NATIONAL INTELLIGENCER,
AND
WASHINGTON ADVERTISER.

Vol. IV. WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. *No. DCIX.*

Five Dolls. Per ann. FRIDAY, AUGUST 31st, 1804. *Paid in advance.*

Ten Dollars Reward.

STRAYED or stolen from the commons near the Capitol, in the city of Washington on the 24th of last month, (July) a deep SORREL HORSE, about four feet 10 inches high, well made, lately shod all round, a blaze on his forehead, hanging mane and switch tail, trots and canters well, carries his head very low when rode; he is between six and 7 years old. Whoever brings him to the subscriber, living near Mr. Gallatin's in the said city, shall receive the above reward.

NATHANIEL GREGORY.

Washington city, Capitol hill,
August 10—3w

CHARLES VARDEN,
Merchant Taylor.

Has received from Philadelphia

in addition to his former stock, a handsome assortment of goods, consisting of the best London and Spanish superfine cloths and cassimeres, white and fancy Marseilles, colored and white Janes, india nankeens, cotton cassimeres, black silk and sattin Florentenes, with a variety of other articles suitable for the summer season.

N. B. Ladies habits, regimentals, and navy uniforms made in the first stile of fashion.

New Jersey avenue near the Capitol,
June 8——tf

REMOVAL.

THOMAS CARPENTER,
Taylor,
Has removed to the house above Mr. Rhodes (late Lovel's) Hotel, near the President's Square.

In addition to the present stock of goods, an

Handsome Assortment

Is expected immediately.

Gentlemen at a distance, by sending a line by post, will be waited upon with all possible expedition.

T. C. will pledge himself to execute any order with a taste, expedition and moderation of charge, which shall not be excelled by any.

April 16——tf.

Doctor MAGRUDER,

HAS for sale a few hogsheads 4th proof Jamaica spirits, linseed and lamp oil, spirits of turpentine, window glass, glaziers, diamonds, glue, lamp black, white lead, Spanish brown, yellow ochre, chalk, Spanish whiting, Venetian red, red lead, verdigris, drop lake, flake white, patent yellow, rose and Dutch pink, kings yellow, Turkey umber, gold and silver leaf, painters and sweeping brushes, camels hair pencils, water colours in boxes, Spanish indigo, fig blue, arnott, red wood, alkanit, madder, logwood, turmiric, salt petre, alum, copperas, sweet oil, pearl barley, timothy and clover seed, tamarinds, castor oil, marble mortars, spring trusses, ginger, cinnamon, cloves, mace, Chinese worm destroying lozenges, an assortment of paper hangings, playing cards, copy slips, ink powder, English, Latin, Greek and French school books, large family bibles, and his usual complete assortment of drugs and medicine, patent medicine, surgeons instruments, &c.

George Town, July 20—tf

TO RENT,

A THREE STORY BRICK HOUSE in the the city of Washington, situate on that beautiful ridge north east of the Seven Buildings, on I street, Lot No. 3, square 106, at present occupied by Mrs. Scott. Possession may be had the 1st of August next. Under said house is a good dry cellar, on the back of the lot is a stable, and near the premises a pump of most excellent water.

Enquire of Mrs. Scott, or of the subscriber, High street at Doctor John Beatty's George Town.

ABSALOM JOY.

June 29——tf

To be Sold,

On Thursday the 27th day of September on the premises to the highest bidder, if not disposed of by private sale before that day.

THE tract of land whereon I now live in Fairfax Co. Virginia, on Popes Head creek, containing 554 acres, the situation is agreeable and healthy; there is on it an excellent mill seat on the above mentioned creek, with an inexhaustible quantity of grey free stone, and an abundance of good red and white oak, poplars, and hickory timber to erect the dam and necessary buildings on the spot; there is on this creek which washes this tract, for above two miles, a very considerable portion of the first quality meadow land, there is a considerable quantity of fresh land, just opened, and nearly half of the tract to cut; it is situated about 20 miles of George Town, Washington, Alexandria and Dumfries, it is considered the best piece of forest land in the county—the terms of payment will be one third paid down, one third in 18 months and the other third in three years; an indisputable title will be made to the purchaser. The public is assured that the sale will take place if not privately disposed of before the day of sale, as I am determined to remove to the state of Kentucky this fall—Also on the same day and place, will be sold, all my stock of every sort, plantation utensils, household and kitchen furniture and the present crop now on hand for ready cash.

