

men of the greatest influence of different sentiments. This conference had for its end mutual explanations, and to reconcile all parties.

Succours to the Batavian army are pouring in from all quarters. 6000 French have been detached from Belgium; and the 15000 men who were encamped at Liege, have also orders to march thither.

Bernadotte, the minister at war, has been dismissed—he is succeeded by Dubois Crance.

AMSTERDAM September 23.

School, near Alkmaar, 21st Sept.

“If there ever was any thing that could make the adherents of the Stadtholder blush, it must be the transactions of the day before yesterday.—From the first time that the English had a footing on our shores was this village in particular the unfortunate, victim of their cruelties. The 19th inst. is for us, and all inhabitants of this country, a day of mourning and abhorrence; and must remain a disgrace to the Orange party, to distant generations.

“Early in the morning of the 19th, was our village, which was then in possession of the French, taken by the Russians, and then retaken by the French; and in fine, in the course of a short time, became masters of this village, they devoted themselves to plunder, murder, exacting of money, and all the valuables the people possessed; but nothing could satiate their rapacity—even after a great number of the unfortunate inhabitants had given up their all to these barbarians; after they had even broken open all the chests and lockers of the houses, and plundered them of their contents; and while the poor inhabitants on their knees, with folded hands, prayed for their lives, still these Russian monsters were possessed of so much malignity, or obeyed the orders of the English, that not even pregnant matrons, hoary fathers, lisping infants, or beautiful maidens were spared! The matrons in the face of their husbands and fathers were violated in the most brutal and savage manner! and thus fell victims of their lust and rapacity! and after that, those who escaped the bayonet, were shot, or in a mocking manner cut to pieces, and their mangled corpses left in the most horrid and frightful spectacle, of which a vast many were sent to Alkmaar in waggons.

“Now whom the enemy left for dead, afterwards were able to crawl from the heaps of the slaughtered and endeavoured to preserve the remaining sparks of life, by a retreat. Their dead bodies were found in the houses and cellars, as well of our village, as in several other scattering habitations where the Russians had committed such cruelties, as are more the characteristics of wild beast than of man! Cruelties and wantonness from which nature recoils with horror, and at which humanity trembles! This is the delirance which the northern nations, have brought to us! This is the restoration of religion and good order, which the Stadtholder and British general have offered to us! Who is there but must tremble at the fate of those people whom the fortune of war may throw in the power of those tyrants.

“A French hussar who conducted to Alkmaar, some of the miserable women and children whose husbands and parents shared in the fate of the day, refused to accept a purse of money which was offered to him, as a recompense for his kindness; but being importuned at last submitted. What a contrast between this soldier and our wanton redeemers!

“The brave French and Dutch, to whom the fortune of war was less favorable, and who have fallen into the hands of the enemy, although their number is small are treated most cruelly: some even after they had laid down their arms, were wantonly and cowardly butchered; what a difference between such treatment, to what they experienced from us.

## SALISBURY,

THURSDAY, DECEMBER 26, 1799.

Court of Errors and Appeals.

The Bill to establish a Court of Errors and Appeals, and to divide the Superior Courts

of Law and Equity into four ridings, being on its second reading, in the Senate of this State, on Friday the 29th ult. the following Debate took place:

*The bill having been read and put on its passage.*

Mr. BLOUNT wished that the Gentleman who introduced this bill, or some other, would point out its utility. He saw the imperfections of our present Judicial System, and wished them remedied as much as any gentleman on that floor; but he distrusted his own judgment as to the proper remedy for them. He had his doubts whether this bill would furnish that remedy. He wished, however, for information, being friendly to the bill, if it could be shown to be effectual.

Mr. JOHNSTON said, the want of some Court to which resort could be had in the last degree, must have been obvious to every man in this country, who had attended to the situation of our Judicial System, instead of suits being finally determined in the Courts in which they are commenced—some Court which should revise the proceedings of all other Courts; not only that our Judges may become the more circumspect in the performance of their duty; but that there should be an opportunity afforded of revising and reconsidering cases which may have been wrongfully decided.

In cases where men are placed in independent situations, in which they are not responsible to any superior power, it sometimes happens that they become arbitrary and tyrannical in their proceedings. This bill, if passed into a law, will operate as a check upon Judges disposed to abuse their power; and even the best of men, when placed in a situation in which there is no check upon their conduct, often become indolent and neglectful of their duty; but, when they know there is a Court established to correct their errors or misconduct, they will be more guarded in their proceedings than they are at present.

