From the Connecticut Courant.

A democratic scheme blown before it budded, or the N. Haven thanksgiving explained.

Samuel Bishop, esquire, and others, have given public notice that a festival is to be celebrated at New-Haven, on the 9th of March next, in honor of Mr. Jefferson.

It was well understood by the federalists that the *real* object of this thanksgiving, was to concert plans for the general election in April. Accordingly, we now announce that on the first of February instant, Abraham Bishop, wrote the following letter. It is signed by William Powell, *in behalf of the managers of the festival*, and by *Jesse Atwater, clerk*. The reader will notice that this Jesse Atwater, is the present post-master at New-Haven, and the *worthy* young gentleman for whose gratification Mr. Beers, was displaced. This letter has been *privately* printed, and, under injunctions of *secrecy*, transmitted *free of postage* by this *honest* post-master to the leaders in democracy in the several countries, and was not to be made further public. Upwards of thirty of them are sent to Ephraim Kirby, esquire, and more or less of them to William Judd, Thomas Tisdall, Jared Potter, William Leavenworth, Roswell, Judson, Walter, Bradley, Jabez Fitch, Elisha Hyde, Jacob de Witt, Moses Warren, Daniel Tilden, John Welch, John T. Peters, Joseph Wilcox, Alexander Wolcott, and Thomas Lyman, &c. &c.

HERE IT IS.

(CIRCULAR.)

New-Haven, February, 1803.

DEAR SIR,

In the public newspapers is a general invitation to a republican festival in this place, on Wednesday, the 9th of March next. The managers request me to present their respects to you, and to the republicans in your town, inviting your particular attendance.

In every point of view it will be important that the occasion be numerously attended by both sexes, and for this object the exercises of the day and the evening have been calculated.

We shall meet not only to rejoice, but we shall meet to *unite in measures* which shall yield further occasion of joy at the next anniversary. The majority of the state is now really republican—the season is favorable for an effort.

We shall succeed *in the approaching spring*, provided the following measures be adopted:

1. That Babcock's Mercury be most extensively circulated without delay. The town of New Haven has lately added 93 to their weekly stock of these papers.—They are the only republican papers in the state which can gain a general circulation. They are cheap and easily obtained.

2. That our brethren in republican towns do not content themselves with a simple majority in the choice of representatives, but that *every freeman come forward*—every vote for governor, lieutenant-governor, &c. will be important. Those who live distant from the place of meeting, should be assisted (if they need it) in getting to meeting—every one should remember that the presiding officers are federal, and will open meetings when they judge safest—that 9 o'clock will not tarry a moment—that no one is to stand up to vote—that the whole business can be done in two hours—that our administration has saved to every man enough annually to pay him in advance *a dollar an hour* for attendance on freeman's meeting, and that it is not honest to delay for an hour, when government wants the service—that total absence ought to be bottomed on some most substantial excuse—that absence for ordinary business is injustice to those who faithfully attend, gross injustice on the general system of exertion, evidience of indifference to the most important of rights, and dereliction of the best principles.

In those towns which are decidedly republican, we ought to calculate on every vote which can be obtained, and in towns yet federal, it is still more unjust for republicans to loiter at home and to leave a few to contest the election. We cannot calculate on republicans who *merely talk* on our side, nor on those who *for trivial causes* absent themselves from meeting, nor on men who *through fear or wavering*, neglect to join us. The man who will not devote a few hours in the year to the support of his principles, certainly values them very lightly.

3. The following considerations ought to accompany all our exertions. Federalists have had the uncontroled admission of fremen; they have prevented thousands of young useful men from voting, *because they were not rich enough*; they have endeavored to intimidate the freemen by false influence; they are in power and possession; we need our whole force to oust them. They have privileged themselves and their party; have made taxation extremely unequal; have been intolerant to all *but one* religious persuasion; have deprived republicans of every right; have insulted and persecuted them, and are now glorying in their ability to bid legislative defiance to the general government. Can real republicans see their brethren take the field against all these obstacles, and yet stay at home to avoid notice or to do some trivial business? Such republicans (if such exist) will be useless to us in our present struggle, worse than useless after we shall succeed.

