voidable accidents, of real and not fictitious misfortunes. The answer is plain and concise. In that country of which Bankrupt Laws are hell undoubtedly and have undergone revision after revision, they have disappointed and practice the fanguine expectations of their greatest admirers. Every expedient has been tried to prevent the practice of fraudulent Bankrupt, if I may be pardoned the expression as the phrase, but the Statutes are, with blood, and it is mistake not those of France and Prussia, and yet fraud is there practised, yet frauds are practised successfully.

Can gentlemen imagine we shall succeed better in this country—can indeed will be their calculations. The whole experience we had gives us nothing to hope but much to fear. It is a maxim of the common law, and which has been adopted by the respective states, that no man can be made to accuse himself. Yet this law compels examination of the bankrupt on oath as to the assets of property, and whatever relate to his mercantile transactions.

If, sir, the bankrupt has committed fraud in a forced to confess it and submit to the punishment of the law, or perjury and escape, if possible, by the minority the commission of perjury. To what a dilemma may the innocent but unfortunate bankrupt be exposed.—Misfortunes unnerve the mind, his recollection fails him, his faculties are dulled and diffused, and in an unwatchedness that has in the last, in fact, a situation he is put to a point, the gentlemen of his advisers are constructive, and no wonder they should be for; for in the power of fabricating a fact is, in one of difficulty and danger to be self criminal, compelled, and forced to commit of fraud are criminal, and fraud a further examination into his affairs, of fraudulent by the land and fraudulent and improperly, nor given an active history of all his transactions, is to forward guilty and fraudulent and circumstances are against him, his innocence avails him nothing, nor he is doomed to feel the vengeance of the law. Injuries and insults are added to misfortune—and will you the gentleman from Delaware (Mr. Bayard) the champion of the common law, to tell us how he can reconcile to himself, and his future from the mild and humane principles of his favorite system. How he can justify to conscientious to this House, make the wife a witness against her husband.

This law, Sir, outrages every feeling of humanity, and tramples down every principle and maxim of humanity, which time and reason have approved and confirmed. This law violates and violates the sanctuary of the and friendship, and tears the dilcomfolate wife from the bosom of her husband to bear testimony against him—her feelings, affections and duties relatively to the first and to her husband, are in the thick and mercy of a law that would dilgrace an impulsive. If he husband guaded by the dings of adversity from private from moral principles, to want a fraudulent do you reduce the unfortunate to the misfortune? If the tertitio to the fach, he husband is condemned to six years imprisonment confined to the damp, fetid and unwholesome cell of a jail, but up from the world, and perhaps from friends, treble at the alternative, I tremble in behalfing he is a crime that would humble and dismay the boldest among us.

Shall I go on? The recording angel as he wrote it down drop a tear upon the blotted it out forever. I will conclude with remarking that I am not only in favor of a repeal for the reasons already alleged, but other reasons, which for want of time I shall leave to others to urge. Because the unfortunate laws of the states are better calculated to attain the end proposed by this law, and especially they are equal in their operation; 2d, Because the law, in my opinion, is in particular anti-republican—Congress being made between citizen and citizen in the dispensation of justice; 3d, Because I believe it to be policy not to carry all our constitutional powers into operation, and because I entertain an opinion that were made vitiuous patriots, and enlightened Statesmen who framed the constitution to put it out this day in review, their practical knowledge of the innate vitiuosities of Bankrupt Laws would cause them to strike from the Bill of congressional powers, that which consists the minority of the report Laws; 4th, Because we have all along proposed without such Laws.

Hence, sir, my remarks at I have unexpectedly been forced from the couple which subjects of importance which taken, have been definitively. Should the house is now fully convinced of the necessity of refarding HIM into a consideration of the whole on the report of the select committee. I therefore hope the postponement will not be agreed to.

