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[Concluded.]

WASHINGTON TONTINE.

ART. 1.

The capital of the company shall be two hundred and five thousand dollars, divided into shares of fifty dollars each—and the same shall be invested in three millions eight hundred and ten thousand, eight hundred and seventy square feet of ground in the city of Washington, including privilege of alleys; to consist of the lots, a particular list of which is hereunto annexed, and which their owners have covenanted shall be conveyed by sufficient deeds of general warrantee and free from all incumbrances unto David Peter and James Morsell, esqs. of the district of Columbia, and to the survivor of them, and to the executors and administrators of such survivor, to be held by them in trust until disposed of as hereafter directed, for the use and benefit of the company. The titles of every proprietor are to be investigated and approved of, by John T. Mason, and Philip B. Key, esqs. before passing the deeds.

ART. 2.

Every subscriber may at the time of subscribing, or at any time before the first day of July in the year 1805, nominate a person, or persons with whose life or lives, the shares taken by him shall be commensurate. And any person, desirous of making provision beyond the reach of common accident, for persons of tender age, may subscribe in the names of such persons. Subscriptions may also be made by proxy. But until the nomination shall be made as aforesaid, the existence of the shares shall depend upon the lives of the persons, in whose names they shall have been subscribed. All nominations on which the shares are to depend, must include a description of the age, and place of residence, of the persons nominated—and nominations not made at the time of subscribing, may be sent to the directors who shall be first elected to manage the concerns of the company, any time before the first day of July as aforesaid.

ART. 3.

Upon the death of any person, with whose life a share or shares, shall have been made commensurate, such share or shares, shall thereupon be extinct—and all the interest of the owner thereof, in the property of the company, dependent upon such shares, shall cease and determine, and the same shall become the property of the owners of the surviving shares, meaning the shares dependent upon the lives of persons, continuing to survive.

ART. 4.

The affairs of the company shall be managed under the superintendance and direction of five directors, who shall be stock-holders to be chosen in each year by ballot, by the stock holders attending in person, or by proxy, each to have as many votes as shares. The first election shall be held at Stelle's Hotel in the city of Washington, on the first Monday in February, 1805, under the direction of Robert Brent, John P. Van Ness, David Peter, Walter S. Chandler, and John Davidson, esqs. or any two of them—and each succeeding election shall be held on the first Monday in every January thereafter, under the superintendance of at least two of the directors for the year preceding; at such place in the said city, as they shall appoint giving due notice thereof in one or more newspapers, published in the city of Washington.

ART. 5.

The directors shall have full power to sell in fee simple, or to lease on ground rent, renewable forever, the property belonging to the company; and to manage all the other concerns of the company; but they shall not dispose of more than one sixth part of the lots in any one year, prior to the year 18 0: nor sell the same at less than 25 per cent advance on the original cost; nor shall they lease them at a less rate than 12 and an half cents per front foot, for every cent cost to the company per square foot. But though the limits are thus fixed, below which the property cannot be disposed of; it is not meant that it is to be sold as fast as these rates can be obtained: On the contrary, the directors are at all times to exercise a sound discretion for the best interests of the company; and to keep in view, the certainty of rise in the value of the property, from the increasing population of the city.

ART. 6.

All money arising from the sales of lots, shall be invested in the stock of the United States, in the name of the company—the interest arising from which, as well as all money arising from ground rents, shall also be invested in like stock, until the last day of December in the year 1807—after which, all interest arising from stock, or sales of lots on time—and all monies arising from ground rents, and all other profits, shall be divided semi-annually on the 15th day of January, & the 15th day of July in each year among all the share owners, in proportion to the interest of each, whose shares exsisted by the continuance of the lives with which they were made commensurate, on the first day of that year.

ART. 7.

The dividends shall be paid at the office of the company in Washington, to the owners of the shares in person, to their power of attorney, or to their written order; but before any dividend shall be paid, satisfaction must be afforded to the directors, for the time being, that the person, on whose life the shares in question depend, was living on the first day of January in that year.

ART. 8.

In cases where the dividends are not claimed for six months after the same shall become due, and there is reason to doubt whether the person on whose life the shares depend on which such dividends arise, continues to survive, the directors shall invest such dividends in stock of the United States, as if the same belonged to the capital of the company: but if the same shall thereafter be rightfully claimed, payment shall be made therefor, out of any funds of the company, not invested in stock.

ART. 9.

The shares shall be transferable, and all transfers shall be made on the books of the company, by the owners in person, or by power of attorney, according to the form used for transferring stock of the United States. But in cases where certificates have been issued by the directors to the owner of the shares, such certificate must be returned, and cancelled, before a transfer of the shares expressed therein shall be made.

