FOR THE NATIONAL INTELLIGENCER.

To the HOUSE *of* REPRESENTATIVES *of the* UNITED STATES *of* AMERICA:

THE great charter of American union, peace and liberty, under which you sit, is the happy constitution of the United States. It is not for your consciences to satisfy themselves, that you will never counteract its explicit injunctions, or intentionally contravene its genuine spirit. It is not impossible that you may soon be required to fulfil one of its most important commands. With a known predilection in the American people, it is probable, that two of the persons intended to divide the enfuing chief magistracy (as incumbent and expectant) may appear to have received equal votes. In such an event you will proceed, under the second article, to make the choice of one of them. It is upon this point that I have taken the liberty respectfully to address you.

Permit me to remark, that the injunction to chuſe is explicit, poſitive, unqualified and abſolute. It is a mandatory ſentence. It is ſaid that *you ſhall immediately* chuſe: it is ſaid that you ſhall chuſe *out of the two* higheſt and equal candidates: it is ſaid peremptorily, that you *ſhall* chuſe. It is plain that you can not omit or evade to chuſe, and that in performing this reſponſible duty, you are upon your ſolemn oaths. As you are directed to chuſe out of the two, you muſt, in conſcience or in duty, take any ſtep *with a ſecret deſign to defeat the election of both.* Two perſons are put upon the ſtream, one of whom you muſt diſcharge and ordered to chuſe. All other perſons are excluded from the return. Such excluded perſons are not conſtitutionally in your contemplation; they are not conſtitutionally in your contemplation. You may not give action to an opinion in favor of other perſons, or againſt the two higheſt candidates, by taking ſtrong ſteps to ſhut the preſidency in the hands of the Speaker, or of the temporary Preſident of the Senate, or of a perſon to be choſen by the legiſlatures, or by new kind of elections. Any with to that end is a with to defeat the election of Mr. Jefferſon or Mr. Burr. You are to aim at the election of one of thoſe in all your actions upon this occaſion, as you correctly appreciate the obligations of your oaths and of your duties. Hence it is, that the conſtitution has made no *proviſion for filling the office of Preſident*, in the event of a failure of an election. It prefers to hold the repreſentatives bound to chuſe immediately, one of the equal and higheſt. The only vacancies for which a proviſion by law is permitted, are, 1ſt, of removal—2dly, of death—3dly, of reſignation—4th, of incapacity, *occurring within the four years for which a Preſident and Vice-Preſident were choſen, and during part of which they have ſerved.* It is expreſſly for *thoſe cases* of vacancy, that proviſion by law can be made. It is only thoſe four ſpecified caſes, that the law of 1792 has provided. This was in an early ſtage of the conſtitution. It is a cotemporary conſtruction of the conſtitution, made widely before a vacancy occurred to bias the mind, or excite the paſſions. It received the aſſent of Mr. Adams and Mr. Burr, who were both then in the Senate—both learned in our laws. The legiſlature did not attempt to travel out of the conſtitution, nor will you deviate from the conſtitution and from the laws made in purſuance of it. In caſe of death your houſe will record his yea in favor of the idea, that Congreſs provided, or could provide, for a vacancy made by *non-election*, or by any other non-mentioned and unſpecified mode, or for any "*caſe*" (as the conſtitution clokely expreſſes itſelf) but the four caſes of "removal, death, reſignation and inability." Thoſe four caſes of Preſident of the Senate cannot lawfully ſucceed in caſe of non-election of a Preſident.

Since then you are required to elect one of the two (Mr. Jefferſon or Mr. Burr) and ſince the omiſſion to elect one will bring us into a diſorganized ſtate, for which there is no legal remedy, it will not be doubtful that you will make the election. The government of the country will become defective in its moſt important individual, the fountain of all executive, judicial, and military power and authority. You are therefore reſponſible to accompliſh the election of one of the two. The ſhip muſt not be left amidſt the innumerable rocks and ſhoals of the political ocean, without a commander.

