

been too great for the effect; or perhaps have, sometimes, favored the criminal from the sword of justice, which was ready to strike. It is an object worthy the consideration, whether a penitentiary house could not be established in this State; to which, instead of taking away life, convicts might be condemned to labor for a term of years. Public manufactures might be established, for the purpose of employing the labor of the poor, and the demand which such establishments would excite, would encourage the industry of all the farmers around. And the criminals thus working, and punished, would by their own labor, make some compensation to a society which they had injured.

From the misfortune, changes, and vicissitudes which daily arise in human affairs, citizens are carried to and fro, and to and from, and there languish within the walls of a prison, when taking their air for a short space of time, under proper restraints, would preserve their health. This however, the Sheriff or Governor has no power to permit. Another objection in their favor, should you deem it proper, will compare with humanity, and with the public service; as well also, situate the goal bounds in Charleston, in the way recommended to me by the Sheriff of that district, a copy of whose letter on the subject, is herewith transmitted.

I shall conclude this communication, by assurances of prompt co-operation with you in all matters of public concern, during the remainder of my administration. A few days will be enough for commencing to you the various matters I have in charge; after which time the constitution of the State calls for the election of a new executive; may the choice be happy and honorable, and our country remain long prosperous and free.

With great respect and consideration towards you, I have the honor to subscribe,

JOHN DRAYTON.

South-Carolina, Nov. 23, 1802.

LETTER

FROM GOV. McKEAN TO GOV. MERCER.

Lancaster, October 25, 1802.

SIR,

THE resolve or act of the Legislature of the Commonwealth of Pennsylvania, herewith enclosed, will unfold the occasion of the present letter to your excellency. It is conceived that a silent subscription to the payment of a toll for the passage of vessels in this State down the bed of the Susquehanna river, thro' part of the State of Maryland into the Chesapeake Bay, and towards the Atlantic Ocean, might be deemed an acquiescence in the legality of a measure which seems to be controverted by our Legislature. Indeed, if the principle was acknowledged, the consequences might be fatal to the navigation and commerce of this State. There are but three rivers in Pennsylvania that empty into the ocean, the Delaware, Susquehanna and Ohio, each of which, after leaving Pennsylvania, runs through other States before they reach it; and a toll can be imposed on their boats or vessels for passing through the other States, it may be increased to such an extent as would amount to a prohibition of the exportation of the produce and manufactures of the State to foreign countries; Virginia, on the same authority, may impose a toll or duty on every vessel passing through the mouth of the Chesapeake into the Atlantic, or may entirely prevent such navigation.

The controversies respecting the mere liberties and mere claim, the Baltic, the Scheldt and Rhine in Europe, and the Mississippi in America, need not, I trust will not, be revived in this case, though there it might be relied on as reason, and the rights of man are opposed to acts of force and mere power. Although great characters have differed on this subject, I reconcile the doctrine of open and free seas with that of shut rivers, where they are navigable.

When the present States of America were colonies or provinces of Great Britain, the right now claimed by Pennsylvania could not be disputed, King Charles the Second, by charter, dated the 4th of May, in the 5th year of his reign, to William Penn, Esquire, Proprietary and Governor of Pennsylvania, in the first Article of said Charter, granted "the free and unobstructed use and continuance in, and passage into and out of, all and singular ports, harbors, bays, rivers, creeks, tides and inlets, belonging to or leading to or from, the country or islands aforesaid." These colonies or provinces, when they became free, sovereign and independent States, remained, as to territorial rights, in their ancient situation; every State enjoyed its territory, privileges, and immunities, together with its duties, as before, exonerated from any claim of or jurisdiction to Britain, or any other country, but acquired no new right from each other.

