

WILMINGTON GAZETTE.

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An act for regulating Ordinaries and Retailers of Spirituous Liquors by the small measure, and for appointing a Standard-keeper in the towns of Newbern and Wilmington, and to erect a public School in the county of New-Hanover.

CHAP. XLIV.

WHEREAS many abuses and irregularities have been found to prevail in the towns of Newbern and Wilmington, in consequence of improper persons permitted to keep ordinaries and to retail spirituous liquors by the small measure, to remove the cause of such abuses and irregularities in future:

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That from and after the next March term of Craven and New-Hanover county courts, no person shall keep an ordinary, or retail spirituous liquors by the small measure, in the town of Newbern or Wilmington, until he or she shall have first applied to the commissioners appointed for the government of the said towns, and have obtained from them a Certificate of their permission for that purpose, which certificate and permission shall be valid and in force for the term of one year from the time it is granted and no longer; and every person who shall keep an ordinary or who shall retail spirituous liquors by the small measure in either of the said towns, after the said March term aforesaid, without having first obtained the permission of the Commissioners as aforesaid, shall forfeit and pay the sum of twenty five pounds, to be recovered in action of debt before any court having competent jurisdiction thereof, by any person or persons who shall within one year after the offence committed sue for the same, the one half to the use of the prosecutor or prosecutors, the other half to the use of said towns, to be applied by the commissioners towards the contingent charge thereof.

II. And be it further enacted, That every person who wishes to keep an ordinary, or to retail spirituous liquors by the small measure in either of the said towns, and who has obtained the permission of the Commissioners as aforesaid, may on application to the county courts of Craven and New-Hanover respectively, be ordered at the discretion of said courts, to have a license for the purpose aforesaid, and on such license being granted, he or she shall produce one or more securities to the said courts, to be by them approved, who shall before the license be made out, join with him or her in a bond of the same tenor as is prescribed in the second section of an act passed in the year one thousand seven hundred and ninety-eight, entitled "An act for regulating ordinaries and houses of entertainment, and retailers of spirituous liquors by the small measure;" and it shall be the duty of the clerks of said courts respectively, upon such bond being given and license ordered, to prepare a license, and sign the same, which shall continue in force for one year and no longer, and the person obtaining such license shall pay to the clerk the same fees, and to the Sheriff the same tax as, by the third section of the act above recited, are directed and required:

III. And be it further enacted, That no person shall be permitted to retail spirituous liquors by the small measure, in either of said towns without a license from said courts respectively, under the penalty of twenty-five pounds to be recovered and applied in the manner directed by the first section of this act; and the said courts are enjoined and required not to grant a license for said purpose, or for keeping an ordinary in either of said towns, to any person who has not obtained the permission of the Commissioners, and does not produce their certificate to that effect. Provided nevertheless, that such persons as have already, or shall before the March term aforesaid, have obtained license to keep an ordinary, or to retail spirituous liquors by the small measure in the manner heretofore used and by the law permitted, shall not be subject to the penalties above denounced, till after their said license shall have expired.

IV. And be it further enacted, That upon complaint made to the commissioners, or to the Intendant, or Magistrate of Police of either of the said towns, of any ordinary keeper or retailer as aforesaid, within the bounds thereof, selling to or purchasing from a slave without a permit from his or her owner, or of entertaining a servant or slave against the will of his

or her owner, or of entertaining a common sailor against the directions of the master of the vessel to which he may belong, or of keeping a disorderly house, it shall and may be lawful for the said commissioners, or a Majority of them, or for the Intendant or Magistrate of Police alone, and he or they are hereby authorized and required to summon such ordinary keeper or retailer as aforesaid, before him or them, and on such offence being proved, to disable such person from keeping an ordinary or retailing spirituous liquors by the small measure in said towns, as if he or she had never obtained any permission or license, for that purpose; and if after such disability and suspension pronounced, any such person shall keep an ordinary or retail spirituous liquors by the small measure within said town, he or she shall be subject to the same penalty as is denounced by the first section of this act, to be recovered and applied in the same manner as is therein prescribed.