Mr. Dana said he had but few arguments to advance to the subject had already been discussed with learning and ability. He acknowledged that in the course of the debate, he had been influenced by information of which he was not previously aware. Most of the objections urged against the Bankrupt System affected more the principle on which it was founded than its details. A distinction has been drawn between the authority under which this law is pointed, and that of other laws in relation to perfons insolvent. Taking the distinction, laid down by the gentleman from Virginia as correct, and it follows that the constitution has decided the foundation of the principle of the Bankrupt law, by not giving us the power of creating an uniform system except where subjects are in confinement under laws of the United States. The confinement, thinks he, having decided this point, has perfected the necessity of all difficulties of a bank. As to the particular objections, made to the law, amendments may remove them. If the debtor judge fraudulent and wilfully evade and abscond, cate he fies it, the proceedings of the commissioners, that is, refers the attempt, right of detaining on the whole business, many of the failing objections will be removed. He will not, if amended, believing the general principle, on which it was founded, found.

Mr. Bayard said, if the gentleman, nor would the House have sufficient patience to enable him to comply. Hitherto the sense of the gentlemen from Mallachusetts (Mr. Hastings.) But I will, however, (said a cali frame,) gentleman from Virginia (Mr. Newton) to answer which will not require detailed, and fairness to the gentleman by of a reply. That honorable gentlemen, can have no doubt, as to the law, and of the common law, to reconcile what to him appear as inconsistences with that system of jurisprudence. Gentlemen, I ought, said Mr. Bayard, to return thanks to that gentleman for calling my attention to the common law, which I believe any thing, I believe that that law is the source of all the rights and liberties of my country. I believe that it is owing to that law, that we now enjoy, and that formerly to England, France, and other nations. Give me, sir, to say there is not a state in the union, that has not adopted, and that it does not form a part of the code of laws, adopted by the national and civil jurisprudence is admonished.

The honorable gentleman has told us that the common law in the country not be examined in cases where her husband is concerned; and he contends, that the Bankrupt law is not, and that predicate is authorized. It is true that, by the common law, a wife cannot be examined either to condemn or acquit her husband. But if the gentleman will look further, he would have found nothing anomalous in the provisions of the common law and those of the Bankrupt law. He would have found that the letter does not allow a husband to be examined, but that the wife may be examined, and the other note. The common law does not allow a man to be examined against his wife, but the Bankrupt Act does, and also allows a wife to be examined. In fullness, therefore, that the individuality of man and wife is not affected.

I humbled that gentlemen should oppose this law on principles to opposition and contradictory, that they differ among themselves. Some gentlemen complain of its rigor, while others condemn it for its laxity. A few such instances, sir, I will, if the gentleman to be pleased I believe a proper medium between these extremes, and that. With regard to the objection urged against the severity with which the law punishes fraud, and which has in fact, induced the hesitation of the gentleman from Virginia (Mr. Wickham) is incorrect. On this subject the gentleman is mistaken. He has told us that a perturbated merchant, if guilty of a mere mistake, is liable to lose his life, or be imprisoned for two years. But he is radically mistaken. In the case of a mere mistake, there is no punishment inflicted without intentional fraud. It is not to be, now, indeed, I am confident, no wise effect. Yet we are told that an unfortunate merchant who unintentionally attempts to defraud his creditors may have the misfortune to be punished. Gentlemen might with fairly that owing to the unusual capacity of the humbled might whole into a bank and delegate to a tenant of his property, or owing to the fact, unfortunate man who ravilled his neighbor, sir, the gentleman, he ought not to be punished How is the fact under this law? Deliberate fraud, and that only, is punished.

The gentleman from Virginia says this law is anti-republican in its nature and tendency. I, for one, am ready to repeat it as himself; as I believe I am as much attached to republicanism as he is. But how is it anti-republican? Because, it is said, it operates more upon one class of citizens than upon another. If this circumstance make it anti-republican, there is not a law in existence that is not republican. There is no one law, which we have passed, or can pass, which will not more operate more upon one class than another. What was the operation of the tax upon stills, upon the distillers of other articles? Yet among all the objections to stills laws I never heard this raised as an objection. If any man consider it anti-republican and unequal, he has only to state of citizens than upon another. If this circumstance make it anti-republican, there is not a law in existence that is not republican. There is no one law, which we have passed, or can pass, which will not more operate more upon one class than another. What was the operation of the tax upon stills, upon the distillers of other articles? Yet among all the objections to stills laws I never heard this raised as an objection. If any man consider it anti-republican and unequal, he has only to make himself a traitor, and it at once becomes to him republican and equal. But so far was this objection from striking in my mind as publicly, that I was about to urge the opposite argument, and to recommend the law to the approbation of one side of the House on the principle of its being republican in its nature and operation, and which I sincerely think ought to recommend it to both sides. It is republican, because it is equal in its effects; it divides the property of the debtor equally among his creditors—and republicanism is founded upon equality. It is not very republican, but moreover it is equitable.

