(Continued from first page.)

struggled hard for preserving to all the branches of the government the powers delegated to them respectively by the constitution; we have ever been watchful of executive and judicial rights, and defended them from the encroachments attempted by the legislature. The gentleman from Virginia must permit me to call to his memory the course of conduct we pursued on a very memorable occasion when he and his friends wished this house to arrogate executive powers. I refer to the proceedings on a motion made by the honorable gentleman then his colleague, who is not now a member of this house, (Mr. Nicholas) in the debate on the foreign intercourse bill. Mr. Nicholas said, "I believe all governments like ours tend to produce a union and consolidation of all its parts in the executive department, and the limitations of each other will be destroyed by executive influence unless there is a constant operation on the part of the legislature to resist this overwhelming power. A representative government may be ma[illegible], the most oppressive and yet preserve all its constitutional forms, and the legislature shall appear to act upon its own discretion whilst that discretion shall have ceased. Where under our government the executive has an influence over the legislature, the executive is capable of carrying its views into effect in a manner superior to what can be done in a despotic monarchy. Mischiefs will be carried further because the people will be inclined to submit to a government of its own choosing. Monarchs cannot carry their oppression so far without resistance as republics. Suppose executive patronage had extended its influence into the legislature, and that in consequence of a thirst for office majorities were formed in both branches of the legislature devoted to the views of the executive; where would be a check to objects hostile to the public good? In what branch of the government would you look for it? Was it the senate? Will you look to this house? *The majorities are humble expectants of office.* Where then will you find any thing capable of controuling the overbearing influence of the executive? It must be *in small and feeble minorities,* who by their opposition, and attention to the interests of the people against arbitrary power, may rouse the people to a sense of their danger, and force the public sentiment to be respected; this he conceived would be the only check." It hence appears, that those gentlemen have availed themselves of every occasion to extend the powers of congress, and had their attempts been successful we should 'ere this have had a consolidated government—a kind of government which the people of this country never wished to establish, and which is incompatible with their best rights. The gentleman from Virginia whose argument I have quoted on the subject of the foreign intercourse bill shews that those who were then in the minority extended their project so far as to count upon *the minority* to check the powers of the other departments of government. Not so, sir, is the case with us; we do not count upon the efforts of feeble minorities—we do not wish to guard the constitution by appeals to the people, we will do nothing calculated to produce insurrection, we do not want to protect the great charter of our rights by the bayonet. No, sir, we rely on honest and legitimate means of defence; we wish to check these gentlemen only with constitutional checks. The people of America say in their constitution the judiciary is designed as a check upon the legislature and executive, and as a barrier between the people and the government. We say it is the sheet anchor which will enable us to ride out the tornado and the tempest, and that if we part from it there is no safety left: that it is the only thing which can preserve us from the perilous lee shore, the rocks and the quicksands where all other republics have perished. The judiciary is the ballast of the national ship—throw it overboard and the must upset.

[Mr. Giles begged leave to explain; he said the gentleman had not quoted his arguments fairly; he never held the ideas ascribed to him; he certainly had not said the gentleman from South-Carolina wished on former occasions to confide power to the popular branch of the government; the gentleman from S. Carolina, he believed never wished this or any other popular branch of government trusted with power.]

