ings under the statute, the title of which is herein last recited.

On the passage of this act, the yeas and nays were taken; Yeas 105 Nays 67.

PROTEST.

The undersigned members of the House of Representatives, in behalf of themselves, and of a number of republican members, assembled on the 20th day of October, 1801, dissent from the act introduced and passed at this session of the legislature, entitled an act in addition to and alteration of the statute entitled "an act for regulating the election of the Governor, Lieutenant-Governor, Assistants, &c. and in addition to and alteration of the statute, entitled an act for regulating the election of Senators and Representatives for this state, in the Congress of the United States"—*For the following reasons:*

1st. Because the laws thereby repealed or nullified are ancient and fundamental laws of this government, bottomed on principles which have been both acknowledged and practised upon for more than a century.

2d. Because no evils have been experienced under the operation of the old laws; the wisdom of their provisions has been realized by a long train of semi-annual experiments. They have produced as fairly as human institutions can, a correct expression of the public will; they have preserved and maintained such degree of freedom of election, of good order, decorum and dispatch of business at our electoral assemblies as are almost unexampled in the history of states or nations.

3d. Because reason instructs us, and her instructions are supported by the voice of experience, that good wholesome laws should not be changed or abrogated for light and trivial causes; and there is no objection offered against the old laws—Changes and fluctuations in laws tend to beget uncertainty, and to deprive the people of all the benefit of a knowledge of the laws, derived from their experience and that of their ancestors.

4th. Because a defect in the execution of a late law confessedly good and valuable, and conveniently executed, according both to its spirit and letter, by a large portion of the people of the state, can never form a reason for the repeal or abrogation of such good and wholesome law—for that would be virtually to change the power and the relations of the legislator and administrator of the law; to substitute the unconstitutional and illegitimate will of the latter for the constitutional and legitimate will of the former; to introduce, encourage, aid and confirm a lax and inefficient administration in favor of an unfaithful or negligent officer or number of officers, to the discouragement of good and faithful officers, and to the injury of the state. We hold that the interests of the state require wisdom and stability in our laws, and energy and mildness in their administration.

5. Because we hold that the faithful maintainance of both the purity and freedom of elections are essential to the security and preservation of our rights and liberties, and of that happy form of government, under which through the beneficent aid of a kind and overruling Providence, the good people of this state enjoyed such unexampled prosperity and happiness. To secure these great and valuable objects, we will most cordially co-operate at all times with our brethren. But to us it appears that both these important objects are at least hazarded by passing the law hereby dissented from—for

6th. By this law the assistants and senior justices of the peace are made the presiding officers, if present, in the electoral assemblies, yet all the assistants are candidates at the elections, and of the present house of representatives one hundred and five members, a great majority are justices of the quorum and of the peace, by which it may fairly be inferred, what we know as fact, that the magistrates of the state are generally candidates, and usually successful ones. To these candidates by this law, and by another passed at this legislature, is given the power to *govern* the *elections*, to cause to be *arrested* and withdrawn from the meeting any one free citizen who has assembled for the purpose of exercising his free franchise, under the charge of tumultuous conduct, at the elections, whereby a free citizen may at any time be deprived of his right of voting, at the pleasure of a presiding candidate, to whom the citizen may happen to be opposed. To these same candidates is also given the power of deciding, in the first instance, the legality or illegality of any vote offered, and of declaring their own elections. It is true that under the old law the magistrate had the right of *presiding*; it is also equally true that according to the general practice the constables of the towns, who are rarely candidates, and who also had authority, did preside and declare the elections. Under this law it is made the duty of the magistrate, or in other words generally of the candidate to preside, if present, and whether he will be present or not, let experience determine. Under the present laws also the presiding magistrate or candidate is vested with an authority to remove a freeman from the meeting as before stated, a power never before given. And it is a remarkable fact, that most or many of the magistrates who voted for this law gave themselves an authority to preside at, and govern their own elections; we hold that if it was necessary to select and appoint by a new law a description of characters to preside at our elections, which we deny, that description of characters who combine confidence as men, with the least probability of their being candidates, should have been selected, and that judging according to our knowledge of human nature, under the law complained of, the purity and freedom of elections cannot long be preserved.

