

This assertion of Mr. Lyon's is without foundation—It is false—Nor can I conjecture to what circumstance Mr. Lyon alluded, unless it be a ludicrous transaction, which took place in Westminster, in the state of Vermont, in the beginning of the year 1785, the circumstances of which I beg to relate.

The Legislature of Vermont were in session at that place—Mr. Lyon attended as a member—I attended on business—The House of Representatives, requesting me, though not a member, to examine and report my opinion concerning certain debts due from persons whose estates had been confiscated—I had made a report accordingly, at some part of which, Mr. Lyon took offence. One morning Mr. Lyon called at Mr. Bradley's room, in which I was then doing business. No person was in the room but Mr. Bradley and myself, and we were writing at the table, Mr. Lyon took a seat by the table at the side of Mr. Bradley, and entered upon the subject of the report above mentioned. He soon discovered himself to be somewhat irritated, and in a very rude and pointed manner declared no man who had a spark of honesty could have reported as I had done. Attacked in this rude manner, I retorted in a passion, that he was an *Ignorant Irish Puppy*. Mr. Lyon rose in a violent passion, grasped at my hair, that was turned back with a comb, which he broke in the grasp—I instantly rose, intending to revenge the insult with the knife in my hand; but Mr. Bradley had seized Mr. Lyon from behind, round the arms and drew him back a little, upon which Mr. Lyon, bearing himself in Mr. Bradley's arms threw his feet upon the table, to kick across.

The awkward appearance of Mr. Lyon at this moment, and grimaces of his countenance provoked me to laugh. I dropped the penknife, seized Mr. Lyon's feet, and in this manner, with the help of Mr. Bradley, who still kept his hold, carried him across the room and laid him on his back in a corner. Mr. Bradley & I returned to our seats, laughing very merrily at the scene. In the mean time Mr. Lyon rose from his corner, stood a short time in apparent agitation, and without uttering a word. At length he turned upon his heel, with these expressions, "*Damn it, I will not be mad!*"—forced a laugh, and left the room. Nothing ever afterwards passed between Mr. Lyon and myself upon this subject. I therefore repeat that Mr. Lyon's assertion is wholly without foundation.

I ask pardon for the trouble I have given the house upon this business.

And am with respect, &c.

NATHANIEL CHIPMAN.

The Chairman of the Committee upon the report of the Committee of Privileges.

The house having resumed, Mr. Livingston asked and obtained leave of absence for his colleague Mr. Van Cortlandt, for eight days.

Adjourned.

Monday, February 12.

The debate was continued in committee of the whole on the report of the committee of privileges. The discussion produced even more warmth and ardor this day, than was witnessed at the beginning of the business.

Finally, Mr. R. Williams moved to amend the resolution, by striking out that part which contemplates an expulsion, and inserting, in its room, words to the following effect: "That he (Mr. Lyon), was highly censurable, and that he be reprimanded by the speaker, in the presence of the house."

After further debate, the question was put upon the amendment, and it was *yeas* 42, *nays* 52.

A question was then put upon the resolution, contemplating the expulsion. The yeas were 51, nays 43. The committee rose and reported.

The first question that occurred in the house was the amendment to the report of the committee of privileges, which notice of the exceptional expressions which fell from Mr. Lyon in committee of the whole. It was agreed 49 to 49.

Mr. R. Williams then renewed his amendment on which the yeas and nays were as follows:

**YEAS**—Messrs. Baldwin, Bard, Benton, Blount, Brent, Bryan, Cabel, T. Claiborne, W. Claiborne, Clay, Clifton, Dawson, Elmendorf, Finley, Fowler, N. Freeman, Gallatin, Giles, Gillespie, Gregg, Hanna, H. Hill, H. Jones, Livingston, Locke, Macon, McClung, M. Dowell, Milledge, New, Nicholas, Kinser, S. Smith, W. Smith, Sprigg, Stanford, Sumner, A. Trigg, J. Trigg, Van Cortlandt, Varnum, Venable, R. Williams—34.

