Extract from a Charge of Judge Rush, of Pennſylvania, to a Grand Jury, on DRUNKENNESS.

Having preſcribed to myſelf the taſk of explaining the act for the prevention of vice and immorality, with a view to recommend obedience to every part of it, as the ſureſt means of preſerving the liberty and happineſs of our country; and having in former addreſſes to Grand Juries, gone through the firſt and ſecond ſections, I now proceed to make ſome obſervations on the third, which is expreſſed in the following terms.

"And be it further enacted, That if any perſon ſhall intoxicate him or herſelf by exceſſive drinking of ſpirits, vinous, or other ſtrong liquors, and ſhall be convicted thereof, he or ſhe ſhall forfeit and pay the ſum of 67 cents, for every ſuch offence—or, if ſuch perſon ſhall refuſe or neglect to ſatisfy the ſaid forfeiture, or goods and chattels cannot be found whereof to levy the ſame by diſtreſs, he or ſhe ſhall be committed to the houſe of correction of the proper county, not exceeding 24 hours, there to be fed on bread and water only, and to be kept at hard labour."

Intoxication is a term of ſuch familiar uſe, and inſtances of it are ſo frequently to be ſeen, that it may be deemed unneceſſary to define it. It is an expreſſion of very vague and indefinite meaning, but in our law books it is always repreſented as an artificial and voluntary madneſs, the effects of vicious indulgence; and therefore affording not the ſlighteſt palliation for any violation of the laws of the land. Being the author himſelf of his own inſanity, he is called voluntarius demon, a voluntary madman; and having committed one crime, he ſhall not be allowed to urge it as a plea, to juſtify another. In ſuch abhorrence is this voluntary renunciation of reaſon held by the laws of our country, and in order more effectually to diſcountenance it, that even a bond executed during this diſordered ſtate of mind, is deemed obligatory; unleſs it appear, the drunkenneſs was the effect of management and contrivance in the perſon for whoſe uſe the bond is given.

Like every other vice, it may be committed in a leſs, or greater degree, and under circumſtances of leſs, or greater aggravation. Viewed merely in the light of an offence againſt the laws of the land, it is diſcriminated from all others by one circumſtance—namely, that there ſeems to be only a certain degree of it, that is puniſhable. Every degree of felony, it is well known, is puniſhable. So is every degree of murder, robbery, and adultery. But unleſs the offence of intoxication riſes to a certain height, and paſſes certain bounds, however obvious it may be, that the party has deviated from the ſtrict rules of temperance and propriety, yet he is not amenable at the bar of an earthly tribunal. The true legal notion of intoxication, implies ſuch an exceſſive drinking (to uſe the words of the law on this ſubject) as to diſorder the reaſon and underſtanding, and which is evidenced by ſpeech or behaviour—nor will a leſs degree of it authorize a conviction under our law, however indecent it may be, or incompatible with a prudential regard to health or the dictates of chriſtian morality. If it could be ſuppoſed the laws were otherwiſe, and that a degree of intoxication, leſs than that which produces a ſpecies of mental abſurdity and diſorder, was comprehended in the act of the legiſlature, it might be the means of proſcribing innocent mirth and cheerfulneſs. The penalty of the law might be inflicted were nothing elſe could be diſcovered but the effuſions of joy and feſtivity. A diſtinction of this kind, as to the degree of intoxication, in the light of an offence againſt human laws, appear to be wiſe and reaſonable; eſpecially when we conſider the habits and manners of the preſent day. While it expoſes brutal exceſs to the juſt correction of the law, it leaves hilarity and good humour to their full enjoyment.

For very good reaſons, all civiliſed countries have agreed to puniſh drunkenneſs, as a crime againſt ſocial order and the public good. I believe it may be aſſerted with truth, that from this ſource originate almoſt all the enormities, that produce diſtreſs in private families, and the moſt deſtructive outrages on the public peace. It is this vice, that makes ſo many helpleſs widows and diſtreſſed orphans—that fills our ſtreets with wandering beggars, that crowds the ſheriff's dockets with executions, and is productive of innumerable quarrels, aſſaults, batteries, riots and ſlaughters. "Who hath woe? who hath contentions? who hath babbling? who hath wounds without cauſe? They that tarry long at the wine, they that go to ſeek mixt wine." I declare in this public manner, and with the moſt ſolemn regard to truth, that I do not recollect an inſtance, ſince my being concerned in the adminiſtration of juſtice, of a ſingle perſon being put on his trial for manſlaughter, which did not originate in drunkenneſs; and but few inſtances of trials for murder, where the crime did not ſpring from the ſame unhappy cauſe. A moment's conſideration will be ſufficient to convince you, gentlemen, that the various breaches of the peace that are daily brought before the courts, are all derived in a greater or leſs degree, from this infamous and miſchievous vice. It is impoſſible therefore to withhold our warmeſt approbation of a law, that has any tendency to check it. And indeed when we coolly reflect upon its infinitely pernicious effects on the peace, order and moral happineſs of the world, it is natural to expreſs our ſurpriſe, that governments have not gone further—laid the axe to the root of the evil, and exterminated it at once by a ſtrong and vigorous arm.