Were it to happen, that the conſtitution were to fail in its executing, the diſſolution of the Union would renew the complete and abſolute ſovereignty of the ſixteen ſtates, or place them again under the old confederation. It is certain, that it has never been expreſſly repealed. Its operation has been ſuſpended—any repeal of it has been at moſt virtual. But if the inſtrument that only appeared to work a virtual repeal is annulled, the confederation act will renovate and become of force like other laws, under ſimilar circumſtances. Theſe may appear to be new and ſingular ideas; but being made with ſincerity and with reference to known principles of law, they ought to convince us, that the failure of a ſelection of Mr. Jefferſon or Mr. Burr will throw us into a ſituation, whoſe chances will be uncertain, and may be deeply injurious to tranquility, order and property. Every man habituated to legal inveſtigation well knows, that it is impoſſible to predict the conſequences of the moſt temperate diſcuſſion of any great new caſe. This is entirely new; for we are bound by a written conſtitution, which does not allow a concurrence even to the firſt principles on which it is founded, except in deſignated modes. Even liberty and property may not be preſerved in a manner not intended by the conſtitution. Without a wound to it, whole depths and effects in theſe jeopardous times no ſtate phyſician can certainly determine. Let us then be confirmatorily prudent, faithfully ſincere, and temperate in our enquiries.

The obligations and duties to make a election appear to be of the utmoſt ſtrength and magnitude. It may be difficult to conſider the courſe in which that ſelection ſhould proceed. Mr. Burr would certainly make an excellent Preſident, and every man who voted for his election, will be highly delighted that he has been placed in the ſituation expectant, ſhould any circumſtance prevent Mr. Jefferſon from ſtuffing the form of the Chief Magiſtrate. But it is propoſed to ſubmit the apparent reaſons for chuſing Mr. Jefferſon.

He has filled the office of Secretary of State and Vice-Preſident under this conſtitution—his progreſs to the Preſidency is therefore moſt happily and naturally grounded. In its deliberate courſe, maturing the ſtock of knowledge acquired in his ſtatuaries, his foreign miſſions, his offices of Governor, Secretary of State, Treaſurer of the finking fund, and Preſident of the Senate, he is remarkably prepared for the duties of the Chief Magiſtracy. None of our concerns can be new to him—he has had frequent occaſion to ſee and conſider them all.

The certain intention of the people whoſe authority the Preſident exerciſes, is material on the preſent occaſion. It is ſaid that this intention is not abſolutely expreſſed; but no member of the Houſe of Repreſentatives will doubt that it was intended, *even unanimouſly*, by the people, that Mr. Jefferſon ſhould be Preſident. It is equally clear that Mr. Burr would frankly make that declaration. The people voted for the electors, or for legiſlatures that choſe them, with ſuch ſame views. It may be aſked, why the electors did not drop Mr. Burr in ſome place. We believe no man will doubt that it was becauſe there was no conſtitutional application among them on the point, and they expected it would be certainly done in ſome place. But we repeat that no man will doubt, that the perſon, Jefferſon will, with an honorable candor, admit, that the people, their legiſlatures, and the electors, intended Mr. Jefferſon to be Preſident, and Mr. Burr to be Vice-Preſident. The ſpirit of the conſtitution requires the will of the people to be executed. The will of the people is not doubted by the members of the houſe.—Wherefore it is confidently believed, that they will purſue the views of the conſtitution, by carrying into execution the will of the people in relation to Mr. Jefferſon.

AN AMERICAN.

From Northumberland, Pennſylvania.

WE, the undeſigned Inhabitants of the County of Northumberland, repreſent the attention of our neighbours and fellow-citizens to the preſent addreſs. If the object of it be of ſufficient magnitude to juſtify this voluntary interference on our part, we ſhall hope to be forgiven; but, if not, we muſt abide the conſequences of our preſumption, and conſole ourſelves with reflecting, that we have ſincerely meant to promote the public proſpect by the exercize of a right to which every citizen, in a republican government, is indiſputably entitled.

In the legiſlative ſyſtem of Pennſylvania, *of what use is the SENATE?*

We do not mean to draw our conclusions from the proceedings of the preſent Senate in particular; though we cannot deny, that the obſtinate perſeverance of that body, in oppoſition to the acknowledged rights and known wiſhes of the people, has ſuggeſted this prudent inquiry. For who can help doubting the utility of a ſyſtem, wherein two members can ſucceſſfully refiſt a decided majority of the electors of the ſtate?