Mr. R. said on a subject so momentous as this he would not trust to his memory; that he had taken down the words of the gentleman from Virginia; he certainly did not mean to misrepresent him, and was sorry he had supposed he had not quoted him fairly. It has been further said by this gentleman that as the judiciary was established for the benefit of the people, and is maintained by their money, the people must wish it put down when the *proper authority* tells us it has no duties to perform and is a mere [illegible]. I should be glad to know, [illegible] what is meant by the *proper authority*; are we to judge in this business, or is the executive to judge for us? Sir, the executive has seen fit to judge for us, but I believe he has gone beyond the line of his duty; and it would be more proper to call this document, now in my hand, an officious than an official act. However unpleasant it may be to gentlemen to call this an executive measure, the great solicitude discovered by the President to get disembarrassed of this most salutary constitutional check, proves it his measure; 'tis not the measure of Congress nor of the people, but of the executive. Not satisfied with calling the attention of Congress to this subject, he has, in his zeal to furnish arguments to those who support here his measures, given us a table shewing what business had been done in the federal courts prior to the late organisation of them. Had the former President furnished the late Congress with such a document as this, it would have been considered as abundant evidence of the inconvenient organisation of the federal courts, and furnished arguments for the change in the system which we did make; the result of this document is, that owing to the inconvenient arrangement of the system, suitors were deterred from entering the national courts. It shews how insufficient the provision for doing business was under the ancient system, and not how little there is to do. In a nation so great, and so growing in its greatness as ours is; among a people so commercial, so enterprising, and so attached to right as are the people of this country, there must be much law or there will be no justice. But had the late executive furnished, unsolicited by Congress, such a document, the whole nation would have rung with censures. He would have been charged with considering Congress as a mere bureau—a committee or commune through which the executive was to make his projects and his propensities felt. In this document No. 8, we see the arm of the executive raised against the judiciary, and in his message we hear him say *it must fall.* If he had contented himself with merely directing our attention to the law he wishes repealed, we might have obtained much more useful information for ourselves than what he has been pleased to give. If he had only adverted to this subject as one requiring the consideration of Congress, and they had wished for information, they would have called upon the proper officer for it, and have directed the attorney-general to furnish a table, shewing what business had been done in the circuit courts *since the time of their establishment.* Such a document would have shewn whether the existing law be beneficial or not; but the President it seems did not deem it wise to leave to us, the usual course of obtaining information; perhaps he had sufficient reasons for this; probably such a document as I have mentioned would have given a result not suited to executive views. It would have shewn that *much important business* had been done in the circuit courts, although they had but a short existence. Whether the executive was incited to act with the promptitude he did, to prevent its being known of what vast utility the law is, it is not for me to say. I must be permitted however, Mr. Chairman, to say, that having passed the last summer in the eastern states, I know that in that section of the Union the circuit court was fully occupied during its session. It is within my own knowledge that at Portsmouth in New-Hampshire, there was much business done; at Boston there was a great deal of important business dispatched much to the satisfaction of suitors, and I learned from an authentic source that the court was a highly popular one. At Newport in Rhode-Island, there was so much business, that the court was under the necessity of holding evening sessions. In Vermont I know that much business was done, and done much to the satisfaction of the public. From the gentlemen of the bar in New Jersey, we have a memorial stating, that there had been many causes tried in the circuit court in that state. In Philadelphia the gentlemen of the bar, of both political parties, have united in informing us that they doom the continuance of this court not only useful but necessary. From the chamber of commerce at New-York, and from the merchants in Philadelphia we have received petitions, praying for a continuance of the law, which has been denounced, and which the executive thinks unnecessary. These facts make a mass of high evidence, which on ordinary occasions would weigh much. But I fear it will not preserve the law in question. It has been frowned upon from high authority, and I fear it must perish.

Sir, this document No. 8 is as little calculated to serve the purposes of gentlemen who appeal to it, as is the document produced some days past by a gentleman from Virginia (Mr. Thompson) he gave us a record from the court of chancery in Virginia to shew how much business there is done in that court where he says there is but one judge and his salary is only 1500 dollars. The hon. gentleman says, in Virginia they have but one chancellor, with the salary of 1500 dollars, who renders as much service as all the national courts; and to prove this he reads to us a certificate from the clerk of the court of chancery stating that on the chancery docket there were *two thousand six hundred and*

(Continued on second page.)

NOTICE.

COMMITTED to the Jail of Washington County, in the District of Columbia, as a Runaway, a Negro Woman named CHARLOTTE, about nineteen years of age, five feet four or five inches high. She says she is the property of Lewis St. John, near Battle Town, Frederick county, Virginia.

The owner is requested to come and pay Charges and take her away.

DANIEL C. BRENT,
Marshal of the District of Columbia.

Feb 5, 1802. eptf

NOTICE

Is hereby given to the Creditors of Ezekiel King, Bankrupt,

THAT on Saturday the third day of April next, between the hours of eleven and one of the said day, at the place of holding the circuit court of the district of Columbia, in the City of Washington, a certificate of discharge will be given to the said bankrupt, unless cause be then and there shewn to the contrary by the said creditors or some of them.

By order of William Kitty Chief Judge of the circuit court of the district of Columbia, this 25th day of March 1802.

URIAH FORREST,
Clerk of the circuit court of the district of Columbia, for Washington County.

