an health-office, for securing the city and port of Philadelphia from the introduction of pestilential and contagious disease," passed the 11th day of April, 1799, as subjects vessels with their cargoes and passengers, with their bedding and clothing, flopping and discharging at any port or ports in the United States to certain restrictions and regulations prevent their coming into the county of Philadelphia, and the same is hereby repealed, so far as it respects the state of Delaware: provided always that the vessels, goods and passengers, with their bedding and clothing as aforesaid, coming from the state of Delaware, shall be subject to the same regulations, restrictions and penalties, as they are or would be, if they had not, stopped or been landed at any port or place in the United States.

Sec. 2. *And be it further enacted by the authority aforesaid*, That the river Susquehanna down to the Maryland line, shall be, and the same is hereby declared to be a public highway; any act or law of the commonwealth to the contrary notwithstanding, and it shall and may be lawful for the said Chesapeak and Delaware canal company, or any other body corporate or individuals to remove obstructions therein.

Sec. 6. *And be it further enacted by the authority aforesaid*, That so much of an act to enable the governor of this commonwealth to appoint commissioners to ascertain the best route for and mode of effecting a communication between the waters of Delaware and Chesapeake bays, and appropriating a sum of money for obtaining the navigation of the river Susquehanna down to the Maryland line, passed the 11th day of April, one thousand seven hundred and nine-nine as prevents any individual or company from making obstructions out of the river Susquehanna between Wright's Ferry and the Maryland line and the same is hereby repealed.

In Chancery, January 30, 1801.

LEVI BUTLER an insolvent of Charles county, makes application as a trader, by petition to the Chancellor in writing, praying the benefit of an "act for relief of Sundry Insolvent debtors". Here is annexed to his petition a Schedule of his property and a list of Creditors on Oath, by the full act is required. The Chancellor is satisfied by competent testimony, that the said Levi Butler resided two years in the State of Maryland using the trade of merchandize. It is thereupon adjudged, and ordered he appear before the Chancellor at the chancery office, on the first day of October next, for the purpose of taking the oath, by the first act required in presence of his creditors, and that by causing a copy of this order, to be inserted in some one of the newspapers of the City of Washington before the first day of March next, and by forwing a copy of this order on the map of his creditors, each one personally, five days therewith before the said first day of March next; he give notice to his creditors to attend on the said first day of August next, for the purpose of recommending a trustee for their benefit, and to lodge with the chancellor, within six months from the time of the 1st publication (if they shall think fit) their dissent to his being admitted to the benefit of the said act.

Teste,

SAMUEL HARVEY HOWARD, reg. C. C.

Feb. 1, 1801. 1w133.

JUST IMPORTED,

IN the ship Midas, via Philadelphia, and now opening for sale at the Subscriber's Store on New Jersey Avenue Capital Hill, Square 650.

A General Assortment of Hardware, Cutlery, Saddlery, Brass Wares and Building Materials.

Among which are the following Articles.

Iron pots, frying pans, chafing dishes, Brass andirons, Japanned Candlesticks, patent metal teathers and fence pans; Spring scales, trays, waiters and Bread baskets, tad irons, wind up Jacks, sweeping, scrubbing, hearth and shoe brushes, Mathematical instruments, mahogany knife cases filled with ivory handled knives and forks, Cruet stands, Japan dressing cases, pad, gilt and plain cut Saws, 56, 28 and 24 inch. Iron weights. Affesale beams to weigh from 3 to 10 cwt. at an ordinary price.

HENRY INGLE

November 24th, 1800.

For Sale.

A Small tract of land containing 120 acres about five miles from George Town, and is a high and healthy situation. Terms are one third to be paid on possession being given, the remainder in two yearly payments. Enquire of the printer, or at the Commissioners Office, City of Washington.

If not sold within a month it will be rented on easy terms.

January, 28th, 1801.

Conrad & M'Munn

HAVE opened houses of entertainment in the range of buildings formerly occupied by Mr. Law, about two hundred paces from the Capitol, in New Jersey avenue, leading from thence to the Eastern Branch. They are spacious and convenient, one of which is designed for stage passengers and travellers, the other for the accommodation of boarders. There is stable room sufficient for 60 horses——They hope to merit public patronage.

City of Washington, Nov. 24, 1800.

WASHINGTON CITY.

FRIDAY, FEB. 20, 1801.

Yesterday the Senate confirmed the nomination of JAMES A. BAYARD, as Minister Plenipotentiary to the French Republic.