When it shall be taken into consideration, that Pennsylvania has expended already more than thirty-five thousand dollars in improving the navigation of Susquehanna to the line of demarcation of the two States, and will probably add many thousand dollars hereafter in this useful work, and that both States will be mutually benefited thereby, it is hoped

ed that each will contribute proportionally to the expense attending it. The Susquehanna canal company have at a great risk and charge, completed an excellent canal of near nine miles in extent from the head of the tide up the river, which your excellency and myself have viewed and failed through; to pay a toll for the use of the canal is not disputed; they have also disbursed several thousand dollars in improving the bed of the river, in consequence of the fault placed in two acts of the general assembly of Maryland, and no doubt will be indemnified, if not remunerated, for their public spirited exertions; it is a maxim, that he who traile to legislative security ought never to be a laborer.

This seems also to flow from the circumstances and nature of the change; the United States are more closely connected and consolidated than any other nation in the world; in fact, as to some particulars they are one nation. In the 8th Section of the present constitution the Congress are authorized to regulate the commerce among the several States, which power seems to embrace the present case.

These brief observations discover the principal grounds of objection of this State to pay a toll for the passage of about ten miles down the river Susquehanna, thro' Maryland, to the tide water of the Chesapeake Bay.

For the accommodating this business, and satisfying all parties concerned, permit me, first, to suggest a conference of committees appointed from each branch of the Legislature of the two States, as a probable measure. This, or any other proposition the wisdom of the general assembly of your State may make, will, I flatter myself, be respectfully attended to by the general assembly of Pennsylvania.

As the Legislature of Maryland will convene, as I am informed, on Monday next, I will request the favour of your excellency to make this communication known to them. When they shall have been pleased to act upon it, I shall thank you for information.

I have the honour to be, Sir, with sincere esteem and great regard,

Your excellency's,
Most obedient humble servant,
THOMAS MCKEAN.

His excellency, Governor MERCER.

Address of the House of Representatives.

To JAMES GARRARD, Esq. GOVERNOR OF KENTUCKY.

SIR,
We have considered the subjects recommended by you to our consideration, and from the present period of peace at home, as well as among those nations in whose destinies, tho' distant from us, we cannot but feel an interest, we, with you, entertain no other solicitude, than what results from an anxiety for our future prosperity. Thus situated—harmony prevailing among our citizens, and a confidence in them, in the national government; with a supply of the necessaries of life, and the prospect of a more plentiful one of furs, which seems to frustrate the attempts of monopolizers whose intentions are inimical to the interests of the people, we must acknowledge the abundant incentives to gratitude to an over-ruling Providence.

Harrassed no longer by the apprehensions of war and its baneful influence to our country, we are enabled to take a position which will invite us to a dispassionate review of the laws of the Commonwealth, to amend the defective, to enact such as may be necessary, and to repeal the superfluous. And be assured, Sir, of our best and warmest, in the province assigned to us to give aid to the executive by affording the means to a speedy and vigorous administration of justice, and of our constant exertions to adopt and establish such measures as will provide for the cases you have laid before us.

Address of the Senate,
To JAMES GARRARD, Esq. Governor of the Commonwealth of Kentucky.

SIR,
Your communications to the present Session of the general assembly, are now before us, and will meet with that attention and deliberation that subjects of such importance require, and are entitled to, when coming from the chief magistrate of the State. There is not a doubt but the Legislature will adopt every measure recommended by you for their consideration, that may appear necessary for the happiness and prosperity of our country.

With you, Sir, we contemplate with gratitude, the innumerable blessings that are conferred upon us by the divine author of all things, as a State in particular, and also on all mankind in general; and that we shall be more thankful for those favors, and continue to deserve them, is the sincere desire of the Senate.

TO LET,

During the Session of Congress, Three Rooms, furnished or unfurnished, on the second floor of a Brick House, situated near the Market House, Pennsylvania Avenue.

JOHN GARDNER.
Dec. 3.

From the Worcester Advertiser.

RECURRING ORDERS FOR "THE FORTRESS ON THE HIGHEST HILL!"

