam La Pagarie, mother of the French empreſs Joſephine, was on board La Villeda Milan, at the time of her capture by the Britiſh ſhip Leander.

A letter from cape Francois, dated the 23d February, ſays, "Gen. Chriſtophe is nominated general in chief of the army. He left here three days ago, to join the troops which have commenced their march to attack the city of Santo Domingo.

LONDON, *February* 9.

The king of Sweden has at length acknowledged the Emperor of Germany in his new character of Emperor of Auſtria. His Swediſh majeſty, it is ſaid, has determined to ſend a new miniſter to London.

A new city, to be called "Napoleon," is, according to a letter from Fontenoy, to be erected without loſs of time, in the neighbourhood of which, the emperor will have a manſion, or grand hunting box, with an extenſive park, the expence of which is to be defrayed out of the funds of the crown. The building of the town will be commenced without delay, and is expected to be finiſhed in leſs than two years. The plan has been finally determined upon by the emperor.

WASHINGTON CITY.

MONDAY, April 8.

Our readers will recollect the long and obſtinate debates during the ſeſſion antecedent to the laſt on the conſtitutionality of admitting Louiſiana into the union. On that occaſion an argument was attempted to ſhew that the conſtitutional right of receiving Louiſiana did not exiſt. From the courſe of the meaſures taken at the laſt ſeſſion this ground ſeems to be abandoned by thoſe who firſt ſuggeſted it. The act paſſed for giving Orleans a territorial government provides that as ſoon as the free population ſhall amount to 60,000, the territory ſhall be admitted as a ſtate into the union. With regard to the proviſions of this act, ſome diverſity of ſentiment exiſted on the portion of ſelf government which it was expedient at preſent to give the citizens of that territory, but there was none on the conſtitutional queſtion. We may be permitted then to conſider this gigantic queſtion as laid to ſleep; and to indulge the belief that more mature reflection has convinced the original opponents of the acquiſition, that, whatever queſtion might exiſt on its expediency, the conſtitutionality of it is indiſputable. It is futile to ſay that the territory once acquired created any new facility to admit it as a ſtate into the union. If the meaſure was unconſtitutional *ab initio*, no ſubſequent act could legitimiſe it, and, conſidering the acquiſition as the foundation on which ſubſequent meaſures were erected, they muſt all be viewed as equally unconſtitutional.

This unanimous acquieſcence in the conſtitutionality of the admiſſion of this territory into the union is an evidence, were other proofs wanting, that the oppoſition to it aroſe almoſt entirely from party feelings. In truth the quarter from which this oppoſition ſprang can only rationally be accounted for on this ground. There was abundant cauſe for aſtoniſhment to perceive thoſe who had moſt loudly proclaimed the neceſſity of an energetic government, and who had paſſed unqualified eulogiums on the perfection of the proviſions of the Federal Conſtitution, and, among others, on that part which provides, without reſtriction, for the admiſſion of new ſtates into the union, which proviſion is well known to have flowed from the relation of Canada to the United States—there was, we repeat, abundant cauſe of aſtoniſhment to hear ſuch men uttering, all at once, the language of timidity, and inculcating doctrines inevitably calculated to paraliſe the energies of that ſyſtem, whoſe great fault, it would ſeem had previouſly been a want of due energy.

But it is the prerogative of man to retract his errors; and, we are pleaſed to perceive on this occaſion ſymptoms of this magnanimous diſpoſition even in an opponent.

The ſpeech of citizen Van Haſſelt, in the Batavian legiſlature, irreſiſtibly gives riſe to mournful reflections. What conducted Holland to glory and happineſs, and what have ſunk her ſo precipitately from her proud eminence are queſtions of awful intereſt. Her citizens were virtuous and free, induſtrious and wealthy. How many of theſe ſplendid diſtinctions have, in a few years, diſappeared! Americans, think on theſe things!—And though, with virtuous pride, you appreciate the compliment paid by the orator, pay a deeper attention to the eloquent delineation of the ſituation of his country. Recollect that ſhe permitted herſelf to be entangled in the toils of England, on the opening of the French Revolution, and contemplate the iſſue!

HOLLAND.