It is an obſervation of Sir Wm. Temple, that a multiplicity of taverns, is an evil inſeparably attendant on republican governments. From which the inference does not ſeem forced or unnatural that in proportion as they abound the vice of drunkenneſs may be expected to prevail among the people. Pennſylvania, it is acknowledged on all hands, affords the moſt ſtriking evidence to juſtify the obſervation of the philoſophical patriot; and every day exhibits to our view the moſt painful proofs that the conſequences are ſuch as might reaſonably be apprehended. The legiſlature of the ſtate have indeed candidly admitted, the inference from their number, to be perfectly correct, by ſtating, as they do in expreſs terms, in the 11th ſection of the law now under conſideration, "That a great abundance of taverns and public houſes for vending ſpirituous liquors, has been found to promote habits of idleneſs and debauchery." Theſe, we are taught by daily experience, are the rank ſoil, in which the vice of drunkenneſs ſhoots up with ſuch fatal luxuriance. Theſe are the polluted fountains that ſend forth conſtant ſtreams, to corrupt and demoraliſe our people.—Here our youth, the growing hopes of their country, are initiated in all the myſteries of iniquity and lay the foundation of thoſe deſtructive habits, that never forſake them. Here they are taught to practiſe the dialect of infernal ſpirits and to rival the very demons, in the uſe of profane and blaſphemous expreſſions.

Although taverns are unqueſtionably fruitful ſources of vice, yet I am not ſo viſionary a law-giver, as to ſuppoſe it practicable in government to have them conducted with the ſame regularity and decorum that prevail in private families. This, I well know, is impoſſible. At the ſame time it affords me much ſatiſfaction to ſay, that ſome of them are kept in the moſt decent and unexceptionable manner, the nature of things will admit, conſidering the depravity and prodigious licentiouſneſs of modern manners. There are others, however, who abuſe the truſt repoſed in them by government; and inſtead of keeping houſes of refreſhment for the traveller and for the accommodation of perſons meeting on buſineſs, which was the deſign of their inſtitution, convert them into places of frolic, drinking and gambling, on all hours of the night and every day of the week, Sunday itſelf not excepted. It is much to be regretted that taverns of this deſcription cannot be broken up. The laws on this ſubject, are ſufficiently ſtrict, and I do not ſee how they can with propriety be rendered more ſo. Heavy penalties are impoſed on thoſe who keep diſorderly houſes; and in any ſhape, countenance horſe-racing, cock-fighting and any kind of gaming whatever. Nothing is wanting but a faithful execution of theſe laws, which would ſoon operate an entire reformation. But alas, gentlemen! the age of diſſipation is ſuch, among all ages and claſſes, as to render any hope of this ſort, baſeleſs as a dream, or the fleeting ſhadow.

But if abuſes in taverns cannot be corrected—if they have become ſo inveterate as to be incapable of cure; perhaps ſomething may be done, towards leſſening the evil, by drying up in ſome degree, its ſources. This, gentlemen, can only be done by laying our young people under greater reſtraints.

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From the (LONDON) ORACLE.
JUNE 22.

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PROBABILITIES OF PEACE.

