

Violation of the act for more than one attorney to speak in any one suit. This they imagined a master-piece law, to silence the redundancy of attorneys, who retarded the business of court by their unnecessary babbling; but to counterbalance any inconvenience which might arise from such a restriction, they have given to either plaintiff or defendant, a power to exercise those privileges which before they were capable of investing their respective attorneys with. Great condescension to be sure. Give a power to a person to do a thing himself which before he was sufficient to authorize another to do for him. But as there is no particular punishment for the simple crime of violation, this act, in an operative view, never breathed, not having the necessary organs. Again, the act to quiet in their possessions, &c. There may be several things said in point, but as the influences of this act cover more characters than those under view, we shall silently pass it over: for be it known, that the supreme directing power in any state or community, as emergency and propriety may direct, can pass over those barriers and general outlines, otherwise called the constitutions, the mutations of time constantly rendering it inadequate; but it ought to be done with great forecast, and covered with an ostensible gilding to render it impervious to Plebeian detection. For the want of this philosophical exertion and attention to the nature of the human mind, the existence of this superiority in all the states and kingdoms under heaven (those excepted where the rulers are looked upon as bordering on the divinity) have been terminated; the honours of the Plebeian mans not being properly directed, nor the political issues kept running, have eternally destroyed the superiority of the few, and generally for the want of the above attention. The act under contemplation, does not literally militate against any part of the constitution, and yet will have more blessed effects (though at a greater distance) than those which directly and obviously contradict it, which I will fully shew, when we return from the extremity of our discussion. Dear reader, I dare engage you think we have diverged too far already, when I inform you we are just about to make another effort, in order to take in some collateral matters, which may possibly lean against the general scope of my doctrine; and that you may keep your patience, you must know I am covered by two immortal geniuses, the one in giving us an account of the adventures of an individual, has drawn in the history of the downfall of a mighty nation.—The other, in celebrating filial affection, has likewise given us a history of the destruction and translation of the same people. Thus contented, you will mind your eye, till I finish this sweeping clause, and then (my word for it) I will carry you back to the very spot we left.

This is a publication under some signature or other. The author is extremely modest in the account he gives of himself; but before he is done, it is no difficult matter to see, that he does not intend you should believe his modest introduction. He takes occasion from the assembly's having remitted certain fines, imposed by the court, for certain misdemeanors, to arraign their power as arbitrary, and superseding the effects of the judicial authority. And a number of other things he notices, wherein the judicial power is overset by the legislative. I cannot take time to pursue him through particulars; but will just exhibit the sum and total amount of his doctrines, which is this: That the superiority must finally accrue to the judicial power in fact, whilst it nominally rests with the legislature. This necessarily arises from the latitude he has given the judges, of construing the laws in such a manner, as will, in their judgment, agree with the constitution. Here we find they may construct a law to abrogate one which stands in their way, and then tell us it stands abrogated by virtue of a superior law, and not by them. Interesting logic indeed! From the copiousness of our language, and variety of legal meanings, it would be no difficulty to mould the laws to any purpose.

Again—the manner in which the judges are to be tried, clearly implies (if there is any sense at all in what he says) an infallibility always residing in a competent number, to pass sentence on the whatever number may be fallible; and why there should be a presumption of rectitude on the side of the judiciary power, in preference to the legislature, is also rather inconceivable upon any rational grounds. They are men in every respect like others, without they mean to presume upon their contiguity, to the farther verge of human existence; and here the presumption will be overthrown by experience, which fully reprobates this, as an antidote against corruption, nor acknowledges it as a criterion of ability. Here we will suppose a few cases, to serve as an illustration of the great absurdity and danger of vesting the judicial powers with such ample authority as this (I forget his name) would wish to give the judges, and let the force of the deductions depend upon the probability of the suppositions.

(To be continued.)

## Foreign Intelligence.

PETERSBURGH, March 28.

OUR preparations for war continue with great activity both by land and sea, and with the most happy success; the arming of the fleet at Confradt goes on night and day with the utmost despatch, and preparations are making there, from which we conclude that vast projects are in agitation. Fresh recruits are daily arriving here, and are sent to the army with transports of artillery and ammunition, to which they serve as an escort.

March 30. The Divan have issued a publication for giving a reward of one ducat per head for all Russians and Germans, and have declared, they will never establish a cartel for the exchange of any prisoners. This causes the soldiers to fight with great spirit, and cannot fail of making the present war very bloody.

WARSAW, April 5.

On the 24th of March, a body of 4000 Turks, of which 300 were horse, made an attempt to retake the convent of Simai, in Wallachia, and their approach was so sudden, that Lieut. Colonel Geitz had hardly time to get his troops together; but soon perceiving the superiority of the enemy, who attacked him sword in hand, he was obliged to retreat, after a very terrible fire. The Turkish commandant fought like a desperado, killing numbers with his own hand. Lieut. Colonel Geitz was slain amongst the Austrians, who gave out they had only 12 killed, and 32 wounded. The greatest part of the convent is reduced to ashes, and the Turks in consequence did not take possession of it.

LONDON, May 1—16.

The navy of the Emperor of Morocco is in a most despicable state; the whole of it consists only of twenty or thirty row-boats, which are small low vessels, of a slender construction, and generally carry from 100 to 150 men each; a few frigates are sufficient to destroy the whole navy.

The Emperor of Morocco, it is said, assigns, as his reason for

going to war with England, a want of gun-powder, ten thousand barrels of which he requires as the terms of peace. By going to war, his Majesty discovers his wisdom, as he will not only obtain the object of his wishes, but a *doncaur* of about ten thousand balls.

