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FOR THE NATIONAL INTELLIGENCER.

No. II.

Does any material difference exist among the PEOPLE from dissimilar or opposing interests?

Having in my preceding remarks, as I conceive, shewn that no threatening difference is produced by the variance of early habit, by the use of different languages, or the reception of different religious tenets, I think it may be made to appear, with equal clearness, that no such difference exists from dissimilar or opposing interests.

A variety of interests undoubtedly exists; but these, so far from being inimical to each other, are in truth so united and interwoven, that one would probably fall without the support of the other. The great divisions of society are into agriculturalists, mechanics and merchants. These divisions are not the result of any arbitrary power exercised by the government, whereby the labor of the citizen is forced into an unnatural channel; but they are the offspring of that necessity or convenience, which arises from the various wants and desires of individuals. The welfare of either is as dependant upon the prosperity of the other two, as upon its own.

This is so clear that words need not be multiplied to illustrate it.

But it is contended that certain districts of country are almost entirely agricultural; that other districts are commercial; and a third manufacturing; and that the well-being of each requires a system of laws essentially different.

But the first part of the position is in itself untrue—There is no districts in the union so exclusively either commercial, agricultural or manufacturing, as to be removed from a close association of interests and participation of benefits with the other classes of citizens.

The people of New England manufacture to a greater extent than any other parts of the United States; still there are in those states more farmers than mechanics and a considerable body of merchants.

The commerce of the middle states is more extensive than that of the other portions of the empire, yet no part of the union exceeds this in the actual productions of the soil, and mechanics are here numerous and respectable.

The southern states rely most upon natural productions. Yet their trade is in rapid progress, and manufactures are constantly, though gradually gaining ground.

In short, take the whole civilized world, and you can scarcely find a body of people of any great extent, in which the arts that contribute to human welfare are so equally distributed. We raise more than we consume, we import and export not only for ourselves but for others, and we manufacture a large portion of the articles we want.

Fortunately for the exertions of human industry we have no monopolies established and fortified by the government. Every man is free to invest his labour, his property, and his ingenuity in such enterprise as his judgment suggests. From this state of things the most beneficial of all competitions takes place. The same advantages being open to all, the same reward attends equal ingenuity, labor and wealth. Men, who embark in any plan, see their way clear. They are not opposed in the exercise of their natural rights by the favor or the frowns of misapplied power.

But should we in direct subversion of these facts, grant that different parts of the union are peculiarly fitted for particular and exclusive employment, yet it will not follow that any essential difference of interest will necessarily exist. The merchant, no less than the farmer and the mechanic, requires a government with powers competent to protect, without invading the rights of the citizen; he requires laws which leave enterprise to follow its own direction; he requires of course a freedom from oppressive taxation; he requires harmony at home, and peace with all the world. Keeping clear of a spirit of monopoly, it is impossible to name any one rational wish of the merchant, that will not apply, with equal precision, to the farmer and the mechanic.

Where then is the alledged difference; that difference which is to convulse the union; whose seeds are so profusely and widely scattered that civil war, with its accumulated horrors, rises in bloody array to the affrighted imagination! It is all a *chimera*. It exists only in the chaos of disordered intellect, or the recesses of corrupt hearts. It is believed by ignorance, and fed by depravity. The mole discerns not the chain that holds together the varying grades of being, nor does the man whose mind is unenlightened, perceive the mutual and inevitable ties that unite together different classes of men. His ignorance escapes in murmurs, which are eagerly seized by designing men, and embodied into clamor; and the cry of separation, convulsion and civil war is raised to repress a free expression of opinions.

Let then this great truth be proclaimed—THE PEOPLE ARE AGREED.

TIMOLEON.

SPEECH,

Of JOHN JAY, Governor of the state of New-York, at the meeting of the Legislature, November 4, 1800.