I have detained the House further than I intended.—Gentlemen who have spoken having gone very wide from the question of the bill. As to the particular objections, made to the law, amendments may remove them. If the debtor judge fraudulent and wilfully evade and abscond, cate he fies it, the proceedings of the commissioners, that is, refers the attempt, right of detaining on the whole business, many of the failing objections will be removed. He will not, if amended, believing the general principle, on which it was founded, found.

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A detailed view of the proceedings of the House of Representatives, on Thursday, March 3, 1803.

The committee of the whole House to which was referred the bill, entitled, "An act, Hugh M'Clellan, John Taber and Daniel Tyler, were discharged from the consideration of the bill, and the petitioners had leave to withdraw their petitions.

Mr. Southard, from the committee on the Judiciary, reported a bill, entitled an act to revive and continue in force in addition to an act, entitled an act in addition to an act regulating the grants of land appropriated for military services, and for other purposes, which was read twice and committed.

Ordered, that the committee of the whole House be discharged from the consideration of Jesse Wilson's petition, and that the indivisibility of man and wife is not affected.

The bill from the Senate "directing a discontinuance of the suits of Levi Hutchinson and for erecting certain arsenals," went through its several readings and was committed.

On motion of Mr. Varnum, the House unanimously came to the following resolution.

Resolved, that the thanks of this House be presented to Mr. Jefferson, Mr. MACON, the speaker, in testimony of their appreciation of his conduct in discharging the arduous duties of the chair, in a manner, while in the chair.

Whereupon, the Speaker said he acknowledgements to the House as follows:

"Gentlemen,

"Accept my sincere thanks for the vote which you have been pleased to pass, expressive of your approbation of my conduct in the chair; they are alike due to each of you, for the liberal support which I have uniformly received.

"Permit me to with you a safe return home, and happy meeting with your friends."

Mr. S. Smith, from the committee of commerce and navigation, reported a report recommending the postponement of the bill, entitled, "An act, for the relief of the merchants of Baltimore, and other, of the United States." Ordered that the committee of the whole House to whom were committed the bill from the Senate, to carry into effect, federal relations of Congress, for crediting monuments to the memories of General Nathanael Greene, Francis Marion and Scriven, and funding amendments thereto be discharged therefrom, and that the bill be recommitted, and further postponed until the 18 Monday in November next.

Leave was given to William Wilson, John Potts, and David Fassitt, to withdraw their petitions.

Mr. Southard, from the committee appointed "to digest some plan by which it can be ascertained what quantity of surveyed or patented land belonging to the officers and soldiers of Virginia, on state and continental establishments, was ceded to the Cherokee Indians, by the treaty of Hoiston," made a report, which was ordered to lie on the table.

The house went into a committee of the whole on the bill further to alter and discontinue certain post roads; the committee rose, and the house refused them leave to sit again.

Mr. Nicholas, from the committee appointed yesterday, reported, that, in obedience to the order of the house, the committee had been to the senate, and in the name of the house of representatives, and of all the people of the United States, had impeached John Pickering, Judge of the District Court of the District of New-Hampshire, of high crimes and misdemeanors, and had requested the senate, that the house of representatives would, in support of their particular articles against him, and make good the fafter.

And further that the committee had demanded that the senate take order for the appearance of the said John Pickering, to answer to the said impeachment.

On motion of Mr. S. Smith, Resolved, that the secretary of the treasury be, and he is hereby directed to lay before this house, early in the ensuing session of congress, a digest of the laws to regulate the collection of duties on imports and tonnage, with such alterations as may be deemed necessary thereto; and a digest of the laws for securing and regulating of ships and vessels of the United States, with such amendments thereto, as he may deem necessary and proper.

