

being rarely absolutely necessary, that a particular law should be enacted) yet, that in a case, where government might stand still unless a particular office was filled, it became not only proper, but of prime necessity, that a mode should be adopted that would without failure ensure an election.

From the above statement, I think I admit not of a doubt, whether the point be considered on abstract ground, or whether we consult the opinions and constructions which have been uniformly expressed, that the legislative choice by joint ballot is constitutional. If it be constitutional, can its expediency be doubted?

It is certain that the vote of Pennsylvania, accordingly as it is given, will decide the President. It may be, that if Pennsylvania shall not vote, a man will be elected to that important office, in direct opposition to the prevailing will of Pennsylvania.

Can the legislature, appointed by the people for the express purpose of carrying into effect the federal as well as state constitutions, the first of which declares, "that electors shall be appointed," under the direction of the state legislatures, can the legislature omit to do what the constitution directs? And this too, at a period, when the public mind is expressed with unequivocal decision in the recent elections?

In Pennsylvania there can be no other mode of election, but by the legislature. This mode, then, the legislature are bound to pursue.

But which mode shall be pursued, the joint or the concurrent?

I reply for one reason, in addition to the many already urged, for one reason, which outweighs a thousand common ones, the joint vote ought to be adopted, because that vote will truly express the will of the people, while the concurrent vote will either express no opinion at all, or an opinion at war with the existing sentiments of the people.

From this view of the subject, made with a guarded abstinence from passion or inflammation, some considerations of solemn moment arise.

If any thing can divide the American people from their government it will be the unequal operation of laws, the unequal enjoyment of rights. At present the government is seated in the affections of the people, because it truly expresses, in its acts, the public will, and is guided by a regard to the general interest. Deprive it of this distinctive feature, and you alter its character, and hazard its duration. A president of the United States, who is the representative of the people, will be respected, beloved and obeyed by the people. A president who is not the representative of the people, may be despised, hated and opposed.

A FRIEND OF THE PEOPLE.

On the 7th inst. the Governor of Pennsylvania, made the following address to the Legislature of that state.

Gentlemen of the Senate, and Gentlemen of the House of Representatives.

The legislature having omitted to prescribe the manner, in which the Electors of President and Vice President of the United States, shall be appointed, I have thought it incumbent on me, to furnish the present opportunity, for discharging a trust, so interesting to the honor of the state, and so essential to the prosperity of the Union. To preserve, indeed the political balance of our Confederation, to promote the regular operations of government, to diffuse the blessings of concord, and to ensure the confidence of the people, are considerations intimately connected with the object for which you have been convened; and having thus prompted an extraordinary interposition of the Executive power, they will also, I am persuaded, command on your part, a serious and salutary attention.

It is to be regretted, Gentlemen, that the difference of opinion, which occurred on this subject, between the two branches of the last general Assembly, has deprived our Constituents of an immediate participation in the choice of Electors, either by an election of the citizens at large, or by an election of the citizens in districts. Since, however, the crisis affords no other alternative, than a legislative appointment, or a direction of the right of election, we cannot, I think, reflect upon the dangerous and disgraceful consequences of the latter course without resolving to pursue the former. On the fidelity and vigilance of its several members, the Union depends for its energy and duration; and, it is obvious, that a neglect, or omission, of the important duties, assigned to the individual States, must, eventually, prove as destructive to the Federal Compact as an opposition the

most active, or a secession the most daring; for, a free and enlightened People will not long continue to maintain or to respect an institution, in which (from whatever cause) they have ceased to be represented.

Nor can we resist the influence of those occurrences which admonish us, at this momentous period of human affairs, to rally round the Constitution of our Country, as the palladium of civil Liberty, and the hope of Republican Virtue. To rescue Pennsylvania, therefore, from the stigma of exhibiting to her Sister States, a fatal example of discord and disorganization, is a motive, that cannot fail to supersede in every patriotic mind, the pride of opinion, as to the theory of our government, or the bias of predilection, as to the various means of supplying its departments. For my own part, I acknowledge, that I have ever contemplated a general choice by the people, as the truest, fairest, safest, exposition of the Constitution; but a deference for the judgement and practice of others, taught me to respect a departure from that rule elsewhere, before the necessity had arisen which imposes a departure from it here. In eight States of the Union, Electors are appointed by a vote of the two branches of their respective Legislatures; and appointments so made, have been uniformly recognized by congress. It is a great consolation, therefore, that on the present occasion, we have these authoritative precedents to pursue; since, permit me to repeat, it is only left to your discretion to decide, whether Pennsylvania shall abandon her elective rights, or exercise them in a manner, which has already been adopted by one half of the confederation.