ART. 10.

Every record of a transfer of shares; and every certificate issued for shares, shall designate the lives on which such shares depend.

ART. 11.

No change can be made of the person or persons on whose life or lives the shares shall depend. The life first nominated must forever remain the life on which the existence of the shares shall depend.

ART. 12.

The directors shall cause proper books to be kept of all their proceedings, accessible at all times to the stock-holders; and shall particularly cause to be carefully recorded, the nomination of the lives on which the shares depend—and also the deaths of such persons when the same shall be clearly ascertained: and may transfer from time to time, the active duties of their trust, to one of their own body, or to any other agent, and may make to such agent, a reasonable compensation for his services; but the directors themselves shall receive no compensation, unless it be in the case of a director who may be the agent as aforesaid.

ART. 13.

On the the first Monday in January in the year 1825, the Washington Tontine Company shall be dissolved—and the whole stock of the company in whatever consisting, shall thereupon be divided amongst all the owners of the then existing shares, and in proportion to the number held by each.

We the subscribers approving of the plan of the Washington Tontine, and agreeing to each and to the whole of the 13 preceding articles, do each of us agree to become members thereof, for the number of shares annexed to our respective names.

Oct. 10—S[ip]&wtf.

FOR SALE.

A Tract or parcel of land, containing one hundred thousand acres, surveyed in tracts of one thousand acres each, lying on the great Satills and St. Mary's rivers in the counties of Wayne and Tallassee in the state of Georgia, distant about 40 miles from the town of St. Mary's and the sea. This land is an undivided moiety of two adjoining tracts containing each 100 000 acres, and is remarkable for its extensive forests of large and valuable yellow pine, and the luxuriant growth of natural grass, affording an inexhaustible range of pasturage for cattle. It is also favorable for the culture of cotton, and lies in a very healthy district of country. A great bargain may be had to a purchaser of the whole undivided moiety; for terms of sale apply to

JOHN BECKLEY.

City of Washington.

Sept. 12—tf.

TO RENT,

A THREE STORY BRICK HOUSE in the city of Washington, situate on that beautiful ridge north east of the Seven Buildings, on I street, Lot No. 3, square 106, 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.

Possession given immediately. Enquire of John Little at the Treasury Department or of the subscriber, at Doctor John Beatty's Water street George Town.

Also to rent the House occupied by John P. Van Ness.

ABSALOM JOY.

October 10—tf

American Printed goods.

Calicoes, Shawls, Pocket Handkerchiefs, &c. manufactured by the subscribers near Baltimore, and sold at No. 13 Calvert street.

TO remove that distrust often felt respecting new undertakings, and so prejudicial to manufacturing attempts in America, they think it proper to observe, that nothing is wanting in the business to enable good artists to perform their work here as well as in Europe. That they have these artists; that two of the partners were bred to the business in a factory of the best repute carried on by their father, & long afterwards by themselves. They trust that while foreign goods are received without a question, an unreasonable suspicion will not prevent their countrymen from giving that trial to their goods, which only can prove their value. Besides a natural doubt, they know that certain interests, national as well as well as individual, will suggest objections to their undertaking. They have no difficulty in saying, that work of the like kind shall be as well executed here, as in other countries. The colors capable of being fixed will be found as permanent; the cloths perhaps better substance, and the prices lower than of the imported cottons.

M'CULLOCH & LUNNUY,

Baltimore, No. 13 Calvert street.

Sept. 17—tf

FROM THE AURORA.

Thoughts on the rights of the Bar, and the abuse of those rights.

Although the constitution of this state hath explicitly secured to the accused, the right of being heard by counsel, on charges of a similar nature; yet it is not to be controverted, that on all questions whatever, which come before the courts, the parties have an equal right to the benefit of counsel. The right of being heard by counsel, and the right of trial by jury, are inseparably incident both to civil and criminal causes; and to abolish both, or either, whether on trials for misdemeanors, or in cases of property, would be equally a violation of the constitution.

The acknowledged rights of the bar are two-fold—1st. They have a right to a reasonable compensation for advice and services.—2nd. They have a right to advocate the causes of their clients, in the courts of law.

