inhabitants; and therefore it is that your petitioners are deeply anxious at this moment, that a measure should be accomplished which will annihilate the principle of religious animosity, and animate all descriptions of his Majesty's subjects in an enthusiastic defence of the best constitution that has ever yet been established.

Your petitioners therefore, most humbly presume to express their earnest but respectful hope, that this hon. House will, in its wisdom and liberality, deem the several statutes now in force against them, no longer necessary to be retained, and that his Majesty's loyal and dutiful subjects professing the Roman Catholic religion, may be effectually relieved from the operation of those statutes, and that so they may be restored to the full enjoyment of the benefits of the British constitution, and to every inducement of attachment to that constitution equally and in common with their fellow subjects throughout the British empire.

And your petitioners will ever pray, &c.

After some debate relative to the time for the discussion of the petition, the 9th of May was fixed on.

From the Mercury.

SKETCH

OF THE CHARACTER OF

EPHRAIM KIRBY.

When men, distinguished for uncommon virtues and talents, descend into the grave affection not only weeps over their tombs, but dwells with a melancholy pleasure on the remembrance of their excellences.

Few men were possessed of those qualities which conciliate esteem, awaken friendship, and command respect, in a more eminent degree than *Ephraim Kirby*. Accordingly there have been few more beloved by their friends when living, and few whose death has been more deeply deplored. In the following imperfect sketch of some features of the character of my departed friend, it shall be my endeavor to avoid the influence of partiality, and to pourtray a faithful picture, drawn with the lights and shades of its original. To a capacity uncommonly great, Mr. Kirby united a disposition of ardent curiosity, and a spirit of unconquerable perseverance. His attainments were of course limited by no ordinary extent. Unfortunately, his circumstances would not admit an early application to letters, and he was destitute of those advantages for education, which are usually considered indispensible to eminence. But his intellect broke thro' all these obstacles, and shone in the meridian of his life, with so resplendent a lustre, that few would suspect its morning to have been obscured by clouds. It is not intended by this that the distinguishing characteristic of his talents was brilliancy. He was peculiarly eminent for the acuteness of his sagacity, and the soundness and perspicuity of his judgement. His was not that rapid genius which lightens on a subject, and as if by intuition, scans it at one comprehensive glance. His intellect, like the luminary of day, shone with steady and serene light, and illuminated every object on which its beams were directed.

He did not continue his professional pursuits a sufficient length of time to reach the zenith of legal eminence, but still, as a lawyer, he was highly respectable. His reports, which are the first attempt of that description in this country, remain a monument of his legal industry and talent. Though compiled under every disadvantage incident to publications of this species in an infant country, where the encouragement was necessarily small, it is believed that the reports of Mr. Kirby will not suffer by a comparison with those of his most favored successors. As an advocate, he was more sound than shewy, more perspicuous than brilliant; and his arguments enforced conviction, more by their intrinsic weight than by any adventitious ornament by which they were accompanied. In every species of polemic writing, he was eminently successful. Assailed by the united talents of several distinguished men, he defended himself with a nervous vigor, which proved to his adversaries, and to the world, that he was alone fully competent to cope with this formidable combination.