[We, at length, present to our readers a copy of the "Circular Letter," addressed to the Clergy of New England, by the publishers of the Palladium, and referred to in the tenth number of "The Farmer." We leave the Public to decide, how far the tedious and inflammatory title of this libel upon the Government will justify the indignant language of that bold and elegant writer. This is the "liberty, but elegant Note" to highly commended by Sulphurians. It is evident, that the intention of this "note" was to enlist, in support of the paper and its principles, and of course in opposition to the Government and its friends, the Clergymen, to whom it was respectively addressed. Federal prejudice is challenged to give any other construction. Those, therefore, who receive it, are brought to this dilemma: either they receive the paper as compensation for services, which they never intended to perform—or they are engaged in the gelation of a project, the object of which is an "adversive combination," in "opposition" to their civil rulers; and the support of a paper, devoted to "disrespect, reproach, and systematic reviling." In either case, they will find it difficult to recede the procedure to the dictates of their conscience, the precepts of their gospel, and the mandates of their God.]

Boston, March 24, 1801.

SIR,

We take the liberty to address you, as one disposed to favor an attempt to arrest the evils which hang over our Country, and prevent the destruction of its prosperity and order. The Supreme power of the nation has come into the hands of a party, which has uniformly opposed the wise measures of the late Administrations of government, and manifested an hostility and interference to the institutions sacred and civil of our ancestors. At the same time, Jacobinism, has forced with alarming rapidity in the Commonwealth, as well as in other parts of N. England, and whilst it seems hastening to the accomplishment of its views in the general government, it threatens to acquire an ascendancy in the individual States. Its hopes are sanguine by success, and its activity in doing evil increases. All who have observed its spirit, its tendency, its principle and object, must be convinced of its hostility to religion, to Law, to Government, and to property. The public dangers being thus new in magnitude and kind, call for new means of self defence and additional zeal in their application. The principal means, now in our power, is the dissemination of truth by the press. Impressed with these views, the Federalists in this quarter, are desirous that there should be devoted to the cause, a newspaper, ably supported, which shall speak for virtue and order, and speak with the authority of truth, of talent, and of a multitude. Such a paper is attempted in the Palladium; it already circulates extensively, and joins to the care and industry of its particular Editors, the contributions it does, and will receive from statesmen, scholars, and able writers in the Northern States. Being thus efficiently conducted, there can be no doubt, that it will be correct in facts and arguments, and in proportion as it circulates, will have an influence which newspapers seldom possess. It will be a fortress on the highest hill to overlook and silence the batteries of the enemy. This paper tells its claim to your approbation and support, upon its merit, and the need and importance of it in this hour of danger. We have lost the physical power of the press over our opinion be maintained in a far greater degree than ever, all is lost. The friends of the good cause will be destroyed, if they are at rest while their adversaries are in action. The latter have so far exceeded their purposes by the influence of erroneous and seditions gazettes; and their zeal and industry in making converts. Shall we think much of that exertion for truth which they employ for falsehoods, or how less zeal for religion, law, liberty and prosperity, than they for licentiousness, anarchy and ruin? Where so many falsehoods are told and libelled to, it is presumed, a good citizen will be willing to pay for their continuation. Our adversaries will make their side heard; if people will to understand their interests, should they not see that the other side be heard also? When beside its moral, political and literary merit, it is considered, that much agricultural information is to be communicated in this paper, much that is useful to Farmers, capable and disposed to know and judge for themselves; and also, that it is large enough to hold foreign news and be a history of the times worth preserving, it cannot be deemed unreasonable or arrogant to ask and expect an unusual subscription.

We herewith send you a few numbers of the Palladium, and believe so far as you shall approve of the spirit and execution you will endeavor that it shall find patrons among those with whom you are conversant.

NEW JERSEY.
IN PRIVY-COUNCIL.
December 2d, 1802.

Present, The Hon. John Lambert, Vice President,
Mr. Pennington, Mr. Wells,
Mr. Little, Mr. McCullough,
Mr. Parret.