March 29, 1802. eo3t

District of Columbia,
Washington County, to wit:

THIS IS TO GIVE NOTICE,

THAT the subscribers of Washington county, in the District of Columbia, have obtained from the Orphan's Court of Washington County, in the said district, Letters of administration on the personal estate of Jasper De Carnap, late of Washington county deceased; all persons having claims against the said deceased, are hereby warned to exhibit the same, with the vouchers thereof to the subscribers, at or before the 25th day of August next; they may otherwise by law be excluded from all benefit of the said estate.—

Given under our hands this 12th day of February 1802.

ELIZABETH DE CARNAP,
Administratrix.
HENRY INGLE, Administrator,
Of Jasper de Carnap, deceased.

Feb. 1, 1802. 1aw2M

FOR SALE.

I WOULD sell on reasonable terms, three or four hundred acres of Land, in the centre of my estate at Marlborough, on the Virginia side of the river Patowmac, about 45 miles below the City of Washington, and 13 distant from Fredericksburg; the whole constituting a very desirable situation for a substantial Farmer, on a moderate scale. This tract extends for length, from Potowmack river across the neck of Aocokeek creek—it has most beautiful situations on the river for a country seat; it has a fine Rock & Herring Fishery, and a landing that must be very valuable, as it is the only bold water on the Potowmac, that can be connected by land carriage with Fredericksburg. The soil is very rich, and it lies very well for cultivation, with a large bank of the richest shell marle—part of it is a most valuable firm marsh, from which 100 to 150 tons of good hay might be annually taken, a portion of this is ditched and drained for timothy. The improvements are an overseer's house barn and negro quarters. If not before sold by private contract, it will be offered at public vendue on the 20th of May, on the premises, (the seller reserving a bid) deliverable in the fall. Mr. William Hay, the present tenant, will shew the premises to persons inclined to purchase.

JOHN F. MERCER.

Annapolis, Feb. 26, 1802. ep6w.

State of Maryland.

Elizabeth Retallick, vs. *Johanna Casenave, Peter Casenave and Edward Dudley.*	}	IN CHANCERY, March 15, 1802.

THE object of the complainant in instituting the present suit is, to obtain a decree for the conveyance of a part of a Lot or parcel of ground situate and lying in the City of Annapolis known and distinguished by the number 66.

The bill states that Peter Casenave father of the defendants, Johanna and Peter Casenave, by bond dated in the month of June 1793, agreed to convey to the defendant Edward Dudley, the Lot aforesaid, on payment of one hundred pounds current money. That the said Peter Casenave hath departed this life intestate, leaving the aforesaid Johanna, and Peter Casenave his heirs at law, to whom the legal estate in the said Lot of ground hath descended; that the said Johanna and Peter are minors and reside out of the state, as well as the said Edward Dudley.

The Bill further states, that the said Edward Dudley heretofore assigned all his right and title to the said lot of ground to Simon Retallick deceased, who by his last Will and Testament, devised the same to the complainant.

It is thereupon, on motion of the complainant, ordered and adjudged, that she cause a copy of this order to be inserted three Tuesdays or three Fridays in the National Intelligencer, City of Washington, before the seventeenth day of April next, to the intent that the said defendants may have notice of the complainant's application to this court, and of the substance and object of her bill and may be warned to appear here in person or by guardian, or solicitor of the court as the case may require, on or before the second Tuesday of August next, to shew cause wherefore a decree should not pass as prayed.

(True Copy)
Test. SAMUEL H. HOWARD,
Reg. Court Can.

March 26, 1802. 1w3tF

BOARDING.

Three or four Gentlemen can be accommodated with separate Rooms near the Capitol.—Apply to the Printer.

March 19, 1802. ep3w

For Sale,

A NEAT Frame House and Lot, on New-Jersey Avenue, square 690; sixteen by twenty-four, consisting of, a shop in front with a large bow window, a parlour and closet back on the second floor two rooms and a closet, and two rooms on the third floor, together with the lot, twenty-one feet three inches front, running back to an alley one hundred and thirteen or fifteen feet, or thereabout.—For terms apply to

JOHN MINCHIN,
N. Jersey Avenue, near the Capitol.

March 5, 1802. eptf

THOMAS CARPENTER,

TAYLOR,

SOLICITS a continuation of that generous encouragement which he has experienced from the Ladies and Gentlemen of this City and its vicinity. Having procured an elegant assortment of cloths, cassimeres, swansdowns, &c. and engaged workmen of superior talents. His unremitting attention shall be given to merit patronage

Capitol Hill, next house east of Mrs Finch's boarding house, and Pennsylvania Avenue between the President's square and Seven Buildings.