Under the exercise of the first right, it cannot be denied, that attornies demand such exorbitant fees, as sometimes amount to an occlusion of the courts of justice. The compensation required, in many instances, so far exceeds the ability of the client, or the rules of justice, that he is obliged to abandon his claim altogether. The constitution says, the courts of justice shall be "open." But the bar claim and exercise the right of *shutting* them, on suiters, whenever their avarice shall prompt them so to do. The constitution says, justice shall be administered without "denial." But the bar claim and exercise the right of asking a compensation so enormous, that it is equivalent to a "denial" of justice. The practice of the bar is, in all such cases, a manifest infringement of the constitution. If the legislature, by a law, were to autherise the bar to demand a fourth, third, or half, of the debt or property sued for, the law would be an insult upon common honesty, and a glaring violation of the constitution. Whether the legislature itself place insurmountable obstacles in the way to justice, or permit other persons to do it, the evil is equally felt by the citizens and in both cases, the constitution is equally eluded.

In consequence of the extravagant demands of the bar, the rights of the people are, in fact, laid prostrate at their feet—the keys of justice are deposited in their custody—and they lock and unlock the door, at their pleasure. No man can *enter* the courts in the character of a suitor, who does not *first* ask *their* leave, submit to *their* terms, and comply with *their* requisitions. If you refuse, you may go whistle for justice; for under the present system of things, you cannot obtain it. The recovery of the rights of the citizen, and the redress of his injuries, is made, by a singular absurdity, to depend upon a body of men, over whom the government has no immediate control. It is true, the courts pretend to have a corrective power over the attornies. But who is there that is willing to put his head into a hornet's nest? Or who is bold enough to take a bull by the horns, it may be, *vir gregis ipse?*—Nobody can be found so unwise as to make the attempt.

2dly. The attornies have an acknowledged right to advocate the cause of their clients, in the courts of law.

Under the exercise of *this* right, the greatest abuse prevails. The time of the court and jury is wasted to no other purpose, but to display the ingenuity of the pleader. It may be, the speech is made to tickle the ears of the orators; or to gratify an ignorant client, with the ill grounded hopes of success. A lawyer will sometimes declaim two or three hours in a cause, in which he ought to blush to open his mouth. It frequently happens, that when the evidence is closed on both sides, that the matter is as plain as A B C to the court, jury, and bye-standers. The attorney, however has a right to speak; which he exerts, perhaps, for an hour or two; while it is apparent, to the meanest capacity, that he is struggling against the united stream of truth, law, and justice. I think every candid person will acknowledge, that the right of making *useless* speeches at the bar, and speeches of *immoderate* length, is a source of great delay. From this cause, it very often happens, a trial takes up two or three days, where it ought not to take up more than so many hours. The endless declamation of the bar is indubitably a great destruction of business; yet it is just and proper to observe, that business suffers still more, from the want of a competent number of judges. In the supreme court, at least double the number of judges is absolutely necessary—and the districts should be increased in the same proportion. I have thus asked in a few plain words the acknowledged right of the bar, with the abuses flowing from them. It is not proposed, or intended, to destroy the right of an attorney to compensation, or his professional right to advocate the cause of his client in the courts, or the right of the citizen to the aid of counsel. Government however should, if possible, regulate these rights, so as to correct the abuse of them. Upon this subject, some remarks shall be made hereafter, and a plan laid before the public, to check the growing evil.

SIDNEY.

FROM THE REPUBLICAN ADVOCATE.

THE ROADS.

No. I.

Amidst the conflicts of political opinion, objects of public utility are too often lost sight of, and whilst those conflicts exist in full blaze, cool and sound heads have deemed the season inauspicious to introduce and effect improvements in a state. This is considered by legislators as the most dangerous evil resulting from animosity of party spirit; and although, perhaps, unavoidable in existing circumstances, is much to be regretted. In popular governments, such as ours, it is certainly wise and truly expedient to avoid entering upon great reforms or extensive projects for the benefit of the community at the moment when a party, however salutary its principles, have just arrived at the exercise of supreme power, and when the majority by which that power has been obtained is feeble, and some of its members wavering in their notions of men and things. Because, the minority, still formidable, and receding from the seats of honor and distinction with sullen step and watchful eye, will seize upon every occurrence as it arises, and ingeniously urge it against those who have supplanted them in the affections of the people. Many great improvements have from this cause, been destroyed whilst in embryo; as they generally will be when essayed at periods such as I have described. In Maryland it is thought by many individuals of excellent understandings, that the moment of danger to useful undertaking has passed by; and even the more moderate part of the federalists have become so thoroughly convinced that republicanism is not so terrible as it has been represented by designing politicians that it is believed they would lend their support to any measure promising advantage to the people at large.