And whereas the act for regulating weights & measures in the respective counties of this State, have not the desired effect in the towns of Newbern and Wilmington.

V. And be it further enacted, That the Commissioners of the said towns are hereby authorized and required at their first meeting after their annual appointment, and in each and every year thereafter, to appoint proper persons as standard keepers for the towns of Newbern and Wilmington, who shall have the same powers within said towns, be subject to the same duties and penalties, and entitled to the same fees, as standard keepers now are or may be by law; and that from and after the first Monday of May next, the power and duty of the standard keepers appointed by the county courts, shall not extend to any person using weights and measures in said towns.

At a meeting of the Commissioners on Monday the 9th of May, 1803.

ORDERED—That all ordinary keepers and retailers of spirituous liquors by the small measure, make application to the Board of Commissioners at their next meeting on the first Monday in June next, for a Certificate of a permission agreeably to the directions of an act of Assembly, passed in the year 1802—and that if any person after the said first Monday in June next, shall sell any spirituous liquors by the small measure, or keep any ordinary without such Certificate, he or she shall be prosecuted for the penalties inflicted by the said act.

A true copy from the minutes, THOMAS F. DAVIS, T. C.

From the National Intelligencer.

A VINDICATION OF THE MEASURES OF THE PRESENT ADMINISTRATION.

By ALGERNON SIDNEY.

"Where liberty is—there is my country."

No. II.

LASTLY we were told the measures adopted by the first session of the last Congress, were but part of a system of a general destruction, and that the federal fabric would be undermined piece by piece until it tumbled into ruins. To refute this calumny it is only necessary briefly to state the proceedings of the last session.

It commenced on the 6th day of December, 1802. A quorum of the senate did not appear until the 14th, and on the 15th the president's message was transmitted to the two Houses.—He informed Congress of the conditional repeal of the countervailing duties by the British Parliament, of the amicable settlement between the United States and Georgia respecting the Yazoo lands, of the extension of our territory in the Indian country by a cession of more than three millions three hundred thousand acres of land, and an improvement in our relations, with the natives of the cession of Louisiana to France, which he remarked, might "make a change in the aspect of our foreign relations," of the prosperous condition of our finances and the payment of more than eight millions of dollars of the national debt. He called their attention to the necessity of procuring some small vessels for the public service in the war with Tripoli; to the propriety of establish-

ing a dry dock at the seat of government, and to the necessity of making provision by law for the return of our seamen from other countries. He recommended it to them to practice every useful economy, and not to impose unnecessary burthens, to cultivate peace, maintain commerce, foster the fisheries, protect the manufactures, preserve the public faith, to keep within the pale of the constitution and cherish the federal union.

What part of this message exhibit evidence of a disposition to engage in the labors of general destruction?—What part of it is hostile to the federal union or to property, peace, quiet national happiness?

Congress, so far from proving the existence of a wish to render the public establishments insecure or precarious, or to hazard the property, peace or prosperity, either of individuals or of the nation, is also entitled to high confidence.

It has often been remarked by men of learning, judgment and experience that a nation has always more to fear from governing too much than too little. A vast difference exists between reformations which are called for by the condition and feeling of the people, and comport with the state of the nation, and the subversion of those institutions, which furnish personal security, and tend to increase our prosperity. For the first we look with confidence to a wise legislature.—The latter is only to be dreaded, where the legislative power shall be (if ever) intrusted to fools or madmen.

When the change took place in administration, it was effected by the people, because they felt themselves aggrieved by the measures of government.—Men were changed to produce a change in measures. Congress in the winter 1801—2 repealed the offensive laws; and the administration of government was shaped to the wishes of the people.

