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Philadelphia, March 22.

On Saturday the 5th of March, the Members of the American Philosophical Society held at Philadelphia, for the promoting useful knowledge, in token of respect for their venerable associate Dr. *Joseph Priestly*, invited him to an elegant entertainment at Francis' Hotel.

The meeting was full attended by members of various religious and political descriptions, animated by a common desire of joining in this tribute to distinguished merit

The following toasts were given.

The Arts and Sciences—May their progress keep pace with Time.

The early Cultivators of useful knowledge and the Founders of public seminaries of learning in America.

The scientific and literary Institutions of the Old world.

The Societies in the New world, established for the promotion of useful knowledge.

Liberal Education—the great duty of the Parent and the State, its great reward National Prosperity.

The memory of Benjamin Franklin, our first President; he realised the boldest fable of Antiquity. Eripuit Cœlo Fulmen.

The memory of David Rittenhouse, our second President; original Genius, unassuming Science, simplicity of manners.

Thomas Jefferson, our president—Philosopher and Statesman.

The memory of our late illustrious associate George Washington, who has errected his monument in the hearts of his countrymen.

The memory of William Penn—the great patron of universal philanthropy.

The American Youth—May they form themselves upon the models of the Great and the Good.

The Aborigines of America—May agriculture and the arts be adopted by, and flourish amongst them.

The Museum of Philadelphia—May it continue to increase the stores, and excite the study of Natural History.

After Dr. Priestly had retired.

Dr. Joseph Priestly, the founder of Pneumatic Chemistry. Long may he enjoy his well earned reputation, as the favorite of Science and the friend of Man.

At a meeting of a number of the democratic republican citizens of New-Market ward, convened by public notice at the house of Daniel M'Karraher, on Monday evening last, the following resolution was agreed to:

That every person of whatever description or standing in society, who endeavors to misrepresent the opinions of the democratic republican citizens of this commonwealth with respect to men in office, or their behavior in their official characters, is deserving of the most pointed censure and no longer worthy of their confidence.

Signed by order of the meeting.

SAMUEL ELLIOTT, Chairman.
SAMUEL JONES, Secretary.

Lancaster, March 21.

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

Gentlemen,

I have perused and considered the bill entitled "An act to authorise any person or persons owning lands adjoining navigable streams of water, declared public highways, to erect dams upon such streams for mills and other water-works," and although I agree, if it shall be enacted into a law, that it would, with one exception, be beneficial and save a great deal of time and expence, heretofore bestowed on such subjects; yet that single exception withholds my approbation of it. I have directed the secretary to return it to the Senate in which it originated, with my objection, as follows;

By the 3d section of this bill, a justice of the peace has cognizance of damages to the amount of fifty dollars, without the intervention of a jury, which I think confers too great a power on gentlemen of that character in general, and also contravenes an *unalterable* provision in our constitution "that trial by jury shall be as heretofore," &c. This constitution was established on the 2d day of September, 1790; at which time a justice of the peace had no jurisdiction beyond ten pounds or 26 dollars and 67 cents; and in a variety of specified actions he was excluded from interfering. My opinion is that this constitutional provision extends as well to civil as criminal suits, and that the principle, which deprives the citizens of a trial by jury in actions for torts and wrongs, where the damages do not exceed fifty dollars, will extend to the like actions for fifty thousand, or any larger amount. My reasoning on this important subject will be found in a message to both houses on the 9th December last, to which I beg leave to refer.

THOS. M'KEAN.

Lancaster, March 21st, 1803.

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

Gentlemen,

I have perused and considered the bill entitled "An act for the adjustment of disputes, and the recovery of debts within this commonwealth." After serious deliberation I have directed the secretary to return the same to the Senate in which it originated, with the following objections, as I do not approve it.

1st. Ancient establishments and venerable institutions, which have been cherished for ages by the learned and the wise, and which have produced in Pennsylvania an unexampled state of political prosperity, and an excellent security for persons, property and reputation, ought not to be departed from, or exchanged for crude theories, fanciful alterations, new projects and pleasing visions—Extraordinary experiments suit only desperate cases.