We understand that Mr. Bayard will decline the appointment.

The Senate yesterday passed unanimously the bill that originated in the House of Representatives for extending the privilege of franking to John Adams.

In our fall paper we stated, from information, that the privilege of franking applied to letters received by, as well as those written to, Mr. Adams. The bill only applies to letters received by Mr. Adams, and not to those written by him.

The President has made the following nominations:

Under the Judiciary bill passed this session:

Judges of the 1d Circuit, viz.

John Lowell, of Massachusetts, chief judge.

Benjamin Bourne, of Rhode-Island.

Jeremiah Smith, of New-Hampshire.

Judges of the 2d Circuit, viz.

Robert Benson, of New-York, chief judge.

Oliver Wolcot. Connecticut.

Samuel Hitchcock, Vermont.

Judges of the 3d Circuit, viz.

Jared Ingersoll, of Pennsylvania, chief judge.

Richard Bassett, of Delaware.

William Griffith, of New-Jersey.

Judges of the 4th Circuit, viz.

Charles Lee, attorney-general of the U. States chief judge.

Philip B. Key, Maryland.

George Keith Taylor, Virginia.

Theophilus Parsons, Massachusetts, attorney general of the U. States in the room of Charles Lee, nominated a judge.

John Davis, district judge of Massachusetts, in the room of John Lowell, nominated for promotion.

Harrison G. Otis, to be attorney for district of Massachusetts, in room of John Davis, nominated judge.

Ray Greene, formerly from Rhode-Island, judge of the district of Rhode-Island, in place of Benjamin Bourne, nominated for promotion.

Samuel St. Loe Livermore, of New-Hampshire, attorney of the district of N. H. in the room of Jeremiah Smith, nominated a judge.

John H. Kittera, of Pennsylvania, attorney of the district, in the room of Jared Ingersoll, nominated a judge.

NEW CONSULS NOMINATED.

Henry Prebble, Massachusetts, consul at Cadiz, in the place of Mr. Hurd.

John James Waldo, of Massachusetts, consul at Nantes, in France.

Isaac Cox Barnet, of New-Jerley, consul at Bourdeaux.

John M. Forbes, of New-York, consul at Havre-de-Grace.

William Lee, of Massachusetts, consul at Marseilles.

George Ruadle, of Pennsylvania, consul at Brest.

Thomas Waters Griffith, of Maryland, consul at Rouen.

William Foster, jun. of Massachusetts consul at Morlaix.

Mr. Stoney, now acting agent in Isle of France, to be consul at that place and the Isle of Bourbon.

James H. Howe, of Columbia, consul at Dunkirk.

Our readers will observe that in the nominations submitted by the President to the Senate, the offices of judges, created by the judiciary law will fill this Session, are several instances filled by individuals who at present hold stations under the previous judiciary establishment; whereby the latter stations are conditioned as vacated, and individuals nominated thereto, who being members of the present congress are constitutionally prohibited from being appointed to offices by themselves created, during the periods for which they were elected. Though this is not a *literal* violation of the constitution, it seems very much to resemble a *verbal* one.

It will be further observed that the President does not confine himself to a nomination to new offices, or to those now vacant; but, completing all those offices vacant that have hitherto been filled, by individuals now nominated to other offices, he also nominates individuals to fill them.

Thus, John Lowell, at present district judge for Massachusetts, is nominated chief judge of the 1d circuit. John Davis, at present attorney of the district, is nominated district judge of Massachusetts in the room of John Lowell; and Harrison G. Otis, at present member of the House of Representatives, is nominated district attorney in the room of John Davis.

The same remarks apply in part or in whole, to Charles Lee, late Senator of U. S. and John Wilkes Kittera, member of the House of Representatives.

It is respectfully submitted whether this mode of nominating, conditioned by the Senate, will not be either infractive of the constitution, or highly impolitic.

The judges all hold their offices during good behaviour, irrevocable except by impeachment. The President, therefore, cannot displace them. The appointments of others to other places than those they now hold will be altogether nugatory, without they actually agree to accept them. Their acceptance, in the present case, may be considered as a bell equivocal; particularly, when it is considered that during the ensuing session it is the intention of some members to effect a repeal of the late judiciary law, under which the new appointments are made. To such new appointments, by the abandonment of an old one, may appear to some conscies as involving an eventual loss of both.