The Vice-President having informed the Council that the Legislature had adjourned without day, and without having chosen a Governor, and suggested that some doubts had arisen on the construction of the Constitution as to the extent of his authority in the present vacancy of that office, and therefore he had considered it as his duty to convene the Council and to take their opinion on the subject—whereupon after mature consideration it was unanimously

Resolved, As the opinion of this Council, that the Vice-President, in consequence of the existing vacancy of the office of Governor of this State, vested with and hath full authority, to exercise, during the present vacancy of the office of Governor, the Supreme Executive power of the State,—the office of Chancellor of the State, and the office of Commander in Chief of the Militia of the State; and hath authority to keep and use the Great Seal of the State, and to commission all officers appointed by the Council and Assembly jointly—and all Sheriffs and Coronors duly elected, in the several Counties of the State.

That the office of Ordinary, not being specifically enumerated in the powers given to the Vice-President, in case of the vacancy of the office of Governor; or as it is expressed in the Constitution, Absence of the Governor, some doubts have arisen in the minds of the Members of the Council relative to the authority of the Vice-President, with respect to that office; but on viewing the Constitution in all its parts and aspects, the minds of the Members of Council are strongly impressed with an appearance of an intention in the framers of the Constitution to substitute the Vice-President in the place of the Governor, in all cases of a want of a Governor to fill the office and execute the duties thereof. The uniform practice, that hath obtained in the State commencing the next year after the adoption of the constitution, and continuing on till this time without hesitation or doubt, for the Vice-President to exercise the office of Ordinary, in all cases of the vacancy of the office of Governor, from whatever cause it hath happened, furnishes in the minds of the Members of the Council, an instructive Commentary on the Constitution itself; and when the members of Council add to the foregoing, the consideration of the great inconvenience and injuries, the Inhabitants of the State must unavoidably be exposed to, in case of a suspension of the due and regular exercise of the Office of Ordinary; they do unanimously advise the Vice-President to take upon himself the authority of Ordinary and to exercise and perform all the duties and functions appertaining to that office.

I certify the foregoing to be a true Copy, taken from the minutes and published by order of the Council.

JOHN BEATTY, Clerk.

In consequence of the foregoing advice, and the determination of the Vice-President to exercise the Office of Ordinary; I am directed to notify the Surrogates of the Counties respectively, that they are to consider themselves as continued in Office, and acting under the authority of the Hon. John Lambert, Esq. until his further pleasure be known. The Surrogates will therefore proceed to execute the duties of their offices, in all respects as heretofore, taking Administration and other bonds in the name of John Lambert, acting as Ordinary or Surrogate-General of the State.

JOHN BEATTY, Register.
Register's Office,
Trenton, Dec. 2, 1802.

500 Dollars Reward.

ON Saturday the 20th instant, I wrote a letter to Messrs. Packert, Bullard and Johnson, of Richmond, including bank notes as per numbers etc. annexed, amounting to \$500 dollars which letter was given to WILLIAM BELL, then my Clerk, to put into the Post Office, which he did not do, but has absconded with the letter and its contents. The show reward will be paid for apprehending him with the whole of the money, or in proportion for a part of it. Or I will give two hundred dollars for apprehending him without the money.

He is about 30 years old, dark complexion, hair and eyes, speaks low and in a whispering tone of voice—has a high forehead, thin nose, about 6 feet high, spare make, and has broad shoulders. He left Norfolk on Tuesday the 23d inst. and was seen on board a vessel bound for Baltimore. His dress was of a light complexion when he went away; but it is probable he has since changed it.

One note of the Manhattans company, dated August 2d 1799 for 100 dollars—100 notes of the Norfolk branch Bank for 100 dollars each, viz. 40 3523, dated May 11 1800—no 3449, 3440, 3416, 3558, 3534, 3532, 3506, 3502, and 3494, dated October 2d 1801. Fifteen notes of the First Bank for 50 each, viz. no 3068, dated May 24, 1800; no 3243, 3261, 3259, dated July 27, 1801; no. 678 of Jan. 10th 1801; no 1948, 1918, dated June 2d, 1800; no. 2561, 2522, dated May 19th, 1801; no. 2866, 2867, 4058, 4085, 4286 & 4023, dated October 2d, 1801.