7th. By the old laws, the beneficent effects of which have for many years been experienced, every freeman had a right to vote in private, by his ballot delivered by himself, and passing into the mass of votes unexamined; whereby the undue influence of authority and office, of hard and tyrannical creditors, of oppressive landlords, of prevalence of public sentiment, and of the chords of affection, or connection derived from friendship, blood or an union in business, was prevented and checked, as far as any law could check the same; by the operation of the present law the whole force of this influence is brought into full effect and operation; the freedom of election is thereby destroyed, and the conduct of each freeman subjected to the inspection of the candidate himself; whereby he may be compelled to relinquish the free exercise of his elective franchise, or encounter all the evils resulting from the displeasure of the candidate, his friends and supporters.

8th. By the old laws order and decorum were preserved, and the elections speedily closed, without tumult or agitation—by the law objected to, the feelings of the freemen are enlisted—their passions courted and invited into action, and the friends of contending candidates, or of politics, instead of coolly waiting for an opportunity to vote are now interested in pushing forward their respective candidates instantly, on opening the meeting;—of course agitation, confusion, party bickering, and rage, will be certain to follow, if not more serious consequences. In lieu of order we shall find confusion; instead of harmony and friendship, we shall experience all the evils of misrule and enmity. Nor does the evil stop here, the presiding officer who will frequently be a candidate may select for himself the four tellers—There is no check provided against him; insuring a fair and impartial appointment; much less against his tellers; for the fairness of the election is not even secured by an oath. In our opinion the law if not incapable of being carried into execution, is, and on experiment will be found to be, extremely inconvenient, and vexatious to the people.

9th. Because at this time great mistrust and jealousies exist between contending parties, or men of different politics; and we more especially hold it for a truth that in times of party spirit and high agitation, the fundamental and ancient laws of the government should not be repealed or vacated; particularly those which respect elections, and of course the safety of the Republic; unless for the most cogent reasons, which in our opinion do not exist in this case. The change if proper, should therefore have been delayed till a time of more general tranquility and confidence.

10th and lastly, Appealing to the author of our existence for the purity of our motives and the sincerity of our professions for the truth of our ardent attachment to the Constitutions and Liberties of our native country and the ancient establishment of our civil government—We feel ourselves constrained to remark, that when we reflect that in October 1800, a permanent law was made, taking from the people the right of choosing their own electors of President and Vice President—whereas before that time the subject was deemed of so high importance that no Legislature had ever ventured to pass any Law on the subject, providing only a temporary Resolve for each occasion, and leaving the people in every instance, to express their wishes by their Representatives.—That close upon that followed in May 1801, a Law declaring that no person should be admitted as a freemen, to enjoy the elective franchise without the joint concurrence of the Civil Authority and of the Select Men—Before which period, from the infancy of the government, the people had always enjoyed the inestimable right and privilege of electing for themselves in their town meeting, those who should determine respecting the qualification of person who claimed the rights of freeman; whereas by that Law, every member of one branch of the Legislature is constituted by his own act a judge of those qualifications; and a majority of the member of the other house of that Legislature, were also, by that act, constituted judges in like manner, and the other authority are subject to the annual scrutiny of the Legislature. When in addition to these things, we reflect upon the Law now passed, we feel ourselves seriously alarmed at these regular and systematic attacks upon the ancient and long injoyed rights and liberties of the people. We behold the legislature at one session constituting its own members in whole classes, and one entire house, judges of the qualifications of freemen—at the next, creating themselves the candidates, the presiding officers at elections, with powers to appoint subordinate officers; and to crown the scene, introducing that mode of voting most open to the force of influence. We tremble at the effects, which in process of time may arise from this systematic progress of acquiring unheard of authority.

Sincerely believing it a duty we owe to our country, our constituents, ourselves, and our children, to stand forth boldly in defence of the ancient rights and privileges of the people, which they inherited as their birth right from their ancestors. We do openly and in view of the good people of the Commonwealth, solemnly dissent from and protest against the act first above mentioned, and against all such invasions of the ancient rights of the people and innovations upon the Laws and usages of Government.

GIDEON GRANGER,
ELISHA HIDE,
JOSEPH WILLCOX, 2d.