But, although the proceedings of the Senate, during its preſent ſitting, have called forth this public expoſition of our ſentiments, we have, for ſome time, had reaſon to doubt, whether the machine of government (to uſe the metaphor of the illuſtrious Franklin) can proceed more efficiently, for having one horſe to draw before, and two to drag behind.

Nor can we ſee the conſiſtency of having the repreſentatives to act for the public will; and another to *oppoſe* it: one to build up, and another to pull down.

Nor can we diviſe, why the leaſt numerous and leaſt perfect claſs of repreſentatives ſhould have it in their power, to controul or paralyze the operations of the reſt.

Nor why the partial repreſentatives of public opinion *four years ago*, ſhould counteract or controul the public ſentiment of the *preſent* day.

Nor why a portion of each ſenate, no more, is allowed for thoſe changes in the public mind, which more recent facts and more accurate diſcuſſion may have reaſonably produced. Nor why the ſenate, as a permanent conſtituted, will ever be liable to be warped by the political prejudices which happened to preval when they were firſt elected; and will have a conſtantly tendency to hobble coliſion with the more recent and more immediate repreſentatives of the people's voice. Such has been, and, we fear, will be the caſe; and hence are the people of Pennſylvania, *at this moment*, deprived of their due ſhare in the election of the moſt important magiſtrate in the world.

Indeed we cannot help, again, remarking the glaring abſurdity of our preſent form of government, which enables the miſtimacy of a ſingle ſenator, from whatever motives he may act, effectually to oppoſe the unanimous voice of the houſe of repreſentatives, and even of the people themſelves. Will may the friends of aſſiſtocracy, in ſpite of a ſyſtem, which furniſhes ſo powerful a check to the wiſhes of the people, and invells ſo ſmall a number of men with ſo dangerous a power?

All theſe objections were foreſeen at the adoption of the preſent conſtitution. Experience has confirmed them; and added ſome more facts in ſupport of that grand reſult of all political knowledge, the baſis of all republican government, that *power entrusted for too long a period, will certainly be abuſed.*

Nor has experience ſanctioned the argument upon which the preſent conſtitution was recommended. Of the four reaſons alſigned in the addreſs preſented by MR. *GEORGE WASHINGTON*, the principal one was that it would be eaſier for a legiſlature compoſed of a ſingle branch. But we have good reaſon to believe, that this expence, ſo much complained of, has annually employed more than the ſum ſaved by it; it has arrived at nearly three times its greateſt amount under the laſt.

We do not pretend to deny, that a ſe-cond deliberative aſſembly, and a reviſion and re-diſcuſſion by one legiſlative body of the recent acts of another, may ſometimes be of uſe. But we ſee no neceſſity to inſtitute a Senate with an *abſolute negative* upon the acts of our repreſentatives; nor can we be perſuaded, that a deliberative Senate might not be as uſeful, if choſen for one year, in for *four*: or if choſen by lot, at the commencement of each ſeſſion, out of the whole number of Repreſentatives elected. Nor can we help regarding, with an anxious and jealous eye, that ſecret property, ſo prevalent among the large claſs of our citizens, to imitate and adopt the complex forms, and anti-republican maxims, of the corrupt ſyſtem of Great Britain.

We do not dwell on the dangerous facility which ſo ſmall a body preſents to the inſidious practices of foreign influence; for we entertain no ſuſpicion of the integrity of our repreſentatives, evinced by the ſuffrages of their fellow-citizens.

We forbear alſo to ſtrengthen our opinions, by any reference to the ſenate of the Union (although ſuch reference, we ſpeak it) the hiſtory of that body, aſ-of the ſeſſions for the two laſt years in particular, would furniſh facts and arguments in our favor, impoſſible as we think, to be refuſed. Even now, the ſenatorial doctrine of *privilege* derived from the impure ſource of Britiſh Ariſtocracy, and unknown to the federal conſtitution, is a open hoſtility with the freedom of the preſs, and the trial by jury.

Under theſe impreſſions, we call upon our fellow-citizens of this country, to aſſiſt in remedying the evil we complain of; if they alſo are of opinion, with us, that it is an evil: and, at meetings in every township of the county, to ſign and tranſmit to the Legiſlature of the ſtate, ſome ſuch petition as the following: which we reſpectfully ſubmit to their conſideration.