**NAYS**—Messrs. Baer, Bartlett, Bayard, Brooks, Bullock, Champlin, Chapman, Cochran, Coit, Craig, Dana, Davis, Dennis, Dent, Evans, A. Foster, D. Foster, J. Freeman, G. G. Goodrich, Gordon, Grove, Harper, Hartly, Hindman, Hobbs, Hofner, Lalay, Kittera, S. Lyman, Michir, Matthews, Morgan, Morris, Otis, J. Parker, I. Parker, Reed, Rockledge, Schurman, Sewal, Shepherd, Simmickton, Siggers, N. Smith, Sprague, Thatcher, Thomas, Thompson, Tillinghast, Van Allen, Wadsworth—52.

The amendment was consequently lost. The question on the resolution as reported by the committee of privileges was then taken by yeas and nays. All those who voted on the former question in the affirmative, now voted in the negative, and vice versa. Yeas 52, Nays 44.

The Speaker declared, that as the constitution required two thirds, to expel, the resolution was consequently lost. Adjourned.

## NEW-YORK February 10.

A letter dated Niagara, Jan 21st, says "A person from Detroit informs, that accounts were received, that the Spaniards had cut off two or three companies of American troops on the Mississippi." This, however, is disbelieved by our correspondent.

Mr. Editor,

Since the establishment of the United Insurance Company, in this city, they have sustained the following losses, viz.

By Spanish captures	1,609 dollars,
By British captures	9,937 ditto,
By Sea risks	111,902 ditto,
By French captures	178,766 ditto.

502,214 dollars.

February 12.

### IMPORTANT.

By a gentleman of respectability, and of this city, arrived yesterday, in 18 days from New-Orleans, we have the pleasing information, that the Spanish Posts at the Natchez, and other places within our Territory, on the River Mississippi, had been at length given up to the American Commissioner, and the troops under his direction.

By this happy accommodation of the differences which have subsisted, we may expect the restoration of harmony in that quarter; and that the boundary lines will also be run and determined agreeable to treaty, and future alterations be thus also prevented.

February 15. We are happy in being able to confirm the intelligence we stated on Tuesday respecting the relinquishment of the Posts on the Mississippi, within the American limits, by the Spanish Government, at least so far as relates to the *incubators* for the purpose: for we were rather premature in stating the business as already accomplished.—Thomas Stoughton, Esq. his Catholic Majesty's Consul for this city, has received a letter from his Excellency Don Cayoto de Lemus the present Governor of N. Orleans, dated the 18th of Jan, stating, particularly, that orders had been received from his Majesty for the immediate delivery of the posts, &c. and that preparations had been, and were still making, for carrying these orders into effect with every possible expedition.

On the 17th ult. arrived at Savannah, Mr. Harriot, Capt. De Coffer, in 13 days from St. Louis— who informs, that the day previous to his sailing, a gentleman arrived from Cayenne, who informed him that the Corvette, which had on board the harassed members from France, had captured the vessel was in from London, and four others, all for the slands; and that Pichegru, Bartholemy, and several others, were agreeing with an American captain to bring them to this country.

## PHILADELPHIA, February 12.

Extradit of a letter from Lisbon, dated December 17.

As to news, we are in the dark, it has been reported that Portugal had made her peace—some say it is concluded, others that it is not, and that a strong army is ordered to march against the King of Spain.

The three American envoys are at Paris, and have been there some time—nothing transpires here of what they are doing.

February 15.

### LYON and GRISWOLD.

MR. FINNO,

Let the affair which took place this morning between Mr. Griswold and Mr. Lyon should be misunderstood, I send you the following account of it which having I seen shewed to several gentlemen who were eye-witnesses, may be relied on as authentic, and accurate.

Before the house was called to order, Mr. Griswold came into the hall and took his seat with a cane in his hand. He was reading a letter when Mr. Lyon, who had not before appeared since he finished his defence, came into the hall with a cane in his hand also, and took his seat, the house not being yet called to order. He placed his stick before his chair or behind it, and began to write or look at papers. Mr. Griswold perceiving him, took up his stick, advanced towards him in front, from the opposite side of the house, and struck him with the stick. Mr. Lyon either immediately on receiving the blow, or immediately before, rose, advanced towards Mr. Griswold and endeavoured to close in with him. This Mr. Griswold avoided, and repeated the blow nine or ten times, striking sometimes on the head and sometimes on the shoulders. At length they closed, and Mr. Lyon was thrown by Mr. Griswold, in which situation Mr. Griswold who had fallen with him, gave him one blow in the face with his fist; and then they were separated.

A BYSTANDER.