In speaking of him as a public character, it is necessary to advert to his political sentiments. He was ever a most decided & inflexible republican. Early in his life, when the American Revolution called forth all the patriotism of the nation, Mr. Kirby appeared not only as an *advocate* to the cause of his country, but as her *defender* in arms. In support of those principles which he esteemed most sacred, he was ready to forsake the calmness of retirement, and his professional prospects, to encounter distress and danger in their most appalling forms, and if necessary to lay down his life. As a soldier, he was cool and courageous; intrepid, but not rash, and endowed with a presence of mind which the most imminent perils served to render only more eminently conspicuous. In the service of his country, he received some very severe wounds, the effects of which he felt during life, and the honorable marks of which he carried with him to the grave, as testimonials of his patriotism and valour. It was in the American army, that nursery of heroes, and school of liberty, that those principles which he had previously imbibed, were fixed on a foundation of immovable stability. Though he moved in a less exalted sphere than a Greene, a Gates, a Clinton, or a Sullivan, still he was actuated by the same patriotic principles which animated those worthies, and like them he ever continued a republican, "without variableness, or a shadow of turning." After the war of independence was terminated, these principles accompanied him as a legislator. In the General Assembly of his native state, he was soon a distinguished member; and was rapidly rising to political eminence, when the principles of '76, those principles for which he had steadily contended, and for which he had shed his blood, suddenly became generally unpopular, and particularly so in Connecticut. This singular revolution may be traced to various sources. Numbers of our prominent characters had embraced the opinion that a monarchy was the only safe and efficient form of government.* Fearing openly to propagate sentiments of this nature, it became necessary to conceal them under the specious veil of attachment to order, religion, and government, and apprehension of universal infidelity, and "wild misrule." About this time, the French revolution, which in its earlier stages, had promised to do much for the cause of human happiness, became disfigured with cruelty and blood, and polluted with impiety and anarchy. Under the name of democracy, crimes of the most infernal nature were perpetrated, by a despotism more terrible than any which has cursed the world. Not satisfied with domestic plunder, the French committed enormous depredations on American property, which roused against them in this country a sentiment of the most lively indignation. Eagerly seizing on this occasion, the advocates of a more "energetic" government, turned the popular attention to the horrors of the French revolution, and the very name of *republican*, once so formidable in America, became synonimous with those of disorganiser, demoraliser, and infidel. Among those who opposed the torrent of popular enthusiasm on this occasion, Mr. Kirby took a firm and unalterable stand. Accordingly, he together with others who remained attached to the principles of our revolution, was rendered extremely unpopular, and stigmatised with every epithet of opprobrium. With that inflexible perseverance which was a prominent trait in his character, he continued openly to avow and defend his sentiments, and at length enjoyed the satisfaction of seeing them more extensively triumphant than they had been at any former period. In Connecticut, the republicans evinced their exalted sense of his superior merit, by repeatedly selecting him as their candidate for the government chair, and he was by the President of the United States, appointed Supervisor of the Revenue. In the autumn of 1803, he received the appointment of Commissioner to settle conflicting claims to lands in the south western territory, and in the year 1804 he was nominated Chief Justice of the Supreme court of New Orleans, when death arrested his course, and closed forever the career of his terrestrial usefulness and honors.

In private life, no man was more estimable than Mr. Kirby. As a husband, he was uniformly tender and affectionate, and he possessed that mingled dignity and mildness which form the happiest shade of the paternal character. As a friend, —but how in this respect shall I do justice to his merit? If, as his adversaries assert, he was vindictive in his enmities, he was certainly most ardent and generous in his friendships. But though his passions were warm, he was not implacable. Notwithstanding the persecutions which he suffered, the unparalleled calumnies raised against him, and the ingratitude he experienced from some whose benefactor he had been, the writer of this hasty sketch can declare, that Mr. Kirby did justice to the merits of his most virulent enemies, and their unprincipled efforts to destroy his character, excited in his bosom as much of pity as of resentment. Possessing the *mens sibi conscia recti*, he pursued steadily and inflexibly the course which his reason pointed out and his conscience approved, unseduced by flattery, and undismayed by calumny.

Now,—since the grave has closed over this excellent man, since his virtues and talents can no longer be serviceable to his friends, or formidable to his enemies, it was to be expected that enmity would subside, and calumny be hushed to silence forever. But the same vengeful and unrelenting spirit of detraction which assailed him when living, has pursued his memory, and with sacrilegious profanation has violated the sanctuary of the tomb, and endeavored to pollute the ashes of the dead. I have therefore thought it my duty, to pay this small tribute to the memory of a man, whose friendship I had the honor and happiness to enjoy. If I have described him erroneously, it is not because I have extenuated his faults, but because I have not done justice to his virtues.

* *Among these may be included, by their own confession, President Adams, Gen. Hamilton, and some eminent men in Connecticut.*

SALEM, April 29.

