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PHILADELPHIA, May 20.

A LETTER, from  
ROBERT GOODLOE HARPER,  
TO HIS CONSTITUENTS.

Philadelphia, May 15th, 1800.

YESTERDAY, my dear Sir, Congress adjourned, to meet, on the third Monday in November, at the city of Washington; henceforth the seat of the Federal government. The public offices will, probably, be removed thither early in next month.

Among the most important laws of the session thus terminated, is the "Bankrupt Act," which has long been an object of attention in Congress, but hitherto delayed by the difficulty and extent of the subject itself, or by the pressure of matters more immediately interesting. Its operation is confined to merchants and dealers, and will be rarely felt except in the great commercial towns: for a person must owe at least a thousand dollars before it can affect him. Its object is, in the first place, to support mercantile credit, by protecting the rights of creditors against the fraud of dishonest, and the folly of imprudent debtors; who may waste or conceal their property while the ordinary forms of law are going on against them: and secondly, to encourage fair industry and prudent conduct; by enabling honest debtors, reduced by misfortune, to give up their property, free themselves entirely from their debts, and begin the world anew; which no man will ever have the courage to do, while a load of old debts is hanging on him.

A system so new, extensive, and operating on such a variety of unforeseen cases, will no doubt, be found very imperfect at first, and in need of frequent revision and amendment according to the light which experience alone can afford. It may also be liable to abuse in many instances: for what human institution may not be perverted. But the example of other countries proves, that to a trading people, a bankrupt law is highly beneficial, if not absolutely necessary.

An attempt has also been made to revise the Judiciary System of the United States, which is found to be very inconvenient in practice, and by no means adequate to the proper administration of justice. At present there is but one superior or circuit court of the United States, held in each state; for the trial of civil actions, and the punishment of offences, throughout the whole state. The consequence is, that people who are sued in the federal court, or prosecuted for offences against the United States, are obliged, in many cases, especially in the large states, to attend with their witnesses, at great distances from home, and with much expense and inconvenience. These circumstances have a strong tendency to bring the laws of the United States into neglect and disrepute, by deterring people from prosecuting offenders against them. In order to remove these evils, and render the administration of justice more effectual, and less burthensome, it was proposed to increase the number of courts, by dividing the larger states into two, three or four districts, with a circuit court in each.

The Circuit Courts are now held by the judges of the supreme court of the United States, six in number; who are obliged, for that purpose, to travel, perpetually, from one end of the continent to the other. This immense labor employs almost the whole of their time, and prevents them from giving that application to the study of the law which is necessary, in order to keep up, renew, and enlarge their stock of legal knowledge. The fatigue, moreover, of such continual journeys, is too great to be borne for any length of time, by men of that advanced age, in which the experience, maturity of judgment and weight of character, necessary for a judge of the highest court in the nation, are usually to be found—Nor can it be expected, that men of this description, will long retain employments, the duties of which require them to be so frequently and so long, absent from their homes, and deprived of their domestic comforts.

Small as the number of circuit courts now is, these circumstances render it extremely improper to compel the judges of the supreme court to hold them. In case of the number being increased, it would become utterly impossible. This increase appeared unavoidable, for the reasons already stated.

It was, therefore, proposed, to reduce the number of judges of the supreme court to five, and confine them to the business of that court, which must become very considerable, and will afford them sufficient employment; and to appoint a new set of judges, for the purpose of holding the circuit courts. These were the two fundamental points of the new system which was introduced: first to increase the number of circuit courts; and secondly, to appoint a distinct set of judges for holding them.

The business, however, being of great importance,

and requiring much consideration, it was thought best to postpone it till next session of Congress. It will then, probably, be again brought forward.

A dispute existing between the United States and the state of Georgia, relative to the title of some lands on the Mississippi, where Georgia claims a very extensive and valuable territory, which she has expressed a willingness to cede to the United States, commissioners have been appointed, on the part of the United States, to adjust this dispute, and to agree on the terms of the proposed cession—should it take place, of which strong hopes are entertained, a most disagreeable cause of contention will be removed, and the United States become possessed, on terms mutually advantageous, of a very valuable territory.

In my last letter I informed you, that a motion was made early in the session, for the reduction of the army; which was opposed and rejected on the ground, that the state of things was yet too uncertain to warrant such a measure, the tendency whereof, if adopted, in the beginning of a negotiation, must be to render a fair and honorable adjustment of differences less easy, by impressing the opposite party with an opinion, that we were too weak, too avaricious, or too much divided, to support the measures necessary for resistance.—These reasons had, in a great degree, ceased before the close of the session. It was then known, that our Commissioners must have reached Paris about the 10th of March; and consequently that the fate of their mission, having, in all probability, been decided before the middle of May, could not be affected by any thing to be done here after that period. The late revolution in France had also taken place. General Buonaparte had suppressed the Directory and the Jacobins, and erected his own power on their ruins. He manifestly aimed at acquiring popularity in France and in Europe, for his new government, by holding out the appearance, at least of a just and pacific system, if not by adopting it in reality. This plan would strongly incline him to a reconciliation on fair and honorable terms with America; the quarrel with which was always unpopular in France, and had become much more so, since the displayed the will and the means of resistance, and since the effect of her measures had been felt in the French commercial towns and colonies.—Hence it was to be presumed, that the result of the negotiation would be favorable; and several measures of a nature to confirm this opinion, and to shew that the new government wished to be on good terms with this country, were known to have been adopted by it. If, on the other hand, the result of the negotiation should prove unfavorable, and our quarrel with France continue, it was to be presumed that General Buonaparte's failure and misfortunes in Egypt, would render him very cautious about attempting to attack a country more distant, far more powerful, and which had manifested a determination to defend itself.—Should he feel the disposition, yet the formidable combination against him in Europe, would find him full employment for all the means which his country, in its present exhausted state, could furnish. And in case of a new change in the government which might place the Jacobins again in power; or of a tide of success, which might revive the former spirit of conquest, dominion, and injustice; we must have a warning sufficiently long, to enable us to provide anew for our defence; which the spirit and alacrity formerly displayed by the country, when threatened with attack, gave the utmost assurance of our being able very speedily to do, should the danger return.