The reformations which had long been contemplated, were then effected, and nothing left for the late session, but the performance of the common routine of public business, and attention to such things as might arise in the progress of government. To detail the proceedings of congress would be tedious and uninteresting; though to the public it may be highly useful to state the principal things which have received their attention. With a sincere desire to aid and improve commerce and navigation, the president in his first message represented the evils to which they are exposed by the discriminating duties of Great-Britain; which, from the different modes of collecting imposts adopted by the two nations, operate greatly to the injury of our carrying trade, by drawing from our citizens at least three dollars to each one that we draw from the subjects of that nation:—Whereby British subjects are enabled to command, in a great measure, the freights of the six southern states, to the exclusion of our own merchants, and particularly, to the injury of the eastern states.

To this subject he invited the attention of congress, who at their last session, appointed a committee of eminent merchants and others, to consider and report what, in their opinion, could be done in furtherance of trade and navigation: This committee reported in favour of vesting the executive with power to annul our discriminating duties, whenever the discriminating duties of Great-Britain should be abolished.

By the persons immediately interested in the carrying trade, different opinions were entertained; some thought the proposed measure would be highly beneficial; others possessed of equal skill, experience and interest, believed it would have a tendency to produce an injury. To furnish evidence to our merchants, of a disposition on the part of government, as well to consult their feelings, as to promote their interests, the consideration of the report was deferred, and probably will be until experience shall shew that its time of peace, the proposed measure is essential to the carrying trade.

To avoid the waste of our national resources, the president recommended the establishment of a dry dock, to preserve our vessels, sheltered from the weather, and to secure them from the rapid decay unavoidable to timbers daily experiencing the vicissitudes of heat and moisture. The unexpected and serious aspect of things on the Mississippi rendering it possible that both our money and our ships might be employed in a more active manner and for purposes more pressing, this

useful proposition was with great propriety postponed for future consideration. Much pains have been taken to represent this as a visionary project of the executive to squander, of the public property, millions of dollars. To save money—not to squander it away, was his design; the expense instead of being millions, was not to exceed four hundred thousand dollars. Which sum is annually necessary to keep 12 frigates in repair, while lying in water; the single expenditure of that sum upon a dry dock, would make provision for years, for the preservation of the same number of frigates.

It is known from the experience of Holland and Venice, that vessels if kept dry and covered from the sun, will continue as sound as any other works of wood. Dry docks are erected by all the maritime states in Europe.

Congress have made provision to compensate persons who received known wounds in the service of the United States, during the revolutionary war, for whom no provision has been made.

They have authorized procuring and equipping four small armed vessels against Tripoli; calculated for use near the Barbary coasts. This has been represented as evidence of the weakness and inconsistency of the administration; who are charged with having sold a part of the national shipping improvidently.

Two conclusive answers present themselves: first these vessels were sold by an order of the executive given in obedience to a law, passed before he came into office; secondly, they were not calculated for a war with the pirates of Africa, and would not answer for the public service.

The only remaining subject of importance which claimed the attention of congress, was the violation of our rights by the Intendant at New-Orleans, in depriving our citizens of the right of deposit at that place, and forbidding all intercourse between the subjects of Louisiana and the citizens of the United States. This flagrant breach of treaty, received as it demanded, the most prompt and vigilant attention of government.

Nor has the cession of that province by Spain to France, had a tendency to increase the confidence of this nation, in the views of those powers; though government has received from both the most solemn assurances that the rights of this nation shall be respected.

On the 12th day of May, 1786, the United States solemnly proclaimed their rights to the free navigation of the Mississippi and St. Lawrence, and of the head waters of these rivers, and all the lakes, gulphs and other streams which connected them with the main ocean.

The full enjoyment of all the rights made known by that declaration will be maintained, sacred and inviolate, so long as the people of these states constitute a nation.

The president with the consent of the senate, has appointed James Monroe minister extraordinary to the courts of France and Spain, to regain the enjoyment of the right of deposit, to remove, and in future prevent the embarrassments under which the western states labor; to enlarge the rights of the nation, and insure those already acquired beyond the possibility of dispute or contest.