New Haven, Oct. 28, 1801.

Dissolution of Partnership.

THE Partnership of Washington & Dowson, did by mutual consent dissolve on the 10th day of October last. All those indebted to the said concern are requested to make immediate payment to Baily Washington, living on the Capitol Hill, New-Jersey Avenue who is authorised to settle the business of the concern.

BAILY WASHINGTON.
JOSEPH DOWSON.

Nov. 11. 12w3t

For Sale or Rent,

A VALUABLE Lot in Washington City, on square No. 686, on Delaware Avenue, near the Capitol, opposite general Washington's buildings. This lot contains 5982 square feet, with a commodious three story brick house thereon, completely finished in a handsome style. Sale of said property will be preferred for part cash, and the balance well secured. For terms apply to Messrs. Kerrack and Percival, in Philadelphia, or to the subscriber in Washington City, in New-Jersey Avenue.

BENJAMIN BURCH.

Nov. 11. eptf

POST-OFFICE.

Washington, November 7, 1801.

THE Winter Establishment will commence at this Office tomorrow and continue until 1st May next, agreeably to which the Northern Mail is to arrive every day (Tuesday excepted) at four o'clock P. M. and close every day (Saturday excepted) at five o'clock P. M.

The Southern Mail is to arrive every day (Sunday excepted) at seven o'clock P. M. and close every day (Saturday excepted) at five o'clock P. M.

No alteration will take place in other mails from this office.

THOMAS MUNROE, P. M.

ep3t

PUBLIC SALE.

By virtue of an order of the Orphans' Court of Washington County, District of Columbia, will be sold to the highest bidder, on Thursday the 26th of November, at the late dwelling of James Robinson, deceased, about one mile from the Eastern Branch Ferry.

THE personal property of the said James Robinson, deceased—Consisting of Household Furniture, kitchen and farming utensils, some wearing apparel and other articles.

Terms of sale, where the property bought by any one purchaser does not amount to twenty dollars—ready money. For all purchases above that sum, a credit of six months; the purchasers giving Bond, with good security for the payment of the money with interest, in six months from the day of sale. Hour of sale, 11 o'clock A. M.

LEWIN TALBURTT, Adm'r.

Washington County, Novemb. 11, 1801. eptf

A Contract offered.

THE Directors of the Eastern Branch Bridge Company will receive proposals until the first day of December next, for erecting a Bridge over the Eastern Branch of Potomac River, at the City of Washington. The width of the River where the Bridge is contemplated to be fixed, is fifteen hundred and forty three feet, and the average depth of water at common low tide is four feet, except the channel, which is from 12 to 24 feet deep—the width of the channel is 150 feet. It is wished by the Directors that estimates may be furnished for a Bridge to be built on Piles or of Boats, as it is not yet determined by them, which of those two kinds to adopt—It is also desired, that plans of the Bridge may accompany the estimates, that the Directors may be the better enabled to judge of the advantages & disadvantages of the two plans which have been suggested. A draw of thirty feet is intended to be made over the channel.

The proposals must be sealed, and directed, post paid, to the Subscriber, in the City of Washington.

On good security being given for the performance of the contract—liberal advances will be made.

By order of the Directors,
WILLIAM BRENT, Secr'y.

Washington, Oct 19. em4w.

Thirty Dollars Reward

THE following criminals who made their escape from the prison of Washington County, in the City of Washington, on Sunday night the 1st inst. have not yet been apprehended.

FRANCIS HIGDON, a slender man, about 5 feet 6 inches high, fair complexion, black hair, and 26 or 27 years of age. It is supposed he has endeavored to get among his relations in Charles or St Mary's County.

JAMES SCULLY, about 5 feet 5 or 6 inches high, stout made, fair complexion, an Irishman by birth, had on a blue suit of clothes quite new, and of a coarse quality.—He is about 40 years of age, talks thick, has short, bushy hair, and is very much marked with the small-pox.

HARRY, a negro man, of light complexion, 23 or 24 years of age, 5 feet 4 inches high, well made; had on when he went away, a new white cotton shirt, and new coarse, blue, cloth jacket and trowsers.