A late acount from China leads us to make enquiry into the condition of that remote but populous country. From some writers it has had the highest character from the stability of its civil affairs, and comparisons have been often made in its favor, in a view of the most enlightened state of Europe. But the highest praise has been drawn more freely from imagination, than truth, from impostors, than men soberly informed. Voltaire found on this subject full scope for his talents. The more extensive our knowledge has been, the less we found to admire in the government of this celebrated country. As soon as admission could be obtained into this great nation, it became an object for the zeal of the missionaries to convert its inhabitants. Father Premaire, in 1700 writes; China is the most fruitful climate, and is the richest country in the universe. He then describes the magnificence of the court, and the wealth of the richest subjects. He than proceeds to a paradox, but than which nothing he thinks can be more true. That the richest empire in the world, is, in a sense, the poorest upon the globe. The number of inhabitants is prodigious, and yet a third part of the whole nation would accept a subsistence upon rice alone. Extreme necessity has given indulgence to great enormities. Children are not only sold, but exposed. Want has produced thieves, and famine is frequent in its ravages. Yet time had reconciled the poor to their sufferings; though an indolence often seen in Europe was unknown. 'An inhabitant of China was often seen for days turning up the ground, and laboring in the water for a subsistence on rice, and the water in which it was prepared.' It is not to be believed that any police would be sufficient to give universal content in such circumstances. It is not strange then to hear of discontents, especially when famine was spreading distress over a vast province. Hence we learn from Mr. Barrow who was in the late embassy from England, that the principal cause of popular discontent was in the famine which prevailed. 'Partial insurrections,' says he, 'occasionally happen; but they are generally owing to the extreme poverty of the people, which, in seasons of scarcity and famine, compel them to take by violence the means of subsisting life, which otherwise they could not obtain. To this cause may be referred the origin of almost all the commotions recorded in their history, thro' some of which, when the calamity became general, the regular succession has been interrupted, and even changed. He still is willing to attribute something to political causes. A visit to China could better inform the traveller of the condition of the poor and of the existing laws, than of the causes of remote events, and of the past insurrections of the people. The Jesuits say, that though the laws and customs were favorable to the destruction of infants, yet the love of life was sufficiently strong to prevent self destruction. And they concur with Mr. Barrow in the representation of the prevailing practise of exposing children. After exposing the greatest evils of domestic education, Mr. Barrow proceeds to show that the horrid practice of infanticide was tolerated by customs, and encouraged by the government. He says, 'it is tacitly considered as a part of the duty of the police of Pekin to employ certain persons to go their rounds, at an early hour in the morning, with carts in order to pick up such bodies of infants as may have been thrown out into the streets in the course of the night. No inquiries are made; but the bodies are carried to a common pit without the city walls, into which all those that may be living, as well as those that are dead, are said to be thrown promiscuously.' 'I should conclude, that about twenty-four infants were, on an average, in Pekin, daily carried to the pit of death; where the little innocents, that have not yet breathed their last, are condemned without remorse,

'To be stifled in the vault,
'To whose foul mouth no wholesome
air breaks in,
'And there die.'

'This calculation gives nine thousand yearly, for the capital alone, where it is supposed about an equal number are exposed to that of every other part of the empire.'—Whatever may have been the ancient policy on this subject, and whatever a sense of shame in the cruel moment of guilt may perpetrate in all nations, this calamity must not be attributed to a characteristic inhumanity, but to the cruelty of poverty unprovided for, neglected, and very often extreme. It is evident that the fundamental laws provide for no such state, nor is public opinion favorable to it. But the political state of China involves such evils in defiance of all the remonstrances, which are insufficient to remove the cause of the evils. No person can believe that such a state of society have sure tranquility.

Additional instances of longevity in Virginia communicated by Mr. F. of the Court of Appeals.

1. Thomas Dance late of the county of Chesterfield, died about the 1775, aged 123 years. I saw him at Chesterfield election when he was 115 years of age and said he had walked eight miles to the court house that morning. He was born in London.

2. *John Halloway an old soldier under the duke of Marlborough at the battle of Blenheim, in 1704 died in Prince Edward county about the year 1791 aged 123 years. He was born in England.

Judge Jones when on the Prince Edward circuit, a year or two before his death had a long conversation with him at the court house and published an account of him in the Virginia Gazette.

3. John M'Bride an Irishman and old soldier under the duke of Marlborough at the battle of Blenheim, died in Goochland about the year 1789 aged 104. He lived and died within five miles of the place of my nativity.

5. Anne Brown, born in Gloucester county Virginia, died in the county of Hanover about the year 1717, aged 110 years, I made her a visit the year before she died and found her reading in a Testament without spectacles though she told me she had used them for more than fifty years, but had for about 8 years preceding my visit, enjoyed her sight as perfectly as at the age of 40.

6. Mary Merritt, died near Ground Squirrell bridge in the county of Hanover, in the year 1777. Her age unknown, but she lived 83 years with Merritt, her third husband, who was gardener to Sir Wm. Berkely at James Town, when he was governor of Virginia. She survived her husband, but how long is unknown.

7. John Pool died in Powhatan county in 1788, aged 96.

8. Mary Pleasants, mother of the late Thomas Pleasants of Goochland county, died about the year 1792 or 93 aged 96.

9. Joseph Pollard, father of the late jude Pendleton's widow, and grand father of the present clerk of Hanover court, died in the year 1788 aged ——. He had only one wife with whom he lived in the married state 68 years.

10. Mathew Early, late of the county of Powhatan, born in the year 1700, died in the year 1791. I wrote his death.

11. Samuel Landrom my (nearest neighbor) died in December 1803 aged 87.

12. Mary Chastain late of Powhatan county, died in 1800 aged 95.

13. Judith Bingly of Powhatan county now alive, aged 101.

14. Charles Burton, (now living in Chesterfield) born in Sept. 1700.

In the time of Cornwallis's invasion in 1781, he served a three months tour as a volunteer in the Chesterfield militia.