2d. This new plan of judicial polity would give such an ascendancy to the rich over the poor, to the powerful over the weak, to the learned over the ignorant, and have a tendency to encourage litigation to such a degree that the mind startles at it, even in contemplation—The power given to justices of the peace and arbitrators by this bill is so extensive, that, even in the hands of men of the first genius, education, honor and independence, it would be highly formidable; and the increase of business will become so burthensome that such men (if such could be found in every township and corner of the state) will be discouraged from the undertaking. In some cases fifty or an hundred witnesses may necessarily be examined, to ascertain the credibility of witnesses, and the truth of the fact; the rules of property, the injury suffered from infamous libels and slanders must be explored and explained, proved, and fully understood, and perhaps a week employed, previous to a righteous decision: This would engross too much of their time from the necessary concerns of their families, the improvement of their understandings and their engagements in other public and private pursuits. The consequence must be, that this duty will fall into the hands of men deficient in learning and knowledge, who will not devote the time and pains necessary to a legal and just judgment; and who will too frequently prostitute their trust to self interest, influence, favor, ambition, avarice or personal resentment.

3d. Innovation, especially in the administration of justices, are dangerous. It it always safer to borrow from former establishments, than to introduce plans entirely new; to travel on a beaten road than one before untrodden. Besides, experiments should be allowed only reasonable time for trial; they may operate very differently from expectation and prove highly prejudical, and therefore ought to be limited in their duration; But this bill is perpetual.

We ought not to be sent backwards on our steps in contradiction to the order of nature, nor should we imitate the practices of rude inceptive governments, subsisting in rude and unlettered times, but rather endeavour to improve by the experience of the enlightened ages that have succeded.

4th. Though unwilling to comment upon particular parts of the bill, yet I cannot pass unnoticed a provision in the 3d. section "that no pleadings of counsel *hired* for the purpose shall be admitted before the arbitrators in any cause submitted to their decision," as it alone would restrain my approbation. One of the parties in the suit may be a counsellor at Law, and a learned, ingenious, artful and eloquent man, the other illiterate, simple and weak of understanding; one of the parties may be a foreigner, unskilled in our language and laws; he may stammer, be deaf or dum. To deny the aid of counsel in such or similar cases, unless obtained without compensation appears to me unreasonable and unjust in the extreme—Nay it would not appear more extraordinary to deprive a man of the right to employ an agent in any of his personal concerns; as well might the sick be denied the aid of a physician or any man the assistance of another for pay or reward.

If every suitor must appear personally before the arbitrators, he may be obliged to travel from one end of the state to the other, and in some instances enjoined to perform impossibilities. This has certainly been an oversight, and passed inadvertently. The consequences attending a strict adherence to this injunction, would render it as eligible to determine controversies by a throw of the die, or any other game of chance.

5th. Every objection that has been made to a bill of a similar nature, in a message of the 9th day of December last, applies in general to this with more than double force, as this bill if enacted into a law would be more than doubly oppressive and injurious.

THOMAS M'KEAN.

Lancaster, March 21, 1803.

Congress of the United States.

HOUSE of REPRESENTATIVES,

THURSDAY, March 3, 1803.

DEBATE on Mr. BAYARD's Resolution respecting the sale of the BANK STOCK—CONTINUED.

MR. RANDOLPH expressed his surprise that such a motion should be made at such a time. The sale of the bank shares owned by the United States had for many months previous to the meeting of Congress been the theme of much public as well as private discussion—and now, as if it were an event of yesterday, on the very last day of their political existence, a resolution was offered, demanding an inquiry into the legality and expediency of the measure, and, that nothing might be wanting to complete the singularity of the business, this motion is brought forward by a gentleman who quotes the law under which the transaction took place, and who confesses himself satisfied as to the most material point of the proposed inquiry—the legality of the sale. [Mr. Bayard said, he had not confessed that the law authorised the sale.] Mr. R. continued. The gentleman will very soon perceive that his expressions have not been mistaken, nor his meaning misunderstood. He did not indeed, in so many words, affirm the sale to have been authorized by law, since his object was to prove its illegality. But he declared, he will recollect it—for the words were taken down,—that the commissioners would have been authorised to sell those shares in a case of extreme necessity.—(Mr. B. bowed, we suppose, in assent,) and what is this, said Mr. R. but to acknowledge that a discretionary power on the subject was vested by law in the commissioners of the sinking fund? Who were to judge of the necessity of which the gentleman speaks but the commissioners? And what necessity would give them the power if not transferred to them by law? Could the necessity create a law? And are the commissioners to do any act not authorised by law under the plea of a necessity, of which they are to judge? Certainly not. The gentleman, therefore, by conceding that this sale would have been legal in a case of necessity, has abandoned altogether the question of its legality, the main branch of his inquiry.—Mr. R. said, that the interruption of the mover of the resolution had compelled him to anticipate some of the observations which he had to offer.