It is supposed this fellow is gone to Port Tobacco, where, I am informed, his master resides, whose name is Lanty Maddox. Ten dollars will be paid for the delivery of either of the above men, or thirty dollars for the whole of them.

DANIEL C. BRENT,
Marshal of the district of Columbia.

Washington, Nov. 11.

Foreign Intelligence.

WESTPHALIA, August 21.

In consequence of the death of the elector of Cologne, the chapters of Cologne and Munster have previously put themselves in possession of their territorial right, declared the interregnum, and taken the oath of allegiance from the public functionaries. Count Truchsess is vicegerent of the Electorial dominions. Count Nesselrode-Richstein, electoral major-domo and president of the Aulic court, has resigned. The public curiosity is at present directed to the result of the election of a new elector of Cologne, since the court of Prussia has insisted, at the diet, that in such ecclesiastical states, as should become vacant, no fresh election should take place, previously to the final adjustment of the indemnification business, and that such elections should not be acknowledged as legal. Couriers are now constantly setting out for Berlin and Vienna.

RATISBON, August 17.

According to the letters from Vienna, the minister of state, count Lehrbach, will be sent hither for the chief management of the indemnification business, on the part of the imperial court. The protocol on the last imperial court decree, of the 26th of June, is now open. In the instruction hitherto received by the ministers of some of the principal German courts, it is recommended to transact the final adjustment of the treaty of peace, by means of a deputation from the diet; others, on the contrary, and among these principally the ecclesiastical princes, conjointly with several other members of the empire, will use their influence to effect, that full power be given to his imperial majesty for finally adjusting the treaty of peace. If the latter should prove to be the declaration of the majority, it is expected that some of the principal courts in the minority will enter protests. For the final adjustment of the treaty of peace, the elector of Brandenburg proposes Austria and Brandenburg in particular, to be appointed members of the deputation of the diet. That court also makes several proposals in what manner that principle of the treaty of Luneville might be carried into execution, according to which those hereditary states who have lost their possessions on the left banks of the Rhine, may be indemnified by secularizations in the empire. Citizen Bacher, the French charge d'affairs declared, on the 29th ult. in the name of his court, that France observed with concern the tardiness which the execution of the treaty of Luneville had hiterto experienced, with respect to the indemnifications, and that it could not be indifferent to the fate of hereditary princes, who, having a claim to compensation, must see their loss increased, and their situation rendered vexatious, by the delay which the indemnification business had met with.

These considerations, and the fear that Austria would avail itself of the influence of the new elector, to delay or embarrass, as much as possible, the projected secularizations, have determined the cabinet of Berlin to endeavor to prevent the nomination of a new prince to Cologne and Munster. M. Von Dohm, a diplomatic character, whom Prussia has employed to carry into execution several of her plans of ambition, such as the revolt of the Netherlands and the naturalization of the north of Germany, has had frequent communications from Hildesheim, where he was resident, with the chapters of Munster and Cologne. The cabinet of Berlin not finding in them the dispositions which it had hoped, determined to throw aside the mask, and its envoy at Vienna, therefore, made a declaration to that court, in which his imperial majesty is requested, not to authorise any fresh election, which, if it should nevertheless take place, the king of Prussia would be obliged to declare null and void. M. Von Dohm presented, at the same time, to the chapter of the bishoprick of Munster an official note, in substance the same, but less authoritative in style, and maintains some regard to politeness towards the people whom his Prussian majesty intends shall become his subjects. It is, however, sufficiently explicit for the noble prelates to be certain that they will be compelled to submit to the force of the king of Prussia, if they do not yield to his requisitions. In order to leave no room for doubt on the subject, part of the Prussian troops, who occupy Hanover, were to be sent into the bishoprick of Munster, while other troops are on their march from the environs of Berlin to succeed them.