4. As it is decided best to attempt the election of a republican governor and to gain a majority in the lower house *at the approaching proxies*, LET NO ONE PERMIT HIMSELF OR OTHERS TO EXPRESS A DOUBT OF SUCCESS. This single article is more important than is readily apprehended. It has saved our cause in other states. *One doubt expressed will lose for us ten votes. If one fourth of our number express doubts, it will ensure a defeat; but with faithful exertion we shall certainly prevail.*

Could we succeed for once *by stealing a march* on the federalists, it would be worth nothing to us—the business would end in defeat at the end of six months: our cause will never be victorious till the body of the people shall be persuaded that the present administration is better than the past, and that they have been wantonly deceived. This must be effected by informing them the true state of things, and may be done as well in two months as in two years. When we calculate on success at some distant day, we pay a poor compliment either to the honesty and intelligence of the people or to our own diligence and capacity. Our cause ought not to succeed unless it be a just cause; but if it be just, *we are as able to meet all its responsibilities and all its enemies now as we ever shall be.*

The influence of one important *fact* is worth more than the influence of 100 federalists, who shall *apparently* throw their weight into our scale. Such influence would produce unsound, temporising republicans, and we should change the name of our politics, though we should retain in our measures and councils *the whole pestilence of federalism*. If we secretly gain votes, they will be secretly withdrawn from us. If we *privately* state the measures of government, our statements will be *privately* contradicted. *The very air of mistery gives cause for suspicion.* It is our highest interest that federalism should be out with all its forces, and that we should rely openly and solely on the real strength of our cause.

We have taken the liberty of addressing you thus seasonably, in this form, because all preparations for proxies have been generally delayed till the eve of them—and because we are desirous of connecting, with our festivity for the blessings of the general government, some well founded calculations of the triumph of republicanism in this state.

Be pleased, sir, to extend this invitation to the ladies and gentlemen in your town, and to impress these considerations on the freemen.

In behalf of the Managers.

WILLIAM POWELL, Director.

*** *The members of the General committee throughout the state are respectively invited to attend a general meeting, at Mr. Isaac's Assembly Hall, in New-Haven, on the day previous to the festival—at 4 o'clock, P. M.*

By order of the Chairman.

JESSE ATWATER, Clerk.

The good people of Connecticut are invited to read attentively the above letter—look at its origion and design and then say whether the authors are not the most settled enemies of all *freedom in elections?* A *secret* meeting at New-Haven, consisting of a few men, almost of whom are in the pay of Mr. Jefferson, and one of whom, Deacon Bishop, is receiving an income of 3000 dollars a year, fabricate a letter under cover of midnight darkness, filled with palpable and notorious falsehoods, and send it to certain democrats in various parts of the state—The object of this letter is to intrigue against governor Trumbull, governor Treadwell, Mr. Wyllys and Mr. Kingsbury, at the ensuing election, and also to obtain a democratic majority in the house of representatives. Mr. Kirby, the candidate against governor Trumbull, is made one of the committee, and the other persons of this committee are either officers of Mr. Jefferson, or seeking to get promotion in this state—This letter directs this committee to tell the people base falsehoods, and to ascribe to the federalists the existence of a member of laws which were enacted many years before the names of federalist and democrat were known in the state. As a principal mean to gain their point, it is a part of the instruction of this letter to boast of their prospects. It says, "LET NO ONE PERMIT HIMSELF OR OTHERS TO EXPRESS A DOUBT OF SUCCESS. This single article is more important than is readily apprehended.—It has saved our cause in other states—*One doubt expressed will lose for us ten votes.*" We knew that they were in the habit of uttering great swelling words in the bar rooms of taverns—we know that Bishop was frequently swaggering about the wonderful spread of democracy, but we apprehend that possibly he might have been under the influence of *foreign spirits*. At any rate we were not prepared to see, under the hands of two deacons, lessons for cajoling and intriguing at elections and pointing to the most efficacious measures to deceive the freemen. Much less were we prepared to see an invitation from those deacons to "both sexes" to attend this festival, and declaring as an inducement that they had "calculated the exercises of the day and the evening" for that object.

We cannot but hope that L. Ives, O. Hotchkiss, and E. Munson, were ignorant of this letter, tho' it is signed in behalf of them as managers: we hope also that Mr. Edwards has not dictated the assertions there made—there is something about it beneath any one except A. Bishop and his dupes.

The people are now to decide whether their elections shall be governed by a jacobin club. This committee are to meet at four o'clock on the day previous to the 9th of March, and then to make arrangements to secure their elections. In April they will appear, filled with deep anxiety for *republicanism*, and strive, and intrigue, and vote for each other to office. How pleasing to the people to see their interests thus protected!!