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The preſent moment certainly preſents very flattering hopes of a ſpeedy reconciliation between France and Great Britain. It is evident that Bonaparte, contrary to the peculiarity of his character, has for ſome time uſed a tone of moderation, when ſpeaking of the Engliſh, which indicates a wiſh to cloſe hoſtilities between the two countries. The language of the Moniteur, the official paper of the Firſt Conſul, has lately exhibited a diſpoſition of the moſt pacific nature. The profeſſions of Mr. Addington in favour of peace—the renewed interviews between Lord Hawkeſbury and M. Otto—the frequent communications on the part of the latter with the cabinet of the Thuilleries—the diſtinguiſhed and amicable reception of Lord St. Helens at Peterſburg—the fortunate adjuſtment of the differences with the powers of the Baltic—all promiſe the ſpeedy accompliſhment of this great and deſirable object. When contemplating, therefore, a reconciliation of differences between two great rival nations, after nine years obſtinate and ſanguinary war—a war of giants, when compared with any of thoſe which preceded it—the mind of man, wearied by the exhibition of ſo many diſaſtrous and bloody ſcenes, dwells with delight on the conſolatory idea of returning peace and unclouded days.

But how much the illuſion of that idea is loſt when we quit this general view, in order to examine the different obſtacles that will occur in the negociations to fruſtrate the laudable intentions of our new miniſtry! It is at the very moment when France proclaims its moderation, the only baſis of a ſuitable peace, that its ambitious projects are more and more developed. After having declared in 1792 that it wiſhed not to make conqueſts, and that it only fought for liberty, we ſaw it ſoon afterwards invade all the countries ſituated to the weſt between its ancient frontiers and the Rhine, and to the eaſt and ſouth as far as the Alps. After having ſince declared that it required no other limits but thoſe which that river and the mountains had fixed for France, we ſee the Conſular Republic ſeeking to enrich itſelf at the expence of Swizerland, and demanding of the latter a ceſſion of the important country of the Valais, in order that it might be united with Piedmont, finally deſigned to be incorporated with the mother republic. Thus, by eſtabliſhing itſelf beyond the two great chains of the Alps, it will be enabled to rule with deſpotic ſway over the reſt of Italy, and ſubject that important country to its empire.

If we may believe the reports in circulation, Spain is to pay for the eſtabliſhment of the duke of Parma in Tuſcany, and its intended union with Portugal, by ceding the provinces of Catalonia and Biſcay to France, and thus give the latter the ſame influence in Spain which it poſſeſſes in Italy, by the acquiſition of Piedmont. Who can therefore calculate on the immeaſurable extent of the conſular ambition? Or what conqueſts will ſuffice to gratify its devouring avidity.

But ſufficient attention ſeems not to have been paid to the ſeeds of eternal wars, the elements of political diſſolution, which the firſt conſul has ſpread over the whole ſurface of the continent. The imagination is loſt in contemplating the ravages which the ſyſtem of the indemnities will produce in Germany; and the petty ſtates, inflamed, perhaps, by Pruſſia and Ruſſia, may be the means of a new conteſt, equally fierce and bloody at the laſt. It is well known, that the king of Pruſſia views with jealouſy and alarm theſe tranſactions, and that in ratifying the treaty of Berlin he has reſerved to himſelf the perſonal influence and intermediate interference in the execution of the partitions.

If we turn our attention to the Eaſt, it offers to us ſimilar reſults. The intereſts of the new French government, as well as of the old, are eſſentially linked with the preſervation of the Turkiſh empire in Europe. It is through the apathy of that government, that France has always been able to maintain a preponderance in the Archipelago and the Levant. The wiſh of exciting againſt us an enemy in the Emperor of Ruſſia, has induced the Firſt Conſul to propoſe to him the execution of the old project of Catharine II. for the invaſion of European Turkey; but that propoſition, always oppoſed, or eluded by the ancient French government, is only employed by the preſent as a Machiavelian trick. It muſt perceive that the Ruſſians, when maſters of that intereſting country, would carry on the trade themſelves, and rule in the Mediterranean. By the ſecret articles of the treaty of Luneville, the Emperor of Germany, it is ſaid, is to be partner in the diviſion of European Turkey, to recompence him for the ſacrifices he has already made to France. Sooner or later, we ſhall perhaps ſee the two Emperors engaged in a fierce conflict for this bone of contention; and while they are fighting to decide who ſhall have the greater ſhare, it is then that the conſular government, recovered from the ſhocks of the revolution, will ſeek to profit by their diviſion and their weakneſs, to aſſert that aſcendency which France has always expected in the Mediterranean. Such is the firſt view in which the pacific ſyſtem of Bonaparte preſents itſelf—a ſyſtem organiſing perpetual wars—a ſyſtem conceived for revolutionizing all Europe—if ſome exterminating power ſhould not arreſt the hero, or ſome benignant genius diſſipate theſe deſtructive elements.