Though I have thus explicitly communicated my sentiments, and exonerated myself from all official responsibility, I still deeply partake of the general solicitude, for the issue of your deliberations. The situation of our country is critical; but not alarming. In her external relations, the prospect of reconciliation and peace appears, by recent intelligence, to be realized; and nothing seems wanting to her domestic happiness, but a recollection of the common interest, by which all her citizens must be equally animated in their efforts to promote it. It has, perhaps then, fallen to the lot of Pennsylvania, not merely to determine an important election, but to extinguish, by a magnanimous example, those feuds and jealousies, which have disturbed the order of society, and threatened to eclipse the glory of the Revolution. Under this impression, we see without surprise, the attention of the Union fixed upon the proceedings of the present day; while, from every quarter of the State, the wishes and prayers of our fellow citizens, emphatically appeal to the patriotism and fidelity of those, in whom they have reposed their confidence, and to whom they have delegated their power. Such just and honourable expectations will not be disappointed! No!—Superior to the suggestions of party, disdaining a contest about forms, and yielding to the precedents that have been established, your decision cannot fail to merit the approbation of our Constituents, the applause of our Sister States, and the gratitude of posterity.

I shall reserve, Gentlemen, the communications on the general state of the Commonwealth for a future message: but I cannot conclude at this time, without assuring you of my most cordial co-operation, in every measure for the public good. Let us, then, cultivate, by all the means in our power, a liberal and harmonious intercourse between the departments of the government;—convinced, as we must be, that our private happiness, not less than our public duty, will be best promoted, under the influence of mutual confidence, reverence and esteem.

THOMAS M'KEAN.

Nov. 7, 1800.

On Friday afternoon, after the governor had delivered his speech, Mr. Boileau of the House of Representatives, read in his place, a bill for appointing by a joint vote, electors of President and Vice-President of the United States.

#### FOREIGN INTELLIGENCE.

VIENNA, Sept. 13.

The Archduke John will retain the command of the army till the Archduke Charles is able to take it: the latter is now recovering, and on the 9th was no longer confined to his bed.

In Hungary, the general levy, which is now to be carried into effect, meets with the public approbation. Twenty-five thousand infantry will immediately be formed.

Yesterday notice was published here, the purport of which was, that "the departure of his Imperial Majesty for the army, and the example he had given, must inspire the courage of the brave Austrians, and inspire them with the resolution, as faithful children of the Father of their Country, to oppose the enemy with arms in their hands, till they should obtain just and honourable conditions of peace; and though the present circumstances do not render necessary a general levy, like that in the year 1797, yet it is the will of his majesty that some light battalions of volunteers, similar to the Tyrolese riflemen, shall be raised immediately in his capital of Vienna, and sent to the army. The organization of these battalions, which will consist of several thousand men, is confided to Prince Ferdinand of Wurtemberg.

Our accounts from Ali-Oettingen state, that his majesty's arrival there had created inexpressible joy. An eye witness assures us, that if it should be attempted to describe the energetic manner in which the whole army expressed their joy at the arrival of their beloved chief, it would appear improbable. The tidings spread from cantonment to cantonment, as far as the advanced posts and the privates literally shouted. A more beautiful spectacle could not be seen than that when his majesty reviewed the army and many veterans shed tears of joy. His majesty's address to the army, in which he reminded the warriors of the courage, bravery, and fidelity, with which they had often conquered the enemy, and with which he hoped they would further meet him, not only created the most lively joy, but also the highest resolution in every individual. The whole army were afterwards informed that for three days their pay should be doubled; and the review being over, they returned to their cantonments. The great agitation, and the *feu-de-jote* of the army being observed by the French, their general sent to inquire what was the meaning of this unusual movement?—And was informed of the cause of it. On the 11th, his majesty set out from Ali-Oettingen for Innsbruck, where it was expected he would arrive this day. During the emperor's absence from the army in Germany, the archduke John will transact every part of the business.

LAUSANNE, Sept. 11.

The new French army of reserve, under general Macdonald, amounting to between 30 and 40,000 men, is now marching through Switzerland. One division of marches through this neighbourhood, the other through Yverdon, with the utmost speed, towards Italy and the Tyrol. A third army of reserve is to be formed immediately. General Macdonald arrived at Berne on the 9th inst. accompanied by general Dumas.

BIRMINGHAM, Sept. 29.

Yesterday morning several treasonable and bills, violently inflammatory, were discovered stuck up in various parts of the town. On information being given to the peace officers, they were taken down and conveyed to the Magistrates. The writing appeared to have been executed by different hands. The language of each, though totally dissimilar, was equally expressive of rebellious sentiment. One hundred pounds reward was immediately offered for the discovery of the offenders, and the papers dispatched to his Grace the duke of Portland.