The reason which had prevented him from attempting a remedy to this evil at an earlier period was this; when I practised at the bar, said Mr. J. we had only three Judges, who were obliged to attend every Court. To have formed them into a Court of Appeal, would, therefore, have obtained no remedy for the evil, since the Court would consist of the same men whose errors or faults were to be corrected; and when I considered the extreme reluctance—perhaps laudable reluctance—which some gentlemen have to every kind of expence, I was deterred from offer to form any separate establishment. The first time I found it in my power to bring forward a remedy for this grievance, was at the last session. We had then four Judges, and it appeared to me, that if the State were divided into four ridings, instead of two, the duty of the Judges would be so much lessened, that the Legislature might demand of them the additional duty of holding this new Court, without any increase of salary.

This expedient, Mr. J. said, might not be the best for curing the evil complained of; but it was the best and most practicable that has occurred to me. He had, therefore submitted it to the consideration of the house; if they disapprove it, the bill would, of course, be rejected. He should be satisfied with having done his duty in bringing it forward. If any gentleman can furnish a better remedy, he would cheerfully give place to it, as he had no particular prejudice in favour of the system he had proposed. If any objections should be made to particular parts of the bill, he would endeavour to answer them; but as he found himself somewhat indisposed from a cold, he hoped other gentlemen, in favour of the bill, would speak to its general merits.

Mr. BLOUNT confessed he distrusted his own opinion with respect to the merits of this bill; and his asking for the information which had been given, was more for the satisfaction of other gentlemen than himself. Incapable as he acknowledged himself to be to remedy the evils of our present Judicial System, he thought he discovered a defect in the last clause of this bill, which he moved to amend by a proviso to this effect: “That the Judges respectively should ride in those districts where they have least practised, and never afterwards ride in the same district.”

The SPEAKER decided the motion out of order, the bill being upon its passage.

Mr. AVERY said, that whilst the bill reading by paragraph, he forbore to offer any amendment to it, though if it were pass, he thought it capable of amendment as he felt, however, an inclination to support against the bill altogether, he had not attempted to amend it.

He rose with diffidence to speak to merits of the bill. He was ready to acknowledge that there are great deficiencies in our present Judicial System, which should be desirous of remedying, if it could be done in an objectionable manner; but looking into this bill, he feared, if it passed, instead of its remedying the present defects, it would increase them.

It is well known, said Mr. A. that the great part of our Judicial business, is done in County Courts, and he found no remedy in this bill, for any errors which might be committed in judgments given in them, whereas, at present, appeals are made from those Courts to the Superior Courts. The bill contemplates that one Judge shall preside in this Court of Errors, and that no appeal shall be made from his decision. He did not think that there was complete safety in such a regulation.

With respect to the expence of holding these Courts. No compensation was mentioned for the Judges; but they could not be expected to the business for nothing. Suppose the four Judges were to have received each Court, that would be 8000 a year. This additional expence he should not object to, if the bill held out a complete remedy for the evils complained of, but this did not appear to be the case. He knew many inconveniences would result from carrying this act into effect particularly to citizens far removed from the seat of Government where the Courts are proposed to be held instead of being beneficial to such persons, would operate as their total ruin. Taking all these things into consideration, he should be inclined to vote against the bill, though as he had already promised, he had no suspicion of his own judgment with respect to it.

Mr. Johnston observed, that if the gentleman laid up expected that this bill should have been perfect in all its parts, and remedied every inconvenience experienced under our Judicial System, he expected more than he ought to have done. We ought not to look to mankind for perfection; the works of the Almighty are only complete so.

He wished the Gentleman from Burke, instead of objecting to the bill in toto, to propose his amendments. The only general objection which had been stated, was that the courts would be held at a distance from some of our citizens. It would be impossible, Mr. J. said, to establish a Court of this kind in a situation where this objection might not be made. This is an inconvenience, said he, which the inhabitants of the country will be willing to submit to, in order to have secured to them, the due execution of the laws by which they hold their liberties and property. Under our present system, said Mr. J. what is law at one place, is not at another. The opinions of Judges vary and the decision of one Judge is disregarded by another. But, when a Court, such as now proposed, shall be established, which shall govern all the varying decisions which may be given in various parts of the State some security will be had for the due administration of justice. Much, added Mr. J. might be said on this subject; but from the difficulty I find in speaking, I shall leave to be said by others.

Mr. Irwin observed, it could not be said with any degree of certainty what would be the effect of this bill, as it was an entire new measure. The great end of law is to obtain justice for individuals, and therefore the administration of justice ought to be made as convenient to the citizens at large as possible. But, instead of this, the present bill proposes to remove it as far from them as the State will admit of; and takes away the relief now afforded, without substituting a better; for he could not see that this Judge Appeal would be more likely to do justice than a Jury. When a trial has been had