In the ſecret aſſembly of the Batavian legiſlative body, held on the 21ſt Dec. in conſequence of the extraordinary petitions ſent from the ſtate directory, and the propoſal made by the ſame, for conſenting, in order to cover the deficiency in the revenue, to a third ſtatement of the extraordinary contribution on property and income for the year 1804.—Citizen Van Hasselt delivered the following opinion:—"From the report of the committee it appears, that this aſſembly, having found the nullity of their reſiſtance, muſt conſent to the ulterior propoſals of the ſtate directory, requiring, without adverting to the remonſtrance they returned on conſent to the raiſing of 1 per cent. on the national property, by granting, proviſionally, for the term of 3 months—upon account of the probable deficiency in the 16,570,000 florins granted for ſundry items; and alſo on account of the ſame deficiency, our conſent to a third inſtalment of the extraordinary contribution for the year 1804; and, in order to compel us thereto, I hear reaſons alledged, which appear to be ſuggeſted by the moſt extreme neceſſity—a ſtagnation of every department of government and of adminiſtration, an inſurrection of the army and navy, a general bankruptcy, and moreover, the diſpleaſure of our high ally.

"I do not doubt for a moment, but the committee of this aſſembly for financial affairs, is convinced, after many deliberations and conferences, of the urgent neceſſity, and of the danger of our dreadful perplexity. I do not even doubt for a moment but a complete anarchy, introduced conſtitutionally in 1801, places the ſtate now at the point of annihilation: and I am very certain, that, without the diſintereſted zeal and co-operation of individuals (true lovers of our country) all exertions to ſave it would have been fruitleſs long ſince.

"Thus, in order to defer that ruin, ſo long prevented, alas! for three months longer, are we under the deplorable neceſſity of declaring to the Batavian people, that the ſtate is loſt, unleſs they give up proviſionally, for three months, one per cent. of the value of their property; that, all maturely conſidered and pondered, there remains nothing elſe, no other means than to repeat this expedient over and over again; and while we give them to underſtand pretty plainly, and all this to be aſcribed to our connection with France, through which we are involved in ſo long and expenſive a war, by which we are obliged to fulfil the moſt extravagant engagements.

"Senſibly affected by the diſmal ſtate of our country, and the fate of a nation, which appears to have freely made (but alas! in vain) ſuch unprecedented ſacrifices for the acquirement and preſervation of its liberty and independence, for no other purpoſe, than to purchaſe, at the expence of ſuch treaſure, its entire eraſure from the liſt of powers, I find myſelf obliged, before I give my vote, in a caſe where another great ſacrifice is again demanded from the nation, to aſk, whether the grounds for it do actually exiſt? Whether we can in conſcience declare, that is impoſſible for us to ſave the country by other means; and ſtill further, whether we, as honeſt men, can aſcribe this ſolely to the conſequences of our connection with France.

"Is the nation, I aſk—are the people already ſo greatly oppreſſed and impoveriſhed, to ſubmit to this command of the directory? Shall the nation, whoſe known and approved faith, and whoſe readineſs to contribute to the utmoſt of its power, has ever been moſt manifeſt, and which poſſibly endures the more hardſhips, and ſuffers the greater cruelty on that very account.—ſhall that nation admit that the reaſons of the directory are well founded? Shall the nation allow it to be laid to its charge, that the directory is not ſatisfied, if the legiſlature does not reſolve blindly to grant its demand? Has that nation (offended and provoked at its being declared to the whole world, that they linger under an oligarchical adminiſtration, without love of their country, under which their colonies and foreign poſſeſſions have been ſold and delivered up to the common enemy) no juſt cauſe to aſk—'are the reaſons given by that adminiſtration ſuch as can be depended upon, and ought to be ſubmitted to!'

"Will it not aſk, how this meaſure is to be reconciled with the directory's promiſe to uſe all poſſibly parſimony? And will it not find during this inveſtigation, even without looking into the deeds and reſolutions which prove this more plainly, that the waſte of money not only continues, but increaſes every day from different ſources? Will not the nation on ſeeing ſuch continued negligence, begin to doubt whether this aſſembly, aſſenting to the reaſons of the directory, acts honeſtly, or otherwiſe?