Northumberland—John Bull, Daniel Montgomery, Thomas Cooper, Joſeph Montgomery, John William Burham, William R. Cozens, Cornilliuſ Dering, Robert Irwin, John Mackey, James Mackey.

Sunbury—Samuel Roberts, Jeſſe Moore, Jacob M'Kinney, Benjamin Simpſon, John Simpſon, Henry Vanderlice, James Cummings, Solomon Markley, Jacob Haller, Theodore Kiehl, Joſeph Alder, Andrew Grove, Jacob Beyſogel.

Danville—William Montgomery, William Montgomery, jun. Daniel Montgomery, jun.

Muncy-Creek—Thomas Strawbridge, Samuel Bond.

Selin's Grove—Ch. Drum, George Kreiter, John Eiſer.

Sunbury—Daniel Vincent, Bethuel Vincent, James Dougal, John Cohran, Jared Irwin.

Derrtown—Henry Spyker, John Metzgar, Chriſtopher Kempler, John Webb, James Dancle, Andrew Albright.

Buffalos and Whitedeer—Samuel Dale, William Chamberlain, John Kelly.

Sir, I have the honor

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

The petition of the undeſigned, inhabitants of the county of Northumberland reſpectfully ſheweth:

That your petitioners impreſſed with the conſequences of ſuch miſunderſtandings as they have lately witneſſed between the Senate and Houſe of Repreſentatives, begs leave to call the attention of the Legiſlature to the cauſes of them.

Among theſe cauſes, your petitioners cannot but reckon *the length of time* for which the Senators are choſen. Nor do they think the people of Middle ſtate have the ſame annual opportunity of removing a Senator, in the caſe of members of the other branch of the legiſlature.

Your petitioners are of opinion, that daily experience hath proved that the agents of the people ſhould be dependant upon the people; and the elections, for a long period, induce the repreſentatives to feel themſelves more independent of their conſtituents, than is conſiſtent with the Public good.

Your petitioners therefore requeſt, that the ſenate and houſe of repreſentatives would take the premiſes into conſideration; and adopt ſuch conſtitutional meaſures, as ſhall tend to the improvement of, or the wiſdom of the legiſlature ſhall be pleaſed to point out.

And your Petitioners will ever pray, &c.

Your petitioners—We will endeavor to paſs for a free man—He has a mother, a black woman, ſtaes to Mr. Frederic Conrad, living in the Federal city—he is conſidered by all who know him. The above reward will be paid on his being brought home, or ten Dollars if procured in any jail and information given to

A. LINDO.

December, 22. 1w3t

To RENT.

A Commodious Two Story brick dwelling houſe on Penſylvania Avenue he is well inclined and hath every neceſſary out houſe, and is very convenient for a ſmall family—is eaſy to be rented immediately, the terms made known and the premiſes ſhewn by applying to

BENJAMIN MORE.

Wabington, New Yerſey Avenue,
December 17, 1800. 3t

FOR SALE.

THE Subſcriber will ſell at private ſale, two Three ſtory Brick Houſes, adjoining each other, 30 feet front each, by forty feet deep, on Capitol Hill, Lot No. 6. Sq. 656—A fine commodious brick 62 feet front, by 196 feet deep, running back to an alley 30 feet wide, and may be occupied as one or two tenements, they are finiſhed in a plain, but ſubſtantial manner, and built of the beſt materials—a credit of three, ſix, and nine months, on giving approved notes, negotiable at the bank of Columbia, or Baltimore—apply to Daniel Carrol, or in Baltimore to

HENRY H. CARR' LL.

Wabington, Jan. 5, 1801.

20 Dollars Reward.

RAN away from the ſubſcriber, living in Frederick county, Maryland, a Mulatto boy named Tom, about twenty years of age, of a dusky make, about five feet nine inches high, he has a ſcar on his forehead, and a ſmall ſcar on his face for a free man—He has a mother, a black woman, ſtaes to Mr. Frederic Conrad, living in the Federal city—he is conſidered by all who know him. The above reward will be paid on his being brought home, or ten Dollars if procured in any jail and information given to

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