THOMAS POLLARD.

August 22—tdos

For the National Intelligencer.

To the Legislatures of the respective States.

LETTER FOURTH.

The *Third great object* that requires state regulation is the *security of property*. This, under all circumstances, has been deemed an important consideration. Its importance, however, is almost infinitely increased by the prevalent state of society in this country, and the new aspects and relations which a new order of things has created. It is one of the happiest features of our political institutions that, by inhibiting every species of monopoly and by leaving industry unfettered, the power of obtaining property is placed equally within the reach of every citizen, so far as political institutions can effect this end. The right of primo-geniture, and the principle of entails, being wisely annulled, prevent dangerous accumulations of property, and distinctions, equally dangerous, arising from accidental circumstances instead of merit.

This great end insured, it only remains to adopt wise codes of laws to secure the rights of property. As on these essentially depend its value, it will be evident that they are not inferior in importance to the attainment of property itself.

Are then the rights of property at present adequately secured? It is humbly presumed they are not. Without meaning to derogate from the wisdom of institutions many of which have existed for ages, and most of which have been tested by some experience, it may be confidently affirmed that the great political revolution effected by the United States has placed the people in a situation which requires a modification, to say no more, of the principles adopted in the old world on this point.

A leading feature in the systems of the old world was to aid the accumulation of property in the hands of a few, and to maintain such accumulation undisturbed for a long succession of years. As on this result principally depended the stability of governments, means the most effectual were devised for commanding and securing it. Hence the rules of primo-geniture, entails and monopolies;—so wisely done away in this country;—and hence too so many provisions, by which property, and more especially real property, once acquired, was entrenched; the effect of which was the frequent resistance of just claims made on the individual possessed of the property of another; and hence the adage that possession constitutes nine points of the law. With this view courts were multiplied; the legal code was rendered too intricate for the apprehension of the unlearned; the forms of judicial proceeding were clothed in an unintelligible phraseology, requiring a distinct order of men to interpret it; and the expences of carrying forward suit were rendered intolerable, except to the rich. It requires no extraordinary discernment to perceive that all these circumstances concurred to make the poor dependant on the rich; and, of consequence, to fortify the vast possessions of the latter, while they undermined the pittances of the former.

If these are the effects of the existing systems of justice, as they are called, is it not manifest that they are subversive, so far as they go, of some of the great benefits expected from the change effected in our political institutions; and may it not be feared that they will operate, in an insidious manner, to undermine the whole structure.

Let us descend to particulars. One of the great ends of our governments is to secure the fruits of every man's industry. This can only be effected by a system of laws which either discourages all credit, or which provides means easily within the reach of each individual for obtaining that which of right belongs to him. In the first instance debts will be rarely incurred, and no disappointment will arise from the inadequacy of laws to enforce their payment; while in the last instance there will exist means of recovering them, which shall be easy prompt and unexpensive. The abrogation of all laws for enforcing the payment of debts is so repugnant to the habits of our citizens, that it would be deemed the temerity of innovation to recommend it, and it is probable that whatever strength of argument might be adduced in its support would be too feeble to make any efficient opposition to the prejudices of habit and preconceived opinion. Leaving then this enquiry, let us proceed to examine whether the existing system of laws provides for the recovery of debts means which are easy, prompt and unexpensive.

If a debt is due recourse must be had to a professional man, who is alone viewed by the law as competent to point out the legal remedy required. In most instances before his advice can be obtained, a fee must be given, seldom less than three or four dollars, and rising in proportion to the magnitude of the cause. The lawyer frequently resides at a distance of twenty or thirty miles from the party aggrieved; and consequently one or two days will be consumed in reaching him, and in afterwards returning home. Process is then to be obtained from the clerk of the court, for which a charge generally of about a dollar, is made. The Sheriff is then to be sought at probably some distance. These are the steps required for initiating the suit. The expence they involve may be fairly estimated at eight dollars, and the consumption of time at three days. None but men in easy circumstances can afford to lose so much time or money. So far, therefore, the present administration of justice operates as a barrier against the just claims of the poor man, and as an inducement to those who are unjust to incur debts in the hope of impunity. These are, however, but the first steps required by the legal code. Courts are held seldom oftener than four times, and sometimes not more than once or twice a year for the trial of causes. Such are the usual forms of procedure that it is impossible to know when a cause will come to trial, and of consequence, the parties are under the necessity of attending court for several successive terms and often years, with all their papers and witnesses, the personal concerns of whom are interfered with. It is difficult, almost impossible, to calculate the trouble and expence occasioned by these delays. The cause is at length tried and judgement pronounced. Though years shall have elapsed since the commencement of the suit, a further indulgence is allowed the debtor. Execution may be stayed; and in case he possess real property, its sale is either prohibited, or seven years allowed for the satisfaction of his debts in case the clear proceeds of his property will redeem them within a period of seven years. Can these means, required for the recovery of debts, be, with the least color of truth, called easy? Are they not, on the contrary fraught with difficulty, with delay, and with distress? Do they not entirely sap the principle of equal rights? are they not subversive of impartial justice? Do they not necessarily create distinctions among men; between the rich and the poor? Do they not give power to the former, while they deny it to the latter? They surely have all these effects, and having them, call aloud for legislative redress.