15. I last Saturday visited a near neighbour, Mr. Edward Wooldbridge, and found him chatting with his wife, to whom, he told me, he was married in the year 1742. They were both in good health.

I was personally acquainted with all the persons before mentioned, except the two marked thus*.

I was told, two years ago, by Mr. M. Clarke, who lives near Louisville in Kentucky; that he had 27 brothers and 2 sisters. That his father had been thrice married, and was then living in Lunenburgh county, Virginia.

MERINO SHEEP,

LATELY INTRODUCED INTO ENGLAND.

The following facts are extracted from London papers, of the 5th and 6th of March, 1805.

At lord Somerville's cattle shew, on the 5th March last, which was attended by a great number of noblemen, gentlemen and persons engaged in the promotion of rural and domestic economy, it was stated that the wool of the Spanish breed of sheep imported into England, instead of losing, had increased in fineness; and that there was a prospect, a sufficient quantity might soon be produced to supersede the necessity of foreign importation for the woollen manufactory.

One Merino ram was let, for two seasons, for 111 guineas, and another for 110.

The first Merino lamb was sold to Mr. Buckingham for 32 guineas; second to Mr. Weldman for 28 guineas; third to Mr. Blake for 31 guineas—and a Southdown and Merino ram to the earl of Bridgewater for 55 guineas.

Many premiums were adjudged and presented for excellence in different branches of improvement in agricultural pursuits.

WASHINGTON CITY.

WEDNESDAY, May 22.

Circumstances have recently arisen, which render it an enquiry of great importance, in what true republicanism consists. It is essentially necessary to determine this point before we can decide who are genuine republicans. This decision is of the most momentous nature. In all communities, but more especially in those which are free, political strength is the result of association; and such association will be powerful in proportion to the numbers of those united, and their identity of sentiment on the great points for the establishment or maintenance of which they have united. It is essential then to the durable power of the republicans of the United States, that they should combine numbers and coincidence of political sentiment. Both are indispensable. Neither will long avail without the other. Coincidence of sentiment, unaided by numbers, will be feeble under institutions which, in general, give to every citizen the same measure of political power; and numbers, however great, will quickly sink into impotence, or be scattered in confusion, unless there be an unity in the objects, and a correspondence in the means used for obtaining them. To what degree it is necessary that this unity of object and correspondence of means should exist, to inspire a general confidence among those who are associated, is a problem of no easy solution; and yet every day's experience calls upon political men to make it. For how else am I to determine whether he who differs from me on particular points is to be viewed as a political friend or foe.

There are two ways in which this enquiry may be made; either by an examination of those points on which an agreement is essential, and thence inferring that on other points it is not essential; or by enquiring, in the first instance, on what points it is not necessary to agree, and then enquiring on what of the remaining points an agreement is necessary. The subject will be probably best elucidated by making the latter enquiry first.

The principles of government are usually and deservedly considered as the most interesting objects of attention. They are the great features of discrimination which distinguish the habits and condition of one people from those of another. If not immutable, they are, compared with all other human institutions, of so permanent a character, as to decide in a great, if not the greatest degree, the destiny of nations, to lead them to happiness and glory, or conduct them to misery and humiliation. A free government too, is the source of the greatest felicity, and a despotic government the parent of the greatest wretchedness. Thus far it is essential that all political men in this country, to be entitled to confidence, should think alike; and thus far those who profess themselves republicans do think alike.

But the moment, we come to apply this principle to human actions, a diversity of opinion is found to spring up. The people are universally acknowledged to be the source of all power, but how they shall exercise this power is a point variously decided. It is universally agreed that "all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness." And yet, in most cases, the first steps taken, in the formation of governments and laws, is to destroy this very equality; and the degrees in which it is abrogated will be found to be as various as the constitutions of the respective states. For instance, it would seem that, in a representative government, the fundamental principle, in order to insure equality, would be the right of every man to participate in the choice of his rulers, and yet it will be perceived, on examining the several constitutions, that it is scarcely the same in any two states.

The popular branch of the legislature is chosen

BY CITIZENS.

In New Hampshire, paying taxes.
Massachusetts—possessed of freehold of 3l. income, or estate worth 60l.
Rhode-Island—no constitutional qualification.
Connecticut—possessed of freehold of 2l. income, or estate worth 4 l.
New-York—possessed of freehold of 20l. or who pay rent of 40s value.
New-Jersey—worth 50l.
Pennsylvania—who pay taxes.
Delaware—ditto.
Maryland—ditto.
Virginia—freeholders.
North Carolina—who pay taxes.