Dec. 2, 1801 eptf

Looking Glasses.

J. COOK

Wishes to inform his friends and the public that he has a large and elegant assortment of Looking Glasses and Prints,

FOR SALE,

At J. March's Store, High-street, George-Town.

THE subjects of the Prints are very interesting, and in superbly gilt frames: and the glasses are of the first qualities, in the most modern and elegant frames, and of any size.

☞ They are marked at the lowest cash Prices.

March 15, 1802 eptf

CHARLES VARDEN,

Merchant Taylor, from Philadelphia,

GRATEFULLY acknowledges the favors conferred on him by the gentlemen of this City, and flatters himself that the general satisfaction he has already given will merit a continuation of the same. He has also received a handsome assortment of goods from Philadelphia, consisting of,

Best superfine cloths, Cassimeres, Swansdown, Toylenetts, Velverets, Fancy Cords, Coatings, Flannels, &c.

N. B. Regimentals, Naval Uniforms, and Ladies' Habits, made in the neatest and most fashionable manner, and at the shortest notice.—Washington City, New Jersey Avenue, next to Mr. Rapine's book store.

Dec. 16, 1801. eptf

Farming Lands for Sale.

THE Subscriber would sell about 1000 acres of the tract of Land whereon Dr. John D. Orr at present resides, in the county of Prince William, situated a few miles from the seat of the district Court, and within convenient marketable distance of the Occoquan Mills and Dumfries. It is of the first rate quality of soil, is abundantly supplied with wood and water, and has a large proportion of ground which is in a peculiar manner adapted to the growth of timothy grass.

Also the tract of Land adjacent to the above, late the property of Mr. Thomas Swann of Alexandria, together with about 100 acres of woodland, of the above described tract, making about 1550 acres; the quality and advantages being similar to that. The first-mentioned tract will be conveyed to the purchaser free from every incumbrance, a considerable payment in hand will be expected, and the lowest price per acre twenty dollars. Possession to be given the ensuing spring, with a reservation of the growing crop of small grain, but the last-mentioned tract will be sold subject to existing Leases for short terms of years, under strict covenants guarding against waste and injury of the property, &c. and subject to the purchase money which will be due for the same to Mr. Swann, with interest, in about 9 years. The payment required in hand is the remainder of the amount, about two thousand pounds; and the price per acre is eighteen dollars.

Also the reversionary interest in the Piedmont tract, situated below the mountain called the Short Hill, in Loudon county, consisting of several thousand acres, chiefly under Leases to the occupants, and forming perhaps the best settlement in Virginia, of the same extent, extremely well watered; improved with the best meadows and orchards, and peculiarly adapted to the use of the Plaister of Paris. This Land will be sold in Lots consisting of one or more tenements, as may best suit purchasers, together with one or more Lots of woodland to be laid off on the S. E. side of the Short Hill for the convenience of any of said tenements that may be scarce of wood. There are several good mill seats upon this tract, which is not more than 35 miles from Alexandria and the City of Washington, and no part of it more than 15 miles from Leesburg. The price per acre will be various, according to the quality and advantages of the Land, and circumstances of the Leases, but an extensive credit will be given by instalments, upon receiving what it may be convenient for the purchasers to pay in hands. It is desired that persons wishing to purchase this property, will signify their intentions before the wood land is laid off.

Also two or three small Farms with every requisite convenience for immediate operation, in the counties of Jefferson and Frederick, and at various prices

And several valuable building Lots, situated upon the Pennsylvania Avenue, in the City of Washington; some upon square 74, near the Six Buildings, and some upon square 38; besides other very valuable Lots in that City.

Application to be made in person or by Letter, (post paid) directed to Charlestown, Virginia, to

FERDINANDO FAIRFAX.

Shan Hill, March 5, 1802. ep8w

FOR SALE.

A superb Curricle with plated Harness

ALSO a pair of young, handsome and fleet PONIES, and a capital saddle horse, who never was in harness. Enquire of the Printer.

Dec. 18. eptf

For Sale at Rhodes's Tavern.

On the 15th day of April will be sold at Public Auction, by Loring and Forrest, at 12 o'clock the following valuable property, unless disposed of by private contract.