Birmingham is now perfectly tranquil; but the scarcity of bread and potatoes seems to increase.

PARIS, Sept. 27.

The Gazette of Frankfort having stated that general Menou had died in Egypt of the plague, or by poison, citizen Bacher, Charge d'Affaires of the French Republic with the general Diet of the Empire, was requested to procure information of the authority on which the Journalist had given this intelligence. He found that it rested merely on a report which was first circulated in Constantinople, without any authentic foundation, and which has not been confirmed in that city; that advices from Joppa, subsequent to the date of this report, make no mention of it; and that at Constantinople not the least credit was given to this fable, which was invented and circulated by the Agents of England.

[Moniteur.]

PARIS, OCTOBER 3.

#### AERIAL EXCURSION.

The following is the account given by Garnier, of his dangerous experiment on the occasion of the late celebration of the foundation of the French Republic, at Paris:

Paris, 2d Vendemiaire, 5, 1794.

The weather was never less favourable than it was yesterday for descending by a parachute. I consider that which I effected as extremely dangerous, on account of the storms by which the atmosphere was agitated. The fourth west wind which directed the first percursorial balloon sent up turned suddenly to the west and covered the heavens with thick clouds, which seemed to announce a great hurricane. I however, informed the minister of the Interior, that I was resolved to hazard the experiment, notwithstanding the probability of danger. He endeavoured to prevail on me with great sensibility to delay my departure for a quarter of an hour, till the threatened storm should be over.

"I at length rose with great force of ascension. The west wind being extremely violent above the earth, made me pass over the Champ de Mars and the Military School with rapidity, and agitated the balloon and the parachute in such a manner, as to give them a rotatory motion in opposite directions, so that the cords became twisted around the principal rope which might have rendered the development of the parachute difficult. I conjectured that by rising higher, I should have more time to ascend, and consequently there would be more hopes of the parachute being unfolded, which was actually the case, for having cut the rope by which it was made fast, when at the height of between four and five hundred fathoms, I descended with a great deal of velocity until the air gradually filled the parachute. The rope got untwisted, and I began to descend more gently, experiencing oscillations which were not so great as the violence of the wind had made me apprehend, which proves that there was a great degree of perfection in my parachute. I at length approached the earth very sensibly, and perceived that I was falling directly on the spikes of garden rails, by which my net was caught, so that I remained suspended in the most miraculous manner, the spikes being within two inches of my breast. I ought to thank fortune for having preserved me from so painful an end. The wife of the President of the Conservative Senate, and another lady, were so kind as to take me into their carriage, and to conduct me to the military school. I immediately repaired to the minister of the Interior who received me with much affection.

"I hope the public will see, in my devotion, a new proof of my eagerness to fulfil my intention, for, notwithstanding the notice given that my descent with a parachute would not take place, should the wind be too strong, I did not desert at a moment on that account: I have always chose rather to expose myself to every thing than to break my word."

The Emperor of Russia was dissatisfied with the manoeuvres of the Finland troops, on the 1st inst.—Prince Gortschakow was reprimanded by the Emperor for neglect, with this remark, "that his conduct was certainly of the same kind as that which had occasioned the loss of the battles in Switzerland and Holland."

The younger brother of Buonaparte is shortly expected at Berlin.

When General Kray resigned the command of the army, he caused the following to be communicated to the troops:

"His Imperial Majesty having found it convenient for the service graciously to recall me from the command, and as I have already surrendered it to Field Marshal Count Collovrath, the whole of the Imperial troops, and of the troops of the Empire in the army, are hereby desired to direct to him their reports and communications. I also think it my duty, herein to testify my warmest thanks and acknowledgements to the generals, staff, and other officers, and the troops composing the army, for their indefatigable zeal and bravery, evinced while under my command and to recommend myself to their further friendly remembrance.

(Signed) KRAY."

The Minister of the Interior, L. Buonaparte, in his speech of the 23d ult. in the Temple of Mars, amongst a great number of common-places, had an apostrophe of some beauty, in which the eighteenth century, now about to expire, is made thus to address the century which is to succeed her in the following terms:—"I bequeath to you a great inheritance. I had collected all human knowledge, and was entitled the *Age of Philosophy*. I am now about to disappear, and tempests accompany me into the night of time. Thy reign commences on a serene day: preserve then repose and liberty, the painful fruits of my labours which thou art about to gather. Banish with horror from thy bosom Revolution and Civil Wars. I carry with me, it is true, many benedictions, but I