"It cannot be denied, that the ſentence in the directory's letter, where it affects not to know what this aſſembly means by retrenchment, is a mockery, when their committee for financial affairs has ſo frequently pointed it out in their name and if the directory is really ignorant of it, let them be convinced and ſhewn in every page of that ſo voluminous expoſition, what poſſibility, what certainty there is of many important ſavings.

"In order to be convinced, that far from thinking of ſavings, the exigencies of the ſtate ſhould not ſo extravagantly exceed its income, they rather act as if the republic were at its moſt ſplendid pitch; it will only be neceſſary to look into the expenſes of the laſt year, and to compare them with the reſolution of the generality, on the expenſes of the alliance of 1792, nay, even with the expoſitions of 1799 1800 and 1801; whence the progreſſive increaſe of expenſe will appear. You have to compare only, except the item for the legiſlative body, all the items for diſburſements, to be convinced of expences which exceed all the preceding ones, without any greater advantage derived therefrom.

"Will not the nation, tracing this increaſe, aſk, why ſuch an enormous expence is incurred for the oſtenſible defence and guarding of colonies which are declared to all Europe to have been twice ſold and delivered to the enemy? The nation will aſk whether the different offices, eſpecially that of the directory themſelves, of the ſecretaries of ſtate for foreign affairs, of war and of the navy (not to mention the unneceſſary expence of the departments and others) work better and harder now than formerly, although they coſt a ſum infinitely greater. The nation will enquire whether it agrees with our ſituation, to maintain ſuch expenſive miniſters every where? and *if it were not better to follow the example of the American Government*, and to keep only diplomatic agents at ſuch courts as are of the greateſt importance? It will be aſked whether it accords to our ſituation, to maintain ſuch a number of fortreſſes, with their magazines and appurtenances as we never can occupy? and why they are ſo much increaſed of late years? The nation will be aſtoniſhed on peruſing the liſt of penſions, at the numberleſs officers (to ſay nothing of the innumerable and very queſtionable political penſioners) placed on the penſion liſt during the latter years, moſt of whom were fit and willing to ſerve?—What occaſion is there for four ſchools of artillery, when we have but one corps of artillerymen? And what will the nation ſay, whoſe deſire it is to revive once more their ancient naval fame, on beholding the immenſe ſums which are required for the building and maintenance of new ſhips of the line, whilſt roofs are conſtructed over thoſe we already have, in order to preſerve them until peace?

"Our countrymen will, on tracing the organization of the naval council, of the high military tribunal, and the colleges, as well as the eſpecial departmental and very expenſive adminiſtrations, with the appurtenances; and on aſking a thouſand other queſtions, be convinced, that provided only there be no new poſts and ſalaries created at their expence, for individuals and their friends, ſavings enough may be made to enable us in a great meaſure, to fulfil our engagements as allies; that the nation need not remain in diſtreſs on that account, provided the adminiſtration only wills it ſo; may it not be aſked, whether this has ever been the caſe ſince the year 1801, whether a ſingle ſaving has been made ſince that time? Let the directory name it, and leave the nation to judge to whom the terrible conſequences that are to be apprehended, are to be aſcribed.

"Have not many circumſtances rather tended to ſhew ſince that period, that the ruin of the ſtate muſt reſult from the claſhings of the different ſovereignties, reſtored within our little one and indiviſible republic, in ſuch an expenſive manner, and that they muſt increaſe the expence and waſte of money; and have the directory ſince that period, ever ſeriouſly ſet about introducing one of the greateſt ſavings, namely, the eſtabliſhment and putting in activity of general impoſts? Have they ever endeavoured to give great and generally ſalutary eſtabliſhments to the nation?

The Aurora ſtates that at a meeting of the members of the two branches of the Pennſylvania legiſlature held on the 2nd inſt. it was agreed to ſupport *Simon Snyder*, the preſent Speaker of the Houſe of Repreſentatives, for Governor, for three years from next October, in the room of Mr. M'Kean, to whom only ſeven votes were given.