It is not a little curious that the gentleman, in imitation of his friend from Connecticut, should preface his motion, by a long speech, tending to criminate the conduct into which he wished to enquire, because, as he had stated, he could not have been permitted by the rules of the house to make any observations on his motion, if it had been submitted in the first instance, until the house should have agreed to take it into consideration. How the question of order was affected by this ingenious device, Mr. R. said, he would leave the house to determine. He had called neither of the gentlemen to order, because he was aware of the imputation which might be thrown out, (he would not say that the opportunity for making it had been courted) that the house shrunk from investigation.

Mr. R. said, that the objection to the sale of the bank shares divided itself into two questions—the legality and the expediency of the measure. By the act of the 31st May, 1796, which had been quoted, the commissioners of the sinking fund were empowered to borrow a sum not exceeding 5,000,000 of dollars—to be applied to the discharge of the debt, due to the several banks before, or during the year 1796. It moreover declared, that it should be a good execution of the power to borrow, either to create a six per cent. stock, irredeemable until the close of the year 1819, or to sell the bank shares, the property of the United States: provided that not more than one half of the stock to be created, should be sold below par, a provision which barely secured something more than 50 per cent. for the stock; since by selling a certain amount at par, the commissioners of the sinking fund might dispose of an equal amount to the same purchaser at ninety nine per cent. below it. The stock created by virtue of this law, and known in all our financial statements, by the name of the 1796 six per cent. stock, because issued in that year, was accordingly sold to the bank itself, the creditor, at a loss of 20 per cent. The United States, in fact, renewing their obligation to the bank with that additional incumbrance. Unwilling, however, to persist in so ruinous a measure, the commissioners of the sinking fund issued only 80,000 dollars of that stock, and resorted to the other alternative, the bank shares, 2780 of which they sold to meet the more pressing demands of the banks, leaving still undischarged a considerable debt to them. Mr. R. said, that the act in question contained no limitation clause as to the time of its duration, and that it had never been repealed. It was likewise worthy of remark, that it was entirely silent as to the necessity of which so much had been said. The meaning of the law, like that of all others, must therefore be inferred from its own provisions, and not from the impressions of individual members who were present on its passage. Under these circumstances the law must remain in full force until carried into complete execution. Its only limitations were the amount which the commissioners were authorized to raise, and the objects to which the money, thus raised, were to be applied. It was not alleged that the proceeds of the last sale of bank stock did, together with the sale made in 1796, and the 80,000 dollars six per cent. stock then created, exceed the sum which the commissioners were authorised to raise by the act of 31st May, 1796. In fact they fell far short of it, and as to the object to which they had been applied, let gentlemen consult the annual report of the secretary of the treasury, which was laid before the house early in the session. Mr. R. then read an extract from that report.