The quarrel with the Emperor of Morocco must be attended with very serious consequences to the East-India Company, whose ships must come in the very track of the African armed vessels, and it is calculated the Company have more than two millions of property on the ocean at this time.

It would be a consideration worthy the attention of the Christian powers, to form a junction of their forces, and secure to themselves all the sea-ports of Barbary, the principal of which are Tangiers, Tetuan, Arzila, Salle, Mogadore, and Larache, compelling the subjects of that empire to reside at a considerable distance from the sea-coast, by which means the commerce of Europe would not be subject to the depredations of these lawless infidels.

In consequence of the dispute with the Emperor of Morocco, Commodore Crosby has left Italy, and repaired with his Squadron to Gibraltar, in order to protect the British vessels which may be passing the Straits. A strict attention, on the part of the Squadron, will always be able to prevent the piracies of the Moorish cruisers, the principal sea-ports in the Emperor's dominions being situated in or near the Straits of Gibraltar.

Extract of a letter from Gibraltar, dated March 1.

All communications between this place and the territories of the Emperor of Morocco, is at an end. No English is now admitted into his ports, nor are the English allowed to carry merchandize or letters by land. The Emperor has made a demand of the Court of England of 10,000 barrels of gunpowder, requiring likewise that they send this as a present from him to the Porte. The following is a copy of the curious letter he sent all the Consuls at Tangiers, the 8th instant:—

"In the name of God!—To all the Consuls;

"Peace to him that followeth the right way.

"Know ye, that for these 30 years, that we have observed the conduct of the English, and studied their character; we have always found that they never keep their word. We never could dive into their character, because they have no other than that of *telling lies*. We are acquainted with the character of other Christian nations; we know that they keep their word; but a nation like the English, of which there is no knowing the character, who know not how to keep their word, and who only can *tell lies*, does not deserve that we should speak or write any thing to them: for according to our religion, a *lie* is the most abominable of all vices. Their Ambassador, Curtis, told us that he had orders from his Court, that the ships built on our ships, and which we were to send to Gibraltar, should be there completely fitted. In consequence of which, we sent those ships to Gibraltar, provided with every thing necessary, and with money; but he sent back our ships, and nothing was done to them; but what offends us most is, that he even sent back the ships which we had sent to conduct them to our brother the Sultan Abdulhamed, whom God preserve.—After this, it is not necessary to add more.

"On the 17th of the Moon Jumadilala, of the year 1702—that is, February 25, 1788."

A Squadron under the command of Sir Alexander Hood, will be sent to the East-Indies, in October next.

## Domestic Intelligence.

NEW-LONDON, June 27.

Extract of a letter from a gentleman in Aux-Cayes, to his friend in this city, dated May 28.

THE times are very sharp; our vessels are searched in the dead of the night, in a very rough manner; and two of the American Captains (men of character) have been taken out of their own boats, and put into the frigate's boat, and there cained by the Captain of the frigate, kept in irons all night, &c. &c. for no other reason than going off from the same wharf that he did. We intend to consult in a suitable manner, and are about to prefer a petition, the contents of which I will soon make you acquainted with."

NEW-YORK, July 4.

A letter of the 1st inst. says, "That on Saturday the 28th ult. the Convention were still discussing the 1st clause of the 8th section, of the 1st article, respecting the powers of Congress.—Objections were at large stated, and amendments proposed by Mr. Williams, Mr. Smith, and Mr. Lansing, who were answered by Mr. Hamilton in a most animated and powerful defence of the clause. Mr. Lansing, in reply, let fall some expressions, which tended to shew an inconsistency in Col. Hamilton's conduct. He asserted, that in the federal convention that gentleman had argued strongly that

the state governments ought to be subverted or reduced to mere corporations. He compared these sentiments to those he had openly avowed in the present convention, viz. That the state governments were necessary to the preservation of liberty. This called up Mr. Hamilton, who entered into a statement of facts; denied what the gentleman had asserted: declared that in the general convention his ideas had been uniformly the same as on the present occasion; that though he at that time declared, as he had constantly and publicly done since, his apprehensions that the state governments would finally subvert the general system, unless the arm of the Union was more strengthened than it was even by this constitution; yet he had through the whole of the business, advocated the preservation of the state governments, and affirmed them to be useful and necessary. He accused Mr. Lansing's insinuations as improper, unbecoming, and uncandid. Mr. Lansing rose, and with much spirit resented the imputation. He made an appeal to Judge Yates, who had taken notes in the Federal Convention for a proof of Mr. Hamilton's expressions. This produced some disorder in the Committee, and the Chairman was obliged to call to order. A motion for adjournment put an end to the altercation.

On Monday Mr. Yates was again called upon by Mr. Lansing for his evidence: to which Mr. Hamilton freely submitted. Mr. Yates made an apology for the possible mistakes of his minutes, and said, that in the general convention, Mr. Hamilton had urged strongly for giving the most complete sovereignty to Congress, and that in order to prevent the encroachments which he feared the state governments would make on the Union, they should be reduced to a smaller scale, and be invested only corporate powers. Mr. Hamilton observed, that corporate was a dubious term, and asked Mr. Yates he understood that he (Mr. Hamilton) used it as a descriptive of powers, similar to those of the city of New-York? To which Mr. Yates answered in the negative; adding that he understood the gentleman not to wish such a privation of powers as would reduce the states to mere corporations in the popular acceptation of that term, but only such as would prevent the members from retarding in any degree, the operations of the united government. Col. Hamilton then asked him if he did not, after the above mentioned debate in the federal convention, hear him (Col. Hamilton) say, that his opinion was that the state governments ought to be supported, and that they would be useful and necessary: and further asked him if he did not remember that he (Col. Hamilton) had recommended (as additional securities to the state governments) a Court of Impeachments, to be com-