This menacing attitude of Prussia, after so much political patience, and so many obscure intrigues, has added an addition of and great embarrassment to all those which at present press upon the house of Austria. It appears that they had already accepted the offer which the chapters of Cologne and Munster had made of nominating the archduke Anthony to the electorate. Vienna will, therefore, have the disgrace and the disadvantage of retracting before Berlin, or else must be exposed to a rupture with that rival power whose military means have been encreasing by inaction and neutrality.—Prussia would besides be supported, no doubt, by France, who, we may expect, will make a declaration on the subject similar to that which the former has made at Vienna, at Ratisbon, and at Munster, at the same moment. The emperor and the diet being both of them called upon not to authorise the new election, and this election not being valid without such an authority. Austria seems unable to escape from the dilemma either of losing the advantage of seeing that electorate again return to its house, or of coming to an open rupture with Prussia. There is reason to believe that in such critical circumstances Austria will adopt neither of these extremities, but will endeavor previously to ascertain the intentions of Russia, and will even negociate at Paris,

Whatever may be the result, this incident will obtain more obstacles and more animosity on the question of indemnities than have yet occurred, and we shall, we think, see that realised which we have often, and that many months ago, repeated, which is, that a very long time must elapse before Germany could disentangle herself from the labyrinths in which the arms and the politics of the French had entangled her, and that the treaty of Luneville was but an insignificant preliminary of that general pacification which, but when, heaven only knows, is to give repose to the continent.

BRUSSELS, September 1.

At the moment when the great question of the indemnities, or what is the same thing, of the secularizations, was engaging the attention of Germany, the death of the elector of Cologne has proved an event highly important to the two courts of Vienna and Berlin, but as disadvantageous to the former, as favorable to the latter. Prussia has long coveted the territory of Cologne, and still more the bishoprick of Munster, which separated the Prussian states in Westphalia from one another. The chapters of the three ecclesiastical electorates, have at all times been devoted to the house of Austria, which they considered as the natural support of the catholic religion in the empire, and which was indeed the most powerful support it could have. Prussia could therefore entertain no doubt that the choice of the chapter of Cologne, by which the last elector was besides much regretted, would again fall upon a prince of the house of Austria. Although a great number of the members of the chapter of Munster were devoted to the house of Prussia, it had nevertheless the result to apprehend from an election, because the fear of being secularized as several bishopricks were at the peace of Westphalia, could not fail to determine this chapter, like that of Cologne, to appoint a prince who might afford them a powerful support.

HAMBURG, Sept. 11.

A rumour has prevailed here for several days that England has refused to deliver up the Danish West-India Islands, till Denmark shall indemnify the city of Hamburgh for all the expences it sustained in consequence of the late unprovoked invasion. England is also said to have demanded the dismissal of Prince Charles of Hesse from his dignity of Danish Field Marshall and Commander in Chief.

Letters from Petersburg, of the 25th ult. brings a variety of details, from which plainly appears that citizen Duroc has been totally unsuccessful in his mission, and that he is not to go to the coronation at Moscow. Though vested with the powers of a French ambassador, he was obliged to advertise himself among the list of other adventurers, who intended to quit the capital of Russia. In this public notice, he assumes the title of "Citizen Duroc, adjutant of the First Consul, Bonaparte."

A great change in the politics of Russia is expected to take place before next spring.

Respectable private letters received here this evening from Paris, state, that the French government has possession of papers, which state that the prisoners at Bareuth had formed a plot against the life of the First Consul.

HAMBURG, August 28.

The last post from Russia with the Petersburgh letters of the 7th instant, bring authentic intelligence that the French Brigadier general Duroc, who had already had his audience of leave of the emperor Alexander, suddenly received orders not to quit the Russian capital till the arrival of another minister from France. Count Marrow, the new Russian ambassador, destined to go to Paris, will not set out for a month or two on his mission to France, as the courts of Petersburgh and Vienna wish first to see what turn the affair of indemnification is likely to take at the diet of Ratisbon, before they send their new ambassadors.

The emperor Alexander is said to have sent a courier to his minister at Berlin, with orders to signify to his Prussian majesty, that it would highly please him if the Prussian troops would speedily quit the electorate of Hanover.

Ever since the beginning of the present month, a brisk interchange of state papers and notes have taken place between the regency of Hanover on one side, and monsieur Dohm, the Prussian directorial counsellor and minister, on the other. These notes amount to six in number, and they were seconded, in a very spirited manner by lord Carysfort, at Berlin. They relate to the protracted stay of the Prussian troops in Hanover. They do not appear, however, to have made any impression on the Prussian cabinet. The electoral regency has since given general orders to the Hanoverian subjects not to make