Galvaniſm.—Dr. Aldini, now in London, lately exhibited at the houſe of Mr. Hunter, ſome curious experiments on the body of a dog newly killed, by which the company then preſent were exceedingly aſtoniſhed by the powers of Galvaniſm. The head of the animal was cut off. The head and body were put beſide each other on a table previouſly rubbed with a ſolution of ammonia. Two wires, communicating with the Galvanic trough were then applied the one in the ear, the other at the anus of the dead animal. No ſooner had theſe applications been made than both head and body were thrown into the moſt animated muſcular motions. The body ſtarted up with a movement by which it paſſed over the ſide of the table. The head equally moved; its lips and teeth grinding violently. A curioſity has been expreſſed to have theſe experiments tried on a criminal newly executed. Dr. Aldini has communicated his diſcoveries in an ingenious paper, to the Royal Society.

THE members of the community of the Proteſtant Epiſcopal Church, in the city of Waſhington, and its vicinity, are reſpectfully requeſted to meet at Mr. Woodward's center tavern, on the Pennſylvania avenue, on Monday morning the 15th inſtant, preciſely at 10 o'clock.

Waſhington, 8th April, 1805.

The Printers within the territory are reſpectfully deſired to inſert the above for the preſent week.

I have for Sale,

2 hhds. Martinique molaſſes,
2 hhds. Brown Sugar,
2 pipes, Holland Gin,
60 barrels New Eng and Rum,
2 hhds. Jamaica Rum,
2 quarter caſks L.P. Madeira,
4 half pipes Brazil, do.
6 hhds L. P. Teneriffe,
1 pipe cargo, do.
1100 buſhels Liverpool Salt,
15 boxes freſh Raiſons.

BULLER COCKE.

Navy Yard, April 8—3t

FOR SALE.

ON the 10th of April next, A. M. by virtue of a deed of truſt, dated 30th day of November 1804, will be ſold at public ſale, on the premiſes, all the right and title of Wm. M'Dono, in a two ſtory Brick Houſe (nearly finiſhed) and Lot, ſituated near the war office, in ſq. no. 168, in the city of Waſhington, and nearly oppoſite the houſe occupied by Gabriel Duval, Eſq. For the terms and further particulars enquire of

THOS. W. PAIRO.

At the ſtore at the 7 buildings.

March 11—1Arp.

NOTICE.

THE Subſcriber has rented the houſe in F. ſtreet, adjoining that in which the honorable James Madiſon reſides. He intends purſuing the practice of Phyſic, Surgery, &c. Thoſe who favor him with their cuſtom, may expect his utmoſt exertions to render them ample ſatisfaction in the line of his profeſſion. To ſuch as wiſh for information reſpecting his qualifications and character, he only obſerves that he finiſhed his medical education under the different profeſſors in the univerſity of Pennſylvania, and has practiſed medicine upwards of five years in Martinſburg, ſtate of Virginia.

He expects in a few days to add to his preſent ſtock of medicine, &c ſuch articles as will render his aſſortment complete, and to be able to furniſh every article in the apothecary line.

THOMAS PATTERSON.

City Waſhington, April 1805—1aw3w

Was Committed,

TO the jail of Waſhington county, in the ſtate of Maryland on the 11th inſtant, on ſuſpicion of being a runaway, a Negro woman, who ſays ſhe is free, that her name is AGNES, and that ſhe is from Orange county in the ſtate of Virginia, where ſhe lived with a Mr Kyles——ſhe has on a calico ſhort gown and ſtriped country cloth petticoat, has loſt one of her under fore teeth, and is about 50 years old——The owner, (if ſhe is a ſlave) will prove property, pay charges, and take her away, or ſhe will be ſold agreeably to law.

N. ROCHESTER, Sheriff.

April 8—w3t

VENDUE.

To be ſold at public vendue on Wedneſday the 10th of April at 4 o'clock P. M. at the houſe of John Wall, north of the Seven Buildings.

ONE Light Travelling waggon and Gears for two horſes—One Electrical Machine and apparatus—One Mandolin—36 ſheets of Paintings of Proſpective Views—Two Proſpective Glaſſes, 40 Portrait Painting—One ſmall Magnifying Glaſs.

Conditions caſh.

April 5—tdſ