We trust federal men will meet this vile electioneering scheme, and frown it into contempt; they will shew A. Bishop that their rights are not to be sported with because he is rioting on 3000 dollars a year, and that he and the miserable pettifogger, Jesse Atwater, are not to control their interests. Indeed we believe all independent, upright freemen, of whatever political opinions, will see in this scheme nothing but mischief, and will spurn at it as a base attempt to destroy the purity of elections.

We trust also that federal men will meet these gentlemen at the next election, and show them that their cause has gained no strength since the *last* election, and that Connecticut is yet unshaken in her principles.

MANY.

P. S. Next week a *certain deed* will be published, which it is hoped Abraham Bishop will read as one of the exercises on the ninth of March.

Congress of the United States.

SENATE.

THURSDAY, February 3.

Debate in the Senate of the United States on the report of the committee to whom was referred the Memorial of the judges of the Circuit Courts of the United States.

[CONTINUED.]

Mr. Morris. Mr. President, although the arguments which have been advanced against this resolution have been fully answered by my friends, I pray your patience and permission to take some slight notice of a few of them; not, indeed, to shew their futility (for that has been done already) but to mark the relation which they bear to each other.

We are told in the first place by the gentleman on my right (Mr. Jackson) that we are an integral part of the executive authority, of which our president is the fountain and head. And thence it is inferred that we ought not to apply for his kind assistance. Sir, this may be logical argument, it may, perhaps, be conclusive; but really I don't understand it.

We have heard much of the dangerous nature of an information. Gentlemen seem afraid of information; they are afraid too of the common law: they will next, I suppose, be terrified at that other hideous spectre, common sense.

They tell us the writ of *quo warranto* is a criminal process. That the punishment is fine and imprisonment. They ask whether American citizens are to be subjected, without indictment, to these pains and perils. The proper distinction has already been taken by the friends near me, between the writ of *quo warranto*, and the information in the nature of a *quo warranto*. The argument of our adversaries goes to shew, that memorialists should not be subjected to such grievous persecution. A sufficient answer to all which has been said, or can be tho't or said on this subject is, that if they do not chuse to risque the consequences, they have only to disclaim. On such disclaimer the suit must cease. If then it proceed to judgment it must be by their choice: and to the willing there is no injury.

But, it seems that this resolution is an attempt to call in question your legislative omnipotence. As well, says the gentleman, might you say the late pretender was king of England, as that these men are judges. As well, says he, may you say that the unfortunate Louis the eighteenth is king of France, while Bonaparte fills the throne. Are we then to understand the gentleman, that power makes right? Or does he mean to say, that because we have the power, it is vain in the petitioners to pursue their right?

The same gentleman made some allusion, I know not what, to a red book. But he read to us doctrines from a book which is indeed red. Likening your acts to British statutes, he tells you, that if your judges be commanded to slay the innocent, they are bound to obey———

[Mr. Jackson rose to explain. The vice-president informed him he would have an opportunity to reply.]

Mr. Morris. I may have misunderstood the gentleman, but I believe not. It must be fresh in the recollection of this senate, that he read to us the opinion of some commentator on the law of England, as to the binding force of an act of parliament. The declaration of a learned judge that parliament could not do an act so immoral as to make a man judge in his own cause, is called in question, and the commentator declares their power to be unbounded, unless, indeed, by the physical limits which the Almighty has established in the order of his creation. To elucidate the doctrine, he goes so far as to say, that should the parliament, in imitation of Herod, give orders to slay all children born within a certain period of time, the judges can avoid obedience only by resigning their commissions. Hence, then, it is to be inferred, that should you think proper to issue a mandate, cruel as that of Herod, your judges must imbrue their hands in the blood of innocence. Such, it seems, is your *power* and such must be *their* obedience!