That the means for the recovery of debts are not prompt has appeared from the statement of facts just made. It may, however, not be unproductive of profit, to dwell further on this point. Money is in this country of great value. It is not incorrect to say that to a man in business, and most of our citizens are in active life, it is worth from ten to fifteen per cent. A legal interest having been fixed at six per cent, the difference will be so much lost to the creditor, kept out of his just debts, and consequently as much gained by the debtor. Thus is a strong inducement held forth to injustice. The debtor, under the influence of interest, will generally protract the issue of the suit to which he is a party to the greatest period. And such is the present organisation of courts that a delay of several years is easily gained by him. The practice varies in different states; in those to the East justice is administered with comparative speed, while to the South it is relatively tardy. Considering the middle states as those in which a medium exists, it will be found that, on an average, it requires at least three years to bring a contested suit to a close. This is unquestionably a great grievance: and claims a devoted attention to redress it.

The last consideration is whether the means at present necessary for the recovery of debts are unexpensive. This is of all the features of a good administration of justice the most important. Those, from whom just debts have been detained, are generally in an impoverished condition, and cannot be supposed to possess much resource. There is so much force in this fact that it may be assumed as a truth that a good system of laws should enable every citizen to obtain without any expence the property that is withheld from him. If this be a truth, it follows that the system which the nearest approaches this model, is the best, and that that which most recedes from it is the worst. In going into details on this point, two views may be taken; one involving the expence which is sustained by the creditor in prosecuting his rights; and the other, the expence sustained by society.

We have already seen that the expence incurred in the mere initiation of an action is far from inconsiderable. This expence is greatly increased before it is brought to a close. It is difficult on a subject so much affected by the different laws of the respective states, to speak with absolute precision. But as far as we are justified by an experience of the expences attending a law suit in several of the states, we believe we speak within bounds when we state them in contested cases at between ten and twenty dollars; and as more frequently approaching the latter than the former. The amount sued for is on an average below an hundred dollars. The expence will be, therefore, about fifteen per cent. in addition to the loss arising from delay, from the consumption of time, and from the loss sustained by receiving only six per cent. instead of about twelve which may be considered as the real value of money. Let these losses be added together and the amount will stand thus.

For the recovery of *one hundred* dollars:

Three years delay producing a loss from withholding the money due, of the difference between 12 and 6 per cent.	18
Time consumed at least	10
Expence not repaid by the debtor, say	6
	34

This is a moderate estimate. From which it appears that under the present administration of justice, about one third of the debt is lost.

The necessary effect of this injustice is the depriving the rightful proprietors of property, so far as it is placed under the cognisance of the law, of one third part of it, and the vesting it in those who have no just claim to it.

Equally aggravated shall we find the evil in its operation on society. Just in proportion to the trouble, delays, and expence attending the administration of justice, will be the multiplication of courts, of lawyers, of constables, and the numerous other attendants, who find their interest intimately connected with the perpetuation and even the extension of abuses. Hence it is an incontrovertible fact that this description of citizens have invariably, and too successfully, opposed all the reforms that have been proposed. It is not meant, by this remark, to fix an unusual reproach upon any class of citizens. Their conduct has doubtless been dictated by motives common to all other men; the pursuit of individual interest ought not to considered reprehensible, when it is not in violation of positive law, of moral duty. It is evident that in the present instance there is no violation of positive law; and it can easily be conceived that conduct, sanctioned by law and usage, however repugnant to some moral principles, will not be viewed as reprehensible, by those whose immediate interest is connected with it.