EDWARD JOHNSTON.
Norfolk, Nov. 27.
Dec. 20—31.

Foreign Intelligence.

LONDON, October 14.

The Prince of Orange wishes, it is said, to resign all his dignities to his son the hereditary Prince, and go to sleep. A Grand officer of the order of Malta has at length been chosen. One of the candidates presented the Pope's excommunication of Napoleon, an Italian, who will, no doubt, be very independent of all French influences. The Neapolitan troops which, agreeably to the treaty of Amiens, are to form the garrison for a year after the island is given up to the Knights, or until the latter are able to provide for its defence in some other way judged eligible by the powers which guarantee independence, sailed on the 10th September. The Island therefore, will soon be entirely evacuated. It is evident, however, that the guarantee being inadequate, and the Neapolitan garrison necessarily under French influence, to give up Malta at all is to surrender it to France. Ministers, however, in agreeing to the treaty of Amiens, must have been aware of that alternative.

October 15.

We do not learn that Mr. Andreossi is yet ready to leave Paris for this country. Whatever may be the cause of delay in his coming, whether real or pretended, we are inclined to think that Lord Whitworth will not depart for France till the French Ambassador shall have arrived here.

Yesterday we received the Moniteur of the 16th instant. It is principally filled with a continuation of the official details of the proceedings of the deputation of the Empire at Turin, the substance of which has been anticipated by other papers. There is also an account of the celebration of a Fete at Turin on the 26th September, in honor of the union of Piedmont with the French Republic. The Moniteur curiously avoids communicating any intelligence from Switzerland.

It is intended by the government of the Batavian Republic to prepare the port of Helvoetsluis for the reception of large vessels, that it may leave instead of the road of the Texel, and the Vine, which is not so safe as the former, for navigation.

LONDON, October 16.

The present accounts from Gibraltar, and we can vouch for their authenticity, confirm the statement given in letters from the same place, which we lately laid before our readers, respecting the motions of our late enemies in the Mediterranean. Hardly a week passes that some French, Spanish, or Dutch ships of the line do not pass the Straights.

Our letters also repeat, or rather follow up the account in the former ones, already alluded to, of the French having had two Algerine harbors ceded to them; and therefore we know not how we can possibly doubt the fact, though it has been so carefully concealed in all the published French official details. Indeed our correspondent has such means of procuring the most authentic intelligence, that we know it is next to impossible he could be misinformed on the subject. He now informs us, that the French are going to fortify their harbors, and are spreading themselves with so much diligence along the shores of the Mediterranean, that if we once give up Malta, we shall hardly have a single friendly harbor left in that quarter for our fleets, in the event of another war.

We cannot help connecting with these circumstances some events, which have just come to our knowledge; for we cannot, for a moment, suppose ministers ignorant of what is transacting in the Mediterranean, nor that knowing the fact they would be negligent in taking proper measures to avert the consequences.

A morning paper states, that 4 Dispatches have been sent to Admiral Bickerton in the Mediterranean. They were deemed of such importance, that a cutter sailed from Plymouth with them at an hour's notice. We are more firmly persuaded than ever, that ministers will not give up the island of Malta, until they feel the peace of Europe more firmly fixed than it now is.

In addition to the above we have to add that our Portuguese correspondent informs, by a letter received this morning, that, on Wednesday night, about 12 o'clock, an express arrived there from government, with a packet which was immediately sent on board the Concord frigate, capt. Wood, who sailed early the following morning, as was conjectured, for the Mediterranean. Our correspondent adds, that, as the Concord was not under sailing orders, the bullet which took her to sea must have been of the most urgent nature, and of the last importance.

The orders which had been given here to the officers of a regiment now stationed at Malta to repair to Gibraltar, for the purpose of meeting their regiment, have been rescinded, and on Thursday they were ordered to proceed for Malta direct, where it is said, the greater part of the fleet in the Mediterranean will immediately rendezvous.

New clothing has just been shipped