Congress, in furtherance of these views, have appropriated two millions of dollars, authorized the president to establish arsenals in the western country, to build and equip fifteen gun-boats, and whenever he shall judge necessary to detach eighty thousand troops.

At the close of the session an attempt was made by the opposition to cast an odium upon the commissioners of the sinking fund. This terminated as every other attempt to injure the administration has, in their defeat and mortification. So shy were the proceedings of that board defended, and so clearly were the wisdom and ability of their measures proved, that of the opposition but twelve members could be found hardy enough to dissent from the vote of confidence and approbation adopted by the house of representatives.

This was the last act of that congress, under whose authorities no monies were borrowed, no taxes created, no laws passed restricting the liberty of the citizen. Every other congress increased the burthens of the people—by this they were removed.

When the passion of the times shall have been forgotten: when the warring interests of individuals and the

petty bickerings of rival candidates shall have been assigned to the tomb of oblivion, the future historian shall faithfully record those facts, as a rich legacy to posterity.

Here I might triumphantly demand of the restless enemy of liberty to appoint out that act, which proves the existence of a wish to destroy the federal union; which threatens private property, or personal security and respectability; which can reasonably create any fear or jealousy in the mind of the most suspicious politician, which was not required by the state of the country, and does not merit the approbation of the people.

The most striking and efficacious mode of contrasting the present with the last administration, is by an attention to their fiscal concerns. In the two first years of the last administration the executive was authorized to borrow nine millions eight hundred thousand dollars, a part of which was actually loaned at eight per centum interest. For the two last years no loan has been made or authorized.

In the two first years of the last administration an additional duty of 8 cents per bushel on salt, the stamp duty and land tax of two millions of dollars were levied; during the present no tax has been levied; the land tax is discontinued; and the stamp tax with all the other internal taxes, has been abolished. During the last administration in three years, the national debt was increased three millions three hundred and ninety-four thousand three hundred and seventy-seven dollars and forty-two cents; since the present, in two years the national debt has been reduced seven millions eight hundred and forty-nine thousand four hundred and thirty-seven dollars and thirty-eight cents.

During the last administration no payments were made on the deferred debt. On the first of April, 1801, interest first fell due on that debt, and the present administration have annually paid thereon twelve hundred thousand dollars. Once more, when the last administration retired, there were one million seven hundred and ninety-four thousand and forty-four dollars in the treasury; now in the same treasury there are five millions and twenty thousand two hundred and thirty dollars and sixty-two cents.

The actual savings of the two last years may be justly estimated as follows:

Two years payment of interest on the deferred debt at twelve hundred thousand dollars a year, equal	2,400,000
Reductions of the public debt	7,849,437 25
Increase of specie in the treasury,	4,226,185 38

Dolls. 13,475,622 76

From which sums deduct the proceeds of the bank shares lately sold by order of the commissioners of the sinking fund,

1,267,608

Dolls. 12,188,022 76

A sum more than six times as large as the land tax levied in 1800 by the last administration. — Of which sum nine millions seven hundred and eighty-eight thousand and twenty-two dollars and seventy-six cents have actually been, and are in a train to be applied to the reduction of the national debt.

With such bright prospects of a speedy extinction of the national debt; without additional burthens, how careful should government be to avoid every thing tending to increase our expenditure? when that debt shall have been extinguished, the present revenues of government will be equal to its maintenance and to the support of any necessary wars in which this nation can be engaged.

When I reflect upon the surrender by government to the people of a million of dollars annually, in abolishing the excise; upon the rapid reduction of the public debt, and upon the specie in the treasury, and call to mind the avowed and known determination of the late administration, not only to continue but to double the land tax, I am lost in amazement. I cannot discover the existence of that necessity which demanded such repeated and oppressive contributions. Yet I boldly declare that to continue as well the land tax, as the other internal taxes, was the design of that administration. This declaration is made both from a knowledge of the views of the persons then in power and from the