In estimating the extent of this evil, we can do no more than offer a rough statement. This shall be done under a scrupulous respect for truth: and in order to avoid its violation our statement shall be within bounds. If we take Pennsylvania as the central state of the union, and consider her as possessed of an administration intermediate between that of the Eastern and Southern states, we shall probably exhibit in the facts furnished by her on this subject the most correct view of the union generally. There is in that state,

One court of Errors and Appeals, principally composed of the Judges of inferior tribunals, and which therefore does not involve much expense, perhaps not more than one thousand dollars.

There is a supreme court of five judges whose salaries and incidental expenses may amount to 12,000 Dollars.

There are the Presidents of five circuits, whose salaries amount to 8,000 dollars.

There are three or four associate judges in each county, whose salaries may amount to about 10,000 dollars.

The aggregate of these salaries amount to 31,000 dollars.

The establishment of jails may amount to about 30,000 dollars.

The fees paid to the various clerks of courts, sheriffs, constables and criers may amount to 80,000 dollars.

The sums paid to lawyers may amount to 220,000 dollars.

All these sums amount annually to 361,000 dollars.

In addition to these items of expence, is the expenditure of time and money incurred by the parties, the witnesses and jurymen in attending courts. It may be computed that there are three hundred courts held at which 100 parties, 30 jurymen and 60 witnesses attend, on an average, for six days; valuing the time lost and the expence of travelling incurred at one dollar and a half a day, an annual expense is incurred of 85,000 dollars. Add for justices of peace 56,000 dollars.

This added to the preceding expenses amount to 500,000 dollars.

One view still more important remains to be taken on this branch of the enquiry, viz. the quantum of labor lost to the community by the number of persons engaged in the administration of justice.

This may be computed as follows:

Judges and justices	600
Jailors	60
Clerks of courts, sheriffs, constables, criers and their clerks	400
Lawyers	200
Time consumed by parties, witnesses and jurymen about	300
	1,560

Estimating the value of the time of each person at 300 dollars we have the sum of 468,000 dollars; which added to the above 500,000 dollars, amounts in the whole to 968,000 dollars; a sum but little short of a million.

Let us contrast with this vast expenditure the advantages derived from it.

It is a large estimate to state the property in controversy each year throughout the state at five million of dollars; on which, therefore, it appears that there is paid a commission of about twenty per cent.

The detailed view, we have taken abundantly proves that the existing means for the recovery of debts are neither easy, prompt or unexpensive. The only enquiry, remaining to be made, is whether means more competent to secure these ends can be devised. It is confidently believed that they can.

(Subject to be continued).

Three Dollars Reward.

STRAYED from the subscriber's Farm, near Rock Creek Church, a small RED and WHITE COW, appears to be about six years old, with a white face and a remarkable short body the left ear slit, the right branded with two letters not remembered, and a piece of her tail cut off. The above reward will be paid to any person on the delivery of the Cow at said place.

S. H. SMITH.

August 11.

50 Dollars reward,

STRAYED or stolen from the commons of Washington city, between Saturday and Monday the 7th and 9th of July, inst. a pair of bright BAY HORSES, of the following descriptions:—One about fifteen and a half hands high over the shoulders, and about two inches lower over the hips, supposed to be eight years old, black mane and tail, mane on the right side, trots and canters, a star in the forehead, both hind ancles white, and has partly on the inner side of each, uniformly placed, about one inch above the hoof a black spot of about three quarters of an inch diameter; no other striking natural marks are recollected. This horse is supposed to be three fourths English blooded; he is when in flesh, very handsome, and moves with ease and elegance. He is now much reduced in appearance by a long journey, his back something injured by the saddle, and has old marks of similar abuse.

The other horse is about fifteen and a half hands high before, and the same behind, six years old, not so handsomely built in any respect as the other, but carries himself very well, trots hard, canters easy and racks a little, his mane and tail are likewise black; his mane thin and on the right side; left hind ancle white; has a star in the forehead, and a snip in the nose, mostly inclined to and running into the left nostril; a circular brand on the left shoulder, with a character in the center believed to be intended for an A. He is not so low in flesh as the other, the new saddle marks are worse, but he has few or no old ones, except a slight appearance of a former naval gall. They were shod all round.

If stolen the above reward will be paid on conviction of the thief; if strayed and found within 20 miles of Washington city a reward of 20 dollars will be given, and if beyond that distance, 40, dolls. expences included, on their return to Phineas Bradley, Washington city, or Renner and Bussard, George Town.

August 1—1awtf