### To the Tobacco Planters in North-Carolina.

It appears from some returns of Tobacco inspected in our ware-house, during this last season past, there has been a quantity of trash found in a number of hogheads of tobacco so inspected—Now in future, we shall take the liberty of breaking all tobacco that may come to our inspection two, three and four times; should we find any tobacco that is not clean and merchantable, we shall be sure and pick it over, or the planter may lay it by until the months of June and July, before they have it picked.

DAVIS & LEONARD,

February 24.

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From the NEW-YORK SPECTATOR.

### COMMUNICATION.

A member of Congress spit in another's face! And a "patriot" too! An act of bravery well worthy the knight of the wooden sword! A heroic son of Mars this!

There is no making a gentleman of a clown! The lubber is made of too coarse materials ever to be refined up to the standard of a well bred man. If a creature is a beast, a real brute, you may shave him, pare his nails, cut off his horns, dress him in good clothes, and even send him to Congress, and yet he will still be a beast—he will not make laws—he is uneasy in good company—and every where shews an unconquerable inclination to get into the woods.

A pretty figure the character of the United States will make in European papers! The challenges of former sessions of Congress went far enough towards sinking our national reputation! But the motion to be excluded from waiting on the President, and the spit in-the-face business, will really attach infamy to our character. What! say the Europeans, these Americans are such clownish fellows that they elect into the first places of government, the indented servants exported from Europe! And when in power they spit in their face! Not a bad story this, for the enemies of our government abroad! Even the French, though they often kick up riots in the councils, and let a mob in to assault a member or two, yet they never let themselves down to low as to spit on one another!

Well; our patriots, the friends of the people, and adherents of France, seem to be rising fast in public estimation! What with "precious confessions," free use of public money, letters to M. de Mezer, challenges to single combat, spitings in the face, pitiful to engage the British court and the western Indians to drive off the Spaniards, and other signal and undoubted proofs of patriotism, we are in a fair way to Roman greatness and dignity of national character!!!

There must in all governments be powers vested in men, who have no control but found discretion. The supreme powers of legislation can have no constitutional limits, in a multitude of cases, except the general good, of which general good the men vested with these powers are the judges. Their sense of right and wrong in such cases, that is, their judgment of what is for the public interest, can have no control, but that of public opinion. If they err, the public opinion will gradually arrange itself against their measures, and in cases where those measures can be repealed by the same power that adopted them, the remedy is easy and certain. No man in an elective place will persist in a measure which is unequivocally opposed by the deliberate and unpassioned sense of the public. In cases where an unpopular step cannot be retraced, the public will furnish it to the evil.

Thus in Congress are vested all the powers of laying imposts and excises, limited by no means, except the public welfare. Who is to decide when the legislature exceed their powers? The public alone. While measures are under discussion, the legislature have no pole star of direction to what is or is not for the public happiness and benefit, but their own unprejudiced judgment. If they mistake, public opinion and experience will in time correct them.

The fact is the same with the executive, in cases where the constitution has vested indefinite powers in that branch, as in the article of foreign intercourse.—The constitution has set no limit to the appointment of foreign ministers. By what means then shall the other branches check the executive in the exercise of these powers? The House of Representatives say, by withholding appropriations for their support. But is this house to exercise this power when they please or at all times? If so; if that house can deliberate on the propriety of appropriations in every case, the power of the executive are defeated—they are wrested from the executive and essentially exercised by the popular branch. Where then is the right of the house to interfere? Obviously in no instance, except in the extreme case of such an abuse of the power of appointment as clearly to endanger the public happiness; and this case must be so obvious as to arrange public opinion decidedly on the side of the house. In short, it must be such a clear case, as would justify the people in taking extraordinary measures to prevent the execution of a law, in passing which the legislature had abused their powers. Extreme cases of this kind rarely happen and cannot be defined or provided against. But for one branch of government to interfere with the powers of another, without this obvious necessity is an attempt at usurpation alarming to the people of the United States.

The number of inhabitants of North America have increased, from the year '90 to '94, by one million three hundred and twenty-one thousand persons, as appears from the late census. Such an increase is astonishing, but it is the reward the United States have obtained for their prudent neutrality in the wars which have agitated Europe. Calculating the value of each person, in a pecuniary view, only at the price of a negro, this is an augmentation of national capital equal nearly to one hundred millions sterling. In the same period of time, what has Europe lost, by the folly of her rulers, in present happiness, in the sources of real wealth and power?