If this reflection, with others that might be adduced, should influence the period occupants of judicial offices, it is very probable that they will refuse the tenure of promotion. Should this be the case, and the Senate have confirmed the nominations, it would follow that men were *formally appointed* to fill places not vacant, which seems to involve an absurdity.

HOUSE OF REPRESENTATIVES, U. S.

WEDNESDAY, February 18, 1801.

An engrossed bill for extending the privilege of franking to JOHN ADAMS, now President of the U. States was read the third time, and passed.

A petition of sundry merchants of Providence, R. I. was presented, praying a remission of duties upon a quantity of sugars from on board the Cabins and Forecastles of the said port, and confirmed by fire; also a petition of Jonathan Very, praying to be allowed the bounty upon a vessel employed in the cod fisheries, notwithstanding her crew, owing to bad weather, were obliged to abandon her, was presented; and both referred to the committee of commerce and manufactures.

A petition of Jonathan Bellow was read and referred to the committee of claims.

A petition of sundry inhabitants of Delaware and Maryland, praying that more ample provision be made by the legislatures, for the recovery of slaves escaped from their masters and taking refuge in any of the neighbouring states, was read and referred to the committee appointed on the 22d ult. to inquire into the expediency of making further provision to prevent the concealing or harbouring of slaves, escaping from their masters or others, and to prevent the territories of the U. States.

Mr. S. SMITH, from the committee of commerce and manufactures, made report that a bill for the relief of John DeWolfe, which was referred to a committee of the whole house to morrow.

Mr. S. Smith, from the said committee, proposed a bill for erecting light houses on the Cape Henlopen, on Smith's Island in Virginia, and on Faulkner's Island on Long Island-Sound, Connecticut, which was read twice, and referred to a committee of the whole house tomorrow.

Mr. HOLMES from the committee, appointed on the petition of Griffin Taylor made unfavourable report: whereupon resolved that the prayer of the petition cannot be granted.

Mr. PARKER, from the committee appointed on that part of the President's message which relates to foreign and political arrangements, proportioned to our national resources, for a navy adapted to defensive purposes, presented a bill providing for a naval peace establishment and other purposes, which was read twice, and referred to a committee of the whole house tomorrow.

Mr. Parker from the same committee presented a bill repealing navy yards and timber for naval purposes, which was read twice, and referred to a committee of the whole house tomorrow.

A message from the senate informed the house that they had passed a bill, entitled "An Act to establish the district of British and to annex the towns of Kittery and Berwick to the district of Portsmouth," which bill was read twice, and referred to the committee of commerce and manufactures.

Mr. Thatcher from the post office and post roads committee, reported a bill further to alter and to establish certain post roads, which was read twice, and referred to a committee of the whole house on Thursday.

The house went into committee of the whole on the bill for the relief of Nathaniel Holmes, who reported the same without amendment.

Ordered that the bill be engrossed for a third reading tomorrow.

The house went into a committee of the whole on the bill to regulate the collection of duties on imports and tonnage, who reported progress, and asked leave to sit again tomorrow, which was granted.

A message was delivered from the Senate as follows;

Mr. Speaker, The senate have resolved that a committee be appointed to join a committee as may be appointed on the part of the house of representatives, to consider whether any, and if any, what measures ought to be adopted for the further accommodation of the President of the United States after the 3d day of March next, to report by bill or otherwise, and that Messrs. Nicholas, Tracy and Baldwin have been appointed on the part.

The house concurred in said resolution, and appointed Messrs. Nicholas, Gallatin, Varnum, Kitchell and Macon, on their part.

The house went into a committee of the whole on the appropriation bill, in which several amendments were made, and reported, to which the house agreed, and ordered the bill to be engrossed for a third reading to-morrow.

The house resolved itself into a committee of the whole on the bill to amend the act to provide for the valuation of lands and dwelling houses, and the remuneration of assessors within the United States, and to repeal the act to enlarge the powers of the surveyors of the revenue who reported the same without amendment.

Ordered that the said bill be engrossed for a third reading to-morrow.

MR. DAVIS. Mr. Speaker, I have arisen with an intention of bringing before the House a Subject on which I think it is our duty to act; and as the subject, to some extent, relates to the Speaker, I shall endeavour to conduct myself towards him, in such manner as to injure his feelings as little as the nature of the case will admit, in doing justice to the [illegible] of a Citizen of this Country. But whilst I, as yours the Speaker of this House, a fear of wounding your feelings shall not prevent me from stating what I conceive to be my duty, I trust that you will conduct your