"Of the 5,000 shares stock of the "bank of the United States, 2780 had "been sold in 1796, by virtue of the "act, intituled "an act making provision for the payment of certain debts "of the United States, and for the purpose of discharging a part of the debt "due to the bank." The remaining "2220 shares were now, under the same "authority, sold at 45 per cent. advance. The 1,287,600 dollars which "they produced were, in conformity "with the provisions of that act, applied towards discharging an equal amount of that part of the *debt due* to "the *bank before, or during,* the *year* "1796, and the purchaser of the stock "sold at the same time to the treasury "an equal amount in bills on Holland." The sum to which they were limited by the law in question, not having been exceeded, and the money having been applied to the very purpose specified in the act, what doubt could exist of the legality of the transaction? And if any doubt did exist, the law being designated by the commissioners themselves under which they had acted, were not the house competent to decide whether the construction given to it was, or was not, correct? It was no matter of fact, which a select committee alone could investigate, but the true intent and meaning of a short act of Congress, which was to be determined. It is conceded that in a case of extreme necessity, the sale would have been authorised by law, because the first sale was made under those circumstances. At that time, we are told, the treasury was empty, our credit 20 per cent. below par, and the bank urgent and clamorous for a debt which we had no other means to pay. But now, so far from being pressing for their money, the bank would be glad to let it remain in our hands—our credit was high—and the treasury overflowing. Mr. R. thanked the gentleman for the high encomium which he had passed upon the present order of men and things, and for the picture which he had drawn of our prosperity when contrasted with our necessitous condition in 1796. This eulogium was perhaps undesigned, but it was not, therefore, the less valuable, or sincere. To have legalized this procedure of the commissioners of the Sinking Fund, and to have obtained the support of the gentleman from Delaware, it was only necessary to have beggared the exchequer, and to have impaired the public credit. Then indeed we should have found favor in his sight, and the sale of this stock, at whatever loss, would have been altogether legal and expedient. But to have millions in the treasury is what the gentleman cannot brook, and to sell 2220 bank shares for (within less than an hundred thousand dollars) as much as was obtained for 2780 in 1796, is the offence which has excited his animadversion. And if the commissioners of the sinking fund were to purchase the 1796 six per cents, administration might be reproached with having raised the credit of that stock to 100 cents in the dollar, which had been issued at 80.

In respect to the expediency of the measure, Mr. R. said that this must be decided not by the mere price at which the stock was sold, but by both the contracts with Mr. Baring, taken together; and if, which he believed to be the case, as much was gained on the contract for bills as was lost on the sale of the stock, supposing a loss to have been sustained; the sale could not be condemned on the ground of expediency. The house would recollect that a gentleman from Maryland, of undoubted commercial information, had, on a late occasion, informed them, that but for this negociation, the merchants would have been able to dictate to the treasury their own terms of exchange. Would the house put such information as this, and the extensive and accurate knowledge which the official character of the secretary of the treasury enabled him to obtain, in competition with the anonymous allegations which had been produced, coming perhaps from mere stock jobbers? for the gentleman from Delaware did not inform the house of the quarter from whence his information was derived. Mr. R. said that his habits did not lead him to an accurate and detailed knowledge of the course of exchange between the United States and Europe, and the different states of Europe with each other. But he believed it would be difficult to establish the fact that the exchange had been in our favor with England, or generally in favor of London with Amsterdam: The treasury had been accused of not taking a sufficiently extensive range and purchasing bills in Salem and Boston, where the exchange was more favorable. He had it from the head of that department in conversation with him, that an attempt to purchase a few hundred thousand guilders in Salem or Boston, he did not recollect which, gave an immediate spring to the price of exchange there, and on enquiry, he found that remittance to the desired amount could not be obtained on better terms in those towns, than in the other commercial cities of the United States.

It had been remarked, that the dividends on the bank stock sold, had been given in to the purchaser—but was not the money immediately paid in discharge of the bank debt?—and moreover, was not the stock retained until information should be received of the payment of the bills drawn on Holland?

Mr. R. observed, that in this transaction the house would not consider the rate of exchange merely, favorable as the contract was, but the secure footing on which the business was put. Heretofore we had had bills returned upon our hands, but in this transaction a valuable consideration was retained in our hands until we should be assured that they were paid.

Mr. R. concluded by congratulating the house on the variance between the charges brought against the present and the former administration. Formerly the ground of complaint was, that the public treasure was wasted and debts to a large amount incurred. Now the theme of animadversion is, that the treasury is overflowing with money, and that these debts are paid. Under an unshaken conviction of the legality of the conduct of the commissioners of the sinking fund, and a firm persuasion that the sale was beneficial to the United States; persuaded also, that this was neither the proper time, nor manner for examining into the facts mentioned by the gentleman from Delaware, he should give his dissent to the resolution.

[*To be continued.*]

CHARLES VARDEN,

TAYLOR,

From Philadelphia.

HAS received from Philadelphia an elegant assortment of the best quality Superfine Cloths, Cassimeres, Silk florintine, Black and fancy silk moleskin velvet, white & figured Marselles, Swandowns, Toilinettes, Velvetteens, Fancy cords, Coating, &c.

With a variety of other articles suitable for the winter season.

N. B. Ladies Habits, Regimentals and Navy uniforms made in the first style of fashion.

New-Jersey Avenue, the second House from the Capitol Square.

December 8, 1802. tf.