Relying upon the soundness of this conclusion, an individual instigated by an honest motive, seizes upon the present moment as peculiarly favorable to urge a few ideas on the improvement of public roads, which has recently become an object of primary importance to the farming and commercial interests of Maryland; and which has for some time past so irresistibly presented itself as an object of public concernment, that, were our legislators longer to neglect the subject, incalculable and almost incurable evils might be the consequence.

In taking up a great subject, legislators have frequently been puzzled where to begin: And this remark applies with much force to the improvement of public roads. Every one seems to acknowledge the necessity as well as the propriety of incorporating companies to form turnpike roads; and even were the necessity not so readily acknowledged, it would be very easy to shew that it existed by calculating the advantages that must accrue from the establishment of such companies. But although all descriptions of persons freely acquiesce in the necessity and propriety of such regulations, there has been much difficulty at all times in selecting those particular roads leading to the metropolis from various parts of the state, which it would be most beneficial to convert into turnpikes through the agency of companies incorporated by acts of assembly. To the particular object of designating the roads worthy the greatest share of encouragement, it is intended that these numbers shall serve as an index. Without arrogating to myself superior knowledge of the topography of the state, I shall humbly point to those truths which a little enquiry and reflection will render plain to every man, either in or out of the legislature.

The city of Baltimore, situated as much in the centre of the state as the prosperity of commerce will allow, is the grand depot both of commerce and of agriculture. It is there that the importer of foreign goods unfolds the manufactures and produce of other countries, which he has obtained in exchange for our grain and tobacco, or for the money which these last have produced: And it is there where the Maryland farmer naturally seeks for the best price that his crops can command. Every thing, therefore, which has a tendency to increase the prosperity of that city, and to add to the convenience of its inhabitants, must be advantageous to the whole state; insomuch as the more it prospers the more assurance will the farmer and planter feel of obtaining as good (if not a better) price at that place as at any other, for the productions of the soil which they cultivate: And in the same proportion that the conveniences of life are increased to the inhabitants, in the same ratio precisely, it may be expected its inhabitants will be increased by influxions of strangers from abroad, of the citizens of other states in the union, or of those from remote parts of Maryland: who, in the absence of conveniences, would certainly settle themselves in other seaports possessing them. Consequently, those roads on which market waggons, (as well as those exclusively engaged in the carriage of grain, flour, &c.) pass to Baltimore, must be considered as claiming a precedence over all others, if it should be found that there is not a sufficiency of capital that can be spared to improve all the principal roads leading into that city at the same point of time. My inquiries will be directed to the ascertainment of those roads thus imperiously demanding primary attention.

A MARYLANDER.

FRANCE.

The Monticello left Nantz the 28th of August; we have not received any papers by her, but from a conversation with a gentleman who came passenger, we learn that every thing continues yet tranquil in France; the usurper's name was a terror to every one, yet all seemed to acquiesce in the measures of a government which, however terrible, was preferred to the horrors of revolutions. Bonaparte had lately visited Bologne, Ostend, &c. and it was reported had returned to Paris, before the Monticello sailed. At Bologne there were encamped 100,000 troops; these he exercised under his own eye, both by night and day, embarking and disembarking. The greatest time occupied in the embarkation of this immense army was *two hours*; nothing can more strongly shew the exactness of their discipline. While engaged in the exercise the emperor missed his step, and fell between two boats; he did not sustain any injury; but it had nearly proved of consequence. The belief that any thing is intended by all these preparations, began to wear away; at the same time the reports by the government that an immediate attempt is to be made were multiplying on each other. While at Bologne Bonaparte distributed the insignia of the order of Honor, to the officers of the Legion and the Legionaries. He formed his whole army into a square, within which was erected a throne elevated to an immense height. The decorations of the order were separated, and one half presented to the emperor in the Shield of the Chevalier Bayard, the other in the Helmet of Du Guesclin.—The report of discontent between Bonaparte and some of his generals was well founded; Macdonald has been disgraced, and Le Courbe driven into exile. It is not true, however, that the troops were dissatisfied with the distinction shewn the legionaries; their pay is extravagantly high, and their provisions good and abundant. The fleets of Toulon, Brest, and Rochefort, were still safe at anchor, but in great want of seamen; a press was established similar to that in England, which was uncommonly active. A person, mate to a captain Smith, of New-York, who, though born in France, has resided seventeen years in the United States, is married, and has a family, was impressed (we think) at Nantz. Crops, provisions of every kind, and money, were more abundant than remembered for many years.—Great preparations were going forward for the coronation, which is to take place on the 18th Brumaire, (9th November) in the Champ de Mars, with a pomp and splendor which is expected to surpass any thing recorded in ancient or modern times. The crown