VARDEN & CARPENTER,
TAYLORS,
Gratefully acknowledge the favors of the public, whilſt carrying on buſineſs oppoſite Mr. Stille's Tavern, and inform, that they have removed to the next houſe eaſt of Mr. Tunicliff's Hotel, where gentlemen and ladies will be ſerved in a ſtile of faſhion and elegance which it has ever been, and ever will be, their ſtudy to execute, and they preſume, equal to the moſt populous cities in the Union.

Regimental and Ladies Habits made in the neateſt manner.

May 15, 1801. wtf

Land for Sale.

On the 28th day of September next, will be sold at Public Auction, at Mr. Stille's Hotel, in the City of Washington, (if not sold before at private sale)

Two Tracts of Land, lying on the Eaſtern Branch of Potomac river, and within the diſtrict of Columbia—containing together ninety-two acres. On each of theſe tracts is a quantity of good aſh wood, within a few yards of the river, and the greater part, if not the whole, of ſaid land, at a moderate expence, may be made excellent meadow. There is on one of the tracts an eligible ſituation for a dwelling-houſe, with about four acres of excellent upland ſuitable for a garden. Sale to commence at three o'clock, when the conditions will be made known. Information may be had from the ſubſcriber at the Navy yard.

GEORGE FRANK.

On the premiſes, or of THOMAS HERTY, Conveyancer City of Waſhington.

July 20, 1801. 1aw 6w

NEW BOOKS.

JUST received by the ſloop Highland, capt. Hand, from Philadelphia, and now opening at the ſtore of Rapine, Conrad and Co. corner of ſouth B ſtreet and New Jerſey, Avenue; a very handſome aſſortment of books, amongſt which are,

De Valcourt, by Mrs Bennett, author of Welch Heireſs, Beggar Girl, &c &c.
Nocturnal Viſit, 2 vols. by Maria Regina Roche, author of the Children of the Abbey, &c.
The Girl of the Mountains, 2 vols. by Mrs. Parſons, author of "Women as they are."
Raſh Vows; or the effects of enthuſiaſm, by Madame de Genlis.
The Farmer's Boy, a rural poem, by Robert Broomfield.
The life of Catharine the Second, Empreſs of Ruſſia, 3 vols
Dawin's phytologia; or the philoſophy of agriculture and gardening.

Also a general assortment of law books, and miſcellaneous hiſtory, ſtationary, writing and wrapping paper, &c &c all which they will diſpoſe of on the moſt reaſonable terms.

N. B. Bookbinding in all its branches, with neaneſs and diſpatch.

Washington, May 15,

A GREAT BARGAIN.

I WILL ſell or leaſe for ten years, a valuable Farm, in the county of Culpepper, and ſtate of Virginia, on Flat Run, containing 750 acres the land is extremely fertile, and yields abundantly in the production of corn, wheat, and tobacco; there are about 100 acres of meadow land, 50 or 60 of which are cleared, and 15 acres well ſet in Timothy, about 350 acres of the tract are cleared and well incloſed. This land is diſtant from Fredericksburg about 28 miles, and 55 miles from Alexandria and the City of Waſhington. There are ſeveral valuable merchant mills in the vicinity, one within the diſtance of a mile, where the Fredericksburg prices are given for all kinds of grain.

I will alſo ſell the Reverſion of 250 acres of land adjoining the above, on which are erected a number of valuable buildings, among them a large dwelling houſe of 60 feet by 40, with four rooms on a floor, with fireplaces, and every neceſſary out houſes—A valuable peach and apple orchard.

A further deſcription is deemed unneceſſary, as any perſons deſirous of purchaſing or leaſing, will doubtleſs wiſh to view the premiſes. For terms apply to Robert Brooke Voſs, Eſq. who lives adjoining the premiſes, or to the ſubſcriber.

I will also Sell or Rent,

Two three ſtory brick houſes in Alexandria, completely finiſhed, on King and Columbia ſtreet, with ſundry valuable property near the ſame, poſſeſſion whereof may be had immediately. The ſituation for the flour and grocery buſineſs is equal to any in Alexandria.

For terms apply to Henry Thomas Moore, Alexandria, or to the ſubſcriber.

NICHOLAS VOSS.

City of Waſhington, July 13, 1801.

N. B. I wiſh to hire by the month, or until the 1ſt day of November, ten or twelve labourers, for whom liberal wages will be given.—Apply to N. Voſs, on F ſtreet, or W. T. Voſs, at the Navy-Yard. 2awtf