Gentlemen of the Senate and Assembly,

The great importance of the business which, at stated periods fixed by law, requires your convening at this early season, having heretofore been considered and experienced, it cannot be necessary to enumerate the various considerations, which entitle it to serious attention. Connected with this is another topic, which needs only to be mentioned, to excite reflections which on such occasions, will always be seasonable and proper. It is natural that the election of a first magistrate for the nation, should divide patriots into parties: while not intemperate, few public inconveniences result from them. But history informs us, that when such parties, being nearly balanced, become highly inflamed, they often endanger not only the tranquility, but also the political existence of republics. It is wise to profit by the experience of others. Our governments are yet in a course of experiment; and care should be taken that it be not interrupted by those tendencies to innovation, which certain passions, when too fervent, sometimes produce.

Since the last adjournment few circumstances have occurred of such a nature, as to require being recommended to your particular notice. Providence still continues to bless our country with prosperity; and nothing remains for us, but to enjoy it with gratitude and moderation, and in our several stations to endeavour to preserve and advance the welfare of the state. To this end, prudence directs us frequently to review our public affairs, and to correct and amend whatever may appear from experience to be susceptible of material improvement.

On such a review it will probably be found, that among the different classes of public expenditures, there are some which demand more order & economy. I allude particularly to the expences of the counties and towns, and to the manner in which they are at present incurred, liquidated, and conducted. It is said, and I fear with too much truth, that in a majority of the counties, these expences very far exceed the amount of their respective proportions of the state tax. This would not continue to be the case, in so great a degree, if the accounts against them were as carefully and scrupulously admitted and audited, as those against the state; and if they were controlled and ordered with equal notoriety, independence, and responsibility. The present manner of transacting these affairs is certainly defective, and the interest of the inhabitants requires that it should be revised and amended; and the more so, as certain boards of supervisors have, as I am informed, not hesitated in some instances, to treat the statutes of the state with unequivocal disobedience.

Although our present system of taxation is far preferable to the preceding one, yet time will doubtless discover imperfections in it. The reprehensible inequalities in assessments have already been observed and complained of. Injustice, when committed under forms and authority of laws,

is always particularly painful and disgusting, and excites emotions which are not friendly to government. I am persuaded that the result of your deliberations on this subject will confirm the public confidence in the wisdom and rectitude of the legislature. Few circumstances are more essential to the duration of civil liberty, and the well being of a free people, than that the departments and officers of their government do, on the one hand, exercise on proper occasions all the powers and authorities constitutionally committed to them. Notwithstanding the delicacy of the subject, I think it my duty to submit to your candid and dispassionate consideration, whether the power which has been exercised by the legislature, to control the lawful operation of wills and descents in individual cases, by private acts, is not liable to such well founded objections, as that it should not in future be permitted to acquire further claims to assent and acquiescence on the ground of precedent. That I may be clearly understood, permit me to remark—

That the right lawfully to acquire, inherit and hold, as well as lawfully and freely to grant, devise and dispose of land or other property, is included among those which the constitution intended to secure to every citizen. That valuable civil privileges are, by the constitution, conferred exclusively on that class of citizens who are freeholders, and which privileges they lose when they cease to have lands of a certain value. That the constitution has ordained and declared, "that no member of this state shall be disfranchised, or deprived of any of the rights or privileges secured to the subjects of this state by the constitution, unless by the law of the land and the judgment of his peers." That although this provision was doubtless intended more immediately for the security of citizens charged with offences, yet that it necessarily, and with still greater force, applies to citizens to whom no offences are imputed.