Not content with this broad claim of unlimited power, the gentleman has tho't proper to descend into the details of this business, and to point out certain difficulties which the petitioners must encounter, even if it be admitted that they have right, and that our courts will endeavor to do them justice. If, says he, you address the president, the president won't comply with your wishes. You can't compel him. If you direct the attorney-general to file the information, he will not do it without the president's order. He holds his office during pleasure. And if, as you pretend, these petitioners should take some other course, without the order of the president, or the agency of the attorney-general, and even if the judges should decree in their favor, to whom will they issue process? The marshal also holds his office during pleasure—he won't obey—or if he should, the president will tell both him and the attorney-general, he has no further need of their services. Will he, indeed? Will he interpose his authority to prevent the execution of law? Will he dare? No. He dare not. He DARE not. The present incumbent of that high office has no such dangerous disposition: and no future president will *dare*. I am sure the gentleman has not been authorized to intimate that the president has any such intention or disposition.

That honorable gentleman is so filled with apprehension on the present occasion—he has such horror of the common law, that he seems to fear (if this resolution be adopted) we may proceed to burn the palm of his female friends. He is alive to the danger of learned ladies. We, sir, wish to make no fiery impression on ladies, learned or unlearned; we wish but to promote justice and establish right, by the salutary influence of reason and law.

An honorable member from North-Carolina (Mr. Stone) has told us that the resolution is not founded on the petition. "They, says he, ask one thing and we are about to give them another." In scripture phrase, it might be said, they ask for bread and we give them a stone; they ask for salary and we give them a *quo warranto*. But this observation is, I humbly conceive, unfounded. Look at this petition. They claim what they say is their office. They ask that duties be assigned to it. They declare a willingness to submit their right to legal investigation. This right is the point on which the merits of the petition turn; and the resolution goes directly to that essential point.

The same honorable member has told us, there can be no question on the subject, for that office implies duty: and as the petitioners aver they have no duties to perform, they of course acknowledge that they have no office. It is possible, sir, that in the Latin language, the word *officium* may be synonimous with duty. But inferences from etymology cannot be admitted as argument. In English, office does not imply duty. If it did what would become of the long list of *fine cure* offices, about which there has been so much of patriotic complaint.

The same honorable member has rejoiced that I should now acknowledge what I last session denied, namely, that the law then passed is constitutional. I made no such acknowledgment. I declare again, that, sitting here as a senator of the United States, I am not now competent to decide on that law. This is the province and the duty of the judge. I feel it my duty, as a citizen, to obey; and believe that all of us owe to our fellow citizens an example of obedience, of respect, and submission.

This is not, as has been intimated by the honorable member from Kentucky (Mr. Breckenridge) a question whether the judges are superior to the senate; still less, whether they are superior to the whole legislature. No such question can arise while the departments of government preserve a proper respect for themselves. The judges will never be so wild, so absurd, so mad as to pretend that they are superior to the legislative power of America. The same sense of decency and self respect will, I trust, prevent this senate from claiming a superiority over the judges. Above all, I hope we shall not, by the vote of this day, declare that the senate is superior to the law.

But the honorable gentleman has asked, whether you will submit your acts to the question, the decision, the control of the judiciary? I answer by asking the gentleman how he will avoid it? When we have passed a law, how is it to be executed, unless by the aid of that constitutional organ? Will the gentleman say that having enacted a statute, we must join the other house, and arming ourselves with clubs and staves, sally forth to the world to compel obedience? He will not. Sir, we must rely on the tribunals for carrying our laws into effect, according to their conception of the true intent and meaning of those laws. We must, therefore, submit to the courts the interpretation of our acts. Yes, spite of your lofty pretensions, we must submit; and the only question that remains is, whether we shall do it reluctantly and therefore ungracefully, or whether we shall do it frankly, fully, freely, in the manner consistent with our dignity.

Yes, sir, we must submit. I have said, and here repeat, that these petitioners can force on a decision They may take an affidavit, or deliver a person on bail in a feigned action, or in twenty other modes, which the acuteness of professional skill may indicate, they may bring this question before the proper tribunal. What then do we ask? We ask that you court an investigation which you can't decline.