THREE two story brick houses in separate Lots to accommodate purchasers. Situated in Fourteenth-street, on square 253, being on a high and healthy situation, near the Treasury Office, at present much under let at 205 dollars each per annum; to respectable tenants as follows: No. 1, to David Rawn; No. 2, to Wm. James; No. 3, to R. W. Peacock; each house is 23 feet front, and containing a good dry cellar. On the first floor are two parlors, kitchen and servant's room over the same; second floor contains three well finished bed rooms with closets where necessary; back yard paved, with out-houses, and Lot inclosed with close boarded fence, 6 feet high, to an alley 26 feet wide. The front of the said houses is paved with brick, Locust trees planted, and post and rail fence, with a pump of excellent water adjoining the same; the whole completely finished in a neat, genteel manner. The titles are good, being from the commissioners. Terms of payment, one half the purchase money down, or such bills as will be approved of at 60 days, and the balance in seven equal payments with interest.

At the same time will be sold two improved ground rents on square 461, being on the south side of the Pennsylvania Avenue, and butting on Tyber Creek near the Market House. One lot containing 44 feet front, let on lease to Mr. Henry Burford, forever for 60 dollars per annum, payable half yearly; whereon is built a double two story brick house, with cellars and other buildings. The other is 47 feet 8 inches front in two leases for ever, to John Gardner, at 72 dollars per annum, payable half yearly. He has built a large two story double brick house, with cellars under the same, occupied by Mr. Thompson for a liquor store. This property is equal to bank stock, or any other property in the United States. For further particulars enquire of Loring and Forrest Auctioneers or

WILLIAM LOVELL.

March 24, 1802. epts

The Arabian Horse

The Dey of Algiers.

ARRIVED on the 19th inst, in high health and spirits from Boston, to which place he was imported, and sent here to the care of John Mason, Esq. by his proprietor colonel Swan of Massachusetts, now in Europe.

He will stand the ensuing season, at my farm in Montgomery county, seven miles from this town and the City of Washington, and will cover at forty dollars the season (commencing the 1st of March) and one dollar to the groom, the money or an approved promissory note to be sent with the mare.

This beautiful animal was brought from Arabia in the year '98, at four years old, by the late grand bailiff Fromm, of Prussia, into that kingdom, and was purchased at the sale of the bailiff's studs, after his death, at Fehrbellen, in '99, lieutenant general Frederick baron of Diemar, by whom he was sent to Hamburgh to col. Swan, whence he was by that gentleman shipped to America; to attest which, and to prove him to be a genuine Arabian horse, original certificates are in my hands, and may at all times be seen.

The Dey is of full stature for his race, he measures exactly fourteen hands two inches and an half. His colour is nearly white, with a few brown spots dashed over his neck and shoulders. In figure and bone, it is believed, he will stand the test of the best judgment.—He is only eight years old the coming spring. He is of fine presence and carriage; and remarkably vigorous and active.

As it is the wish of his proprietor to display the merits of this horse in his colts—as early, and with as much certainty as possible, by his order, no more than fifty mares will be received this season.

I have excellent and extensive pasturage well fenced, adjoining the land, at two shillings and six pence per week. Grain and green clover will be furnished if desired, at moderate prices.—Great care shall be taken of mares, and every justice done them with the horse; but I will be answerable for no accidents or escapes. If gentlemen at a distance choose to send servants with their mares they shall be provided for on reasonable terms.

CHARLES C. JONES.

George-Town, Feb. 26, 1802. ep6w

N. B. The Dey will be shewn every Thursday for some weeks to come at the Union Tavern in Georgetown, and at Mr. Stell's Tavern, on Capitol Hill in Washington.

FOR SALE,

An excellent Blacksmith, together with his wife and three likely children, to wit, two boys, 10 and 8 years of age, and a girl four. The woman has been employed altogether in washing and ironing. An examination of the blacksmith's work will be his best recommendation. To save unnecessary applications the price of the family is 1,400 dollars.

V. PEYTON.

Stafford, March 8, 1802. 1awtf

By order of the Orphan's Court in and for the county of Washington, district of Columbia.

Notice is hereby given.

THAT all persons having claims against Gustavus Scott, late of said county deceased are hereby warned and required to exhibit the same, with the vouchers thereof, to the subscriber at or before the first day of June next they may otherwise by law, be excluded from all benefit of the said estate.

ELIAS B. CALDWELL, Adm'r

Georgetown, March 29, 1802 1aw2m

For Sale,

Or to To Let, on Ground Rent for ever,

FIFTY LOTS

SITUATE between the President's House and Capitol.—The titles to which is indisputable.

ISAAC POLOCK.

Dec 16. eptf