This change in the state of things, between the beginning and the end of the session, induced the persons who opposed the motion for disbanding the army, at the former period, to be of opinion that the measure might be safely adopted at the latter. They therefore brought it forward themselves, and it passed into a law. The discharge of the troops is to take place on or before the 15th of June.

But as those troops are to be discharged suddenly, and sooner than was expected at the time when they were raised, it was thought reasonable and just, to make them an allowance of three months' pay, after their discharge; so as to enable them to look about them at their return home, and support themselves till they can get into new occupations. This was not only a just measure, but a very wise one; since it will operate as a strong encouragement to persons to enter into the service on any future occasion, when it may be necessary to prepare for defence.

This reduction of the army will probably constitute a saving, of about two millions in the expenses of the year.

Many other acts were passed during the session, but they are not sufficiently important to be detailed here. Far the greater number, as usually happens, are of a temporary nature, or intended for particular purposes.

The business of a government so extensive as ours, necessarily requires a great number of occasional and temporary laws; but those of a general and permanent nature, are far less numerous than is sometimes supposed.

No official or direct accounts have been received from our Commissioners since their arrival in France. It is, however, known from the public prints, that they are in Paris; that they were received with great cordiality by the people of France, and with great respect by the government; and that General Buonaparte has appointed three Commissioners to treat with them, one of whom is his brother. It also appears, that the French, in a great measure, abstain, at present, from molesting our vessels, except in cases where they are authorized to do so by the law of nations; and that several which were detained improperly, have been released. Thus the spirited conduct and wise measures of our government, aided and supported by the courage of the nation, are likely to produce their natural and usual effect, of avoiding a serious and destructive war on one hand, and maintaining our rights and honour on the other.

Appearances in Europe are more favorable to the hope of a general peace, than they lately were. It seems certain that the Russians, satisfied with having checked the progress of France towards universal empire, and curtailed her power and her conquests, and perhaps distrustful of the views of some of the combined powers, have withdrawn their armies, and probably separated themselves entirely from the coalition. If this be true, Austria will, in all probability soon find, that more is to be got by dividing the spoil equally with France, than by continuing to contend for the whole of it; and in that case, as France will probably have the same view of things, an arrangement may soon be expected to take place between them. England, who, notwithstanding the great expenses of the war, has gained more by it than any other power, will then have no rational object for its continuance; and will, most probably, avail herself of the first safe and favourable opportunity of making peace.

As to our internal concerns, the most important of them, and the only one which seems likely to agitate the public mind, is the approaching election of President. Mr. Jefferson is again brought forward in opposition to Mr. Adams, and the utmost exertions are made to ensure his success. Those who have been in the constant habit of opposing the present system of administration, from the moment when it was first adopted by General Washington, to the real authority, to the present time, will no doubt present a great many good things to the nation, if they can only obtain the management of its affairs. It will however be remembered, by men of sense and reflection, that they have been employed, for ten years, in a daily fault with and opposing every measure of the federal government; that many of those measures which they clamoured most against, have been approved by experience, the only unerring judge in matters of this kind: That the British treaty, from which they predicted the most direful consequences, has secured, thus far, the peace of the country, with that nation; has given us possession of the territory which was before withheld from us; and has put all our former differences in a train of amicable adjustment. That our commerce, the ruin of which was confidently predicted from the operation of that treaty, has, since its adoption, flourished more than ever: That the measures adopted towards France, instead of bringing on us the exemplary vengeance of that nation, with which they never ceased to threaten us, have, on the contrary, ensured to us better treatment from it, than any other people has received; and are now, apparently, in a fair way of producing an honorable and satisfactory accommodation: That our navy, which those persons opposed to the utmost, cried out against as too expensive to be supported, and ridiculed as too inconsiderable to do any good, has protected our commerce, raised our national character, and taught the French to respect our rights: That since the establishment of this navy, our commerce has recovered from the depression into which the depredations of France had plunged it, and become more prosperous than before: That our national credit, the ruin of which they foretold, is high and firm: And finally that the army, which they charged the supporters of administration with having raised for sinister purposes, is laid down by its authors themselves, as soon as there was a reasonable ground to believe, that it had become unnecessary.

Men of sense and reflection will recollect these circumstances; and they will ask themselves, what more could any administration have done? Party-men, who are heated by constant opposition to all that has been done, and view every thing with a prejudiced eye will

[For the remainder see last page.]