Resolved, that the clerk of this house be authorized to engage a confidential clerk in his office, until the first day of the next session of Congress, at the time rate of compensation allowed to the engrossing clerks, and to be paid out of the contingent fund of the house.

A message from the Senate informed the house, that they had disagreed to the bill for crediting certain revolutionary militia of the United States, entering the service of the United States, and of the time payable by ships or vessels of such nations entering their sea ports.

Thomas Campbell obtained leave to withdraw his petition.

Mr. Bayard offered the following resolution:

Resolved, that enquiry ought to be made relative to the authority of the commissioners of the Sinking Fund, to make sale of the shares of the bank of the United States belonging to the United States; and also, to the expediency of the said sale, and the profit or loss resulting therefrom to the United States.

On which a debate arose, which continued until an adjournment, when the bill, fix o'clock in the afternoon.

THURSDAY *afternoon*, March 3, 1803.

Mr. Randolph from the committee of ways and means, yesterday directed to enquire into the expediency of repealing the Sinking Fund laws, agreeably to the directions of the act, reported a bill making provision for the redemption of the whole of the debt of the United States; applied the fund to the redemption three hundred thousand dollars, provided by the same, to the payment of the principal and interest of the public debt; and to enquire, generally, into the accounts and proceedings of the commissioners of the Sinking Fund—made a report thereon, which was read.

Whereupon, ordered that 2,000 copies of the report and the documents, be printed and that the bill be recommitted, that they be transmitted to the members, under Fund, by the secretary of the treasury.

[This report principally consists of the elucidating letter of the secretary of the treasury, and of explanatory documents.]

The House refused the consideration of Mr. Bayard's motion; when after debate the question was taken on it by yeas and nays, and carried in the negative—Yeas 23—Nays 40.

Mr. S. Smith then moved the following resolution:

Resolved, that the commissioners of the Sinking Fund were authorized by law, to make sale of the stock of the bank of the United States; and the sales made by them, are legally to their resolution of the 7th day of June last, were executed, and the result highly beneficial to the United States.

Mr. T. Morris moved a postponement of this resolution until the 1st Monday in November.

This motion was supported by Messrs. T. Morris, Bayard, Hoger, and Mott, and opposed by Messrs. S. Smith, Nicholas, Varnum and Bacon.

When the question was taken by Yeas and Nays, and the postponement lost—Yeas 30—Nays 46.

Mr. Bayard moved to refer the resolution to a select committee.

Loft without a division.

Mr. Hoger moves to amend the resolution, by striking out the words "And the house approve the thanks of this country."

Mr. Hoger defined the calling the Yeas and Nays on this amendment; but only 7 members rising, they were not taken.

The question was then taken on the amendment, which was lost—only 4 members rising in the affirmative.

The following amendment then obtained, viz. "And that the said work "law," next after the words "were authorized by," and inlert in lieu thereof "the House and the Senate" the resolution for the payment of certain acts of the United States, passed the 31d day of May, 1794.

Messrs. Gridwell and Hoger then moved to amend again the main resolution; when Mr. Bayard moved to amend it by striking out the words, "and "is hereby" and inserting "and ought to be "Stated."

Messrs. Bayard and Gridwell supported, and Mr. Randolph opposed this amendment, which was lost—Yeas 13—Nays 46.

After a short deliberatory conversation a final question was taken on General resolution, as amended, and it was lost—

Resolved that the commissioners of the Sinking Fund were authorized by the "Act making provision for the payment of certain debts of the United States" passed the 31d day of May 1796, to make sale of the stock of the Bank of the United States;—and the sales made by them are legally to their resolution of the 7th day of June last, were executed, and the result highly beneficial to the United States.

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When the question was taken by Yeas and Nays, and the postponement lost—Yeas 30—Nays 46.

FOR SALE,

A Blackfmith, who has a prime workman, and his WIFE, an excellent Washerand Ironer. Enquire of the Printer.

Feb. 22.