But, says the same honorable member, why apply to the courts at all? Their decision can do you no good. They can give to the petitioners neither duty nor salary. True. But until it be decided that the petitioners hold an office, can we assign duties, or can we provide salaries? It is the same train of argument that my honorable friend from Virginia (Mr. Nicholas) has pursued, in advising us, as the shorter course, to move an appropriation for the purpose of paying them. This, says he, would bring the question, whether they are in office, to a short decision. But, sir, this is precisely the question which we cannot rightfully decide, because it depends upon the construction of our own acts. The gentleman must pardon me also for saying, that I have not sufficient confidence in them to warrant such a procedure. If the appropriation were moved, they would rise and tell us we were about to give salary where there was no duty. That we are faithless guardians of the public treasure. That we would squander it to provide for favorites without reason and almost without pretext. If, to avoid this charge, we attempt to assign duties, we shall be told we have no right to appoint officers: that this is among the high prerogatives of our first magistrate. And if, in reply, we assert that these are still officers, it will be claimed, and we shall be told, that such a question is proper for judicial enquiry: that it is one which we are not competent to determine. Will gentlemen say that these suppositions are disingenuous? Let them look at the conduct they have pursued, and which they now pursue. When it was deliberated at last session, whether the law creating these judges should be repealed, we held up to them that article of the constitution which prohibits the legislature from taking away the office of a judge. And what was the answer? It was this. We do not mean to infringe that article. We do not touch the constitutional right to office. We mean merely to repeal a law enacted by a preceding legislature. And now they tell us that this same law has, in effect, taken away those offices which were not, it seems, to be touched by the law, and which it was acknowledgedly unconstitutional to touch.

But it is asked again and again, if the court have a right to decide without your interference, why will you interfere? Again and again I answer; because it more comports with our dignity to court than to fly from a decision It would not perhaps, have been proper to go out of our way in pursuit of it. Certainly we should never have taken on ourselves to bring the subject before this senate. But the petitioners, using their right as citizens, have stated to you what they conceive to be a grievance, and ask of you to grant redress. The whole business being thus before you, it is no longer a matter of choice to leave it unnoticed: you *may*,—perhaps you *will* reject this resolution.—But I caution you once more to beware of the conclusion which must be drawn from that conduct. Men used to the possession and exercise of authority know & acknowledge its just bounds. As they feel no desire to usurp power, so they feel no degradation in submitting to that which others may lawfully exercise. They know that true dignity consists in obedience to the dictates of duty. Not so with men hastily and highly elevated. I am much afraid, sir, that the people of this country will think, believe, and say, that new & raw in the exercise of power, we feel its insolence, and can brook neither restraint nor contradiction.

Mr. Jackson rose in reply to Mr. Morris. He said it was not his intention to intimate that the judges could be compelled to slay innocent children. All that he meant was, that the judges have no power to control the acts and laws of the legislature. The gentleman from New-York had declared that the president would not dare to dismiss officers who might attempt to act contrary to his will. Mr. J. said he believed it would be the duty of the president to dismiss them, and he had no reason to think that he would be afraid to do his duty.—As to the intimation that the president had directed him or any other person to express such a sentiment, he would rely that he believed there had been no such thing as a presidential *caucus* under the present administration. For one he could say that the president had never consulted him, and he believed the same was true of others.

The gentleman is mistaken, said Mr. Jackson, when he supposes that I think that the ladies are in danger. I have no fear about the ladies—I only made that remark as the gentleman appears to be very fond of common law, just to let him see what that blessed common law was. I am not a lady's man, sir, and I believe I make as few speeches for the purpose of being heard by the ladies as any man in this house. Indeed, I don't know but the speech I made to-day was the first I ever made for the ladies in my life, if that was one. [*A burst of laughter from the ladies and gentlemen, as well as from the senators.*]

Mr. Cocke made some remarks upon *common sense*.

The question on agreeing to the resolution was then taken by yeas and nays:

YEAS—Messrs. Dayton, D. Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Plumer, Ross, Tracy, Wells, White—13.

NAYS—Messrs. Anderson, Baldwin, Bradley, Breckenridge, Brown, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, Stone, Sumter, Wright—15.

For Sale,

1000 bushels best Liverpool COAL
20 tons CHALK. Apply to
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February 18. eo6t

To be Rented,

A LARGE STORE in Market-street, No. 215, very suitable for the wholesale dry good business, at present occupied by Messrs. Bickham, Gettig & Co. Possession may be had on the 1st March. Apply to

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February 10. eo

Flota Indigo, Cogniac brandy, &c.

4 cases very fine Flota Indigo
19 pipes Cogniac Brandy, 4th proof
4 hhds. New-England Rum
1 hhd. Verdigrease
3 cases Writing Paper
2,500lbs. Rhode-Island Cheese
An invoice of elegant Lutestrings and India checked Muslins
11 packages fancy silk Hankerchiefs
12 dozen silk Stockings
An assortment of Cambrics and Ribbons.

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December 29. 2aw