That by "the law of the land" is to be understood the public, general and constitutional laws of the state, equally and impartially affecting all persons and cases under similar circumstances, and to be administered and applied to those persons and cases, in the ordinary course of judicial proceeding; and consequently not a mere private act, confined in its object and operation to a particular case, and directly applied to that single case, and to the individuals interested in it, without the intervention of any judicial inquiries or proceedings whatsoever. I am not unmindful of the undoubted authority of the legislature to grant exclusive privileges, for public purposes, to corporations, in restraint of the rights of others; and to take land from individuals, for public uses, on paying the value of it. But there have been instances, and one of recent date, where, by private acts, passed expressly for the purpose, infant freeholders have been divested of certain of their lands, and trustees appointed to sell them for their supposed benefit; whereby the nature of their property has been changed, and their civil rights as freeholders of those lands extinguished. Although these private acts were passed from the best motives, and with intent to serve, not to injure those infants, yet how such interference with private property can consist with the constitution, or with the principles on which the judicial department was instituted, or with the security of property, or with the inestimable privileges which every citizen has and ought to have, of freely and lawfully disposing of his land by his will or by voluntarily leaving it to descend according to law, are enquiries which really appear to me to be exceedingly interesting.

On further reviewing the state of public affairs, it will be found, that experience has hitherto evinced the propriety of placing all religious denominations on an equal footing; but the statute enabling them to incorporate, and to make contracts with and for the support of their ministers, appears to be defective, in not having provided legal means sufficiently competent for executing those contracts with convenience and facility. The importance of this subject is strongly expressed in the preamble of

that statute. It declares it to be "the duty of all wise, free, and virtuous governments to countenance and encourage virtue and religion, and remove every let or impediment to growth and prosperity of the people, and to enable every denomination to provide for the decent and honourable support of divine worship, agreeable to the dictates of conscience and judgement." I therefore submit to your consideration the expediency of enabling them to cause the sums made payable by such contracts to be assessed on the members of their respective corporations, in proportion to their taxable estates, as rated in the legal assessments, and to have the same levied, and (after the usual deduction for charges) paid to them by the public collectors.

There is another subject which in my opinion is worthy of consideration. When our constitution was formed, the rule established by it for regulating the future number of senators and Representatives was founded on reasons which subsequent events and circumstances have materially altered. According to this rule, the number will continue to increase, and will become not only inconvenient, but unnecessarily expensive; for although a seat in the Legislature, is a place of honour, and not of profit, yet the expences, however strictly regulated by this principle, will nevertheless far exceed the limits prescribed by prudence and the public good. I therefore think proper to suggest, whether provision should not be made by law for electing a Convention, for the sole and exclusive purpose of ordaining what shall be the number of Senators and Representatives at future periods; and of fixing the limits which it shall at no time hereafter exceed.

Your deliberations, Gentlemen, will doubtless extend to several objects, respecting which it will be proper for me to communicate to you official information. Care shall be taken that this be done in season; & I assure you, that nothing on my part shall be omitted, to render this session beneficial to the state, and agreeable to yourselves.

JOHN JAY.

Extract from the REPLY of the House of Representatives of VERMONT to the Governor's Address.

Fully apprized of the singular importance given to the present session of the Legislature, by the consideration that a Senator in Congress, and Electors of President and Vice-President of the U. States are now to be appointed, we shall employ all our patriotism in the parts we are called to take in this important transaction, and we sincerely pray that the persons chosen may execute the important trust reposed in them, with wisdom and fidelity. "It is," indeed, as you were pleased to express it, "sincerely to be hoped that the importance of the crisis, may induce the Electors, when chosen, to unite their votes on men who are attached to their country and who are friends to order and good government." We can hardly conceive of an event more devoutly to be deprecated than the election for President of the United States, of a man destitute of the sentiments of an Independent American, or influenced, in his administration, by a predilection for foreign principles, or for the government of any foreign nation. In this view, the United States have been greatly blessed in a Washington and in an Adams. The first, removed by the all-wise disposition of Heaven, has left us to weep, in concert with our common country; the latter, by a late very important measure, has, un-influenced either by the intrigue of violence or foreign party, exhibited the most decisive evidence, that he is exclusively an American. While our local situation recommends a neutral position, with respect to the contending nations of the world, we wish our country always to extend equal privileges to them all, while her best uninterrupted exertions shall be directed to the happiness of her own family.

Fully persuaded, as we are, that no principles other than those of morality and religion, can be relied on to confine the