strange to tell, neither before nor after the annulling act, he could not call it a law, for no such law could be made under the constitution of the United States. The sale was annulled, but the judge said to have been corrupted, nor the federal judge was impeached, nor any of the members of whom it was testified that they had received bribes, or were sharers in the spoil were indicted, but still enjoy the confidence as much as they otherwise would have done, of that state. Not one of them were removed from office, or in any official manner consigned to infamy, by the courts of that respectable state, or by impeachment.

The lands sold at Boston were yet in possession of the Indian tribes, and the Indian war but lately extinguished, while at the same time the lands in Pennsylvania were sold, the first rate at one shilling and sixpence, the reputed second rate, but in fact equal if not superior in quality and situation at one shilling the acre, and what remained unsold in the old settlements, at sixpence, and in New York, still cheaper the acre, while the Georgia purchase with all its disadvantages is stated and admitted to have been sold rough and smooth, good and bad, and of which a large proportion is allowed to be bad, at something above fifteen pence an acre on the amount reserved. Certainly such a speculation if it was one, was such as he would not have had any share in, and therefore no proof of the superior cunning ascribed to them by his colleague and others.

Mr. F. said that so far the bargain and sale were fair and legal, whether it was a good bargain or a bad one was the look out of the purchasers, if it was a bad one government would have given them no relief. Had nothing extraordinary or out of the common road taken place, he believed the attention of Congress would never have been called to the subject. Soon, however, after this contract was made, the legislature of Georgia declared the contract and the law under which it was made, to be void or annulled; & in a short time after a convention of that respectable state disapproved of the constitutional act of the legislature; but as long as we pay respect to constitutional obligations and the distribution of the powers of government, and as long as we respect the federal constitution which expressly asserts that no ex post facto law or law impairing the obligation of contracts shall be made, we must agree that one session of a legislature cannot annul the contracts made by the preceding session. If that could be done the patent for his own plantation might also be set aside, for he acknowledged it is worth more now than the price that he paid for it. This doctrine had never been entertained even in the revolutionary period. At that solemn period all contracts were protected.

Mr. Findley said that he cheerfully acknowledged that the amount of land sold under the law of Georgia, of 1795, was so enormous as that if that state had been a separate and wholly independent government, would have justified in some degree an agrarian law, and if the fraud and corruption attested by ex parte testimony was true, would have justified the most exemplary punishment of those who suffered themselves to be corrupted or who defrauded the commonwealth, and this would have proved a defect in the contract itself; but no such thing appears to have taken place. The judge who is said to have received 13,000 dollars for his vote, was not impeached, nor the members who are said to have given or received bribes indicted. It appears to have been so contrived that the state or citizens of Georgia should suffer no loss;—the loss and reproach should be transferred to people at the greatest possible distance. He gave credit, however, to the legislature of Georgia, which met in the year 1796, for making an extraordinary exertion to free themselves from an extraordinary evil. It was a laudable testimony against corruption and fraud, but no court of justice had yet, by deciding on it, acknowledged it to be law, and it was too slow for warning others at a distance against titles originating under the law of 1795.

The annulling law of 1796 had all the effect that any citizen at that period could have wished. Congress took possession of the government of the western parts of Georgia—the parts in which the lands in question lay, and erected a territorial government, without the consent of that state, and passed a law authorising the President to enter into a negociation with Georgia, on the principles of compromise, for the right of soil. The compromise eventually succeeded, and an act of cession took place between the United States and the state of Georgia. In this act of cession or convention it was provided that the claims in the county of Bourbon and Washington, bordering on the Mississippi river, &c. should be protected, and that five millions of acres or part thereof should by the United States be applied to satisfy, quiet or compensate the claims now before the House, and that if they were not so applied they should revert to the state of Georgia.

On these conditions, Mr. F. said, did Georgia surrender her right of soil.—Agreeable to these conditions were the commissioners of the United States authorised to make and receive proposals, but the commissioners were not authorised to conclude the agreement, they did report to Congress, and in that report they state that the claimants cannot in their opinion recover by law. This is well founded, because no action can be brought against the U. States, nor since the amendment made to the constitution respecting the suability of states, against a state. Therefore this fund, viz. the five millions of acres set apart by the convention of Georgia, to quiet, satisfy or compensate these claims, must be either applied to that purpose or revert to the state of Georgia, or the faith of the United States must be sacrificed.

Mr. F. said that from this view of the subject he had made up his mind to vote in favor of the report of the Committee of Claims. That he had not made up his mind lightly, that he had been prepossessed against it, but it becoming his duty to decide, he had thrown aside these prepossessions and examined the case with all the coolness and deliberation of which he was capable and would give his vote as he had made up his mind without consulting or relying on the opinions of others, for he was responsible only for his own opinion.

To this however he had heard objections of a kind, and delivered in a manner which should receive no answer from him. He would, however, take notice of some made by his colleague (Mr. Lucas.) He had said that as the land sold had been estimated at a little above 20,000,000 of acres, and that the second hand purchasers claimed forty millions of acres, and the commissioners had made the estimate at 35,000,000 of acres, that this was a proof of fraud on their part and a sufficient reason for refusing their claim. He said he would beg leave to inform that gentleman that even in the state where he lived many surveys had much more land than was named in the patent, and the owner would hold the land without being subject to any imputation of fraud. That the sales now in question and prior sales by the state of Georgia, not being sold by actual admeasurement but by natural boundaries, closed by parallels of latitude, it was impossible to estimate the amount with accuracy, and that it was the duty of the seller as much as the purchaser to take care that the estimate was correct, and that let the mistake be where it would it was by no means chargeable to the second hand purchasers—the purchasers to whom bribing the Assembly of Georgia could not be imputed as they resided at above a thousand miles distance and never went to Georgia to make a speculation.

Mr. F. said that on reflection, the acute discernment of his colleague would convince him that the claim of the Wabash company for confirmation of their purchases from the Indians during the royal government, and others which he had introduced that were contrary to the rules of that government, or speculations which he now informs us are making with the Indians further to the westward, had not the least analogy to the claim in question, that this was so evident as to need no explanation. He further observed that his colleague's argument drawn from the character he was pleased to make for the people of New England, was irrelevant to the question, and that at least with respect to land speculations was not found in fact. If he took the character of those people from the seafaring men who made their living by trading along the southern coasts, that character would by no means apply to citizen farmers of that country.

Such addresses had been openly made to party spirit and to the motives and virtue of the members as were unbecoming public bodies and unprecedented. We were in this country in the habit of believing that men who took a solemn oath to serve the public faithfully might differ in their opinion, but that they would still vote agreeable to their convictions, especially when they had no interest in doing otherwise; but on this question they were called on to rescue their characters from the charge of corruption and impure motives and the legislature turned into a court of inquisition. In support of this unusual mode of argument his colleague had with numerous repetitions, said that he would not act in that House otherwise than he would do out of doors, and that he would not act in the House in such a manner as he would blush for out of doors, &c. Mr. F. said he would assure his colleague that in this they were agreed, and so he believed were all the members of the House; but as this was an insinuation that the gentlemen ascribed this purity peculiarly to himself, to correct that impression he would assure him that he would also act in this House as he would do out of doors, and that he would act such a part as never would lay him under the painful necessity of blushing in secret,—in a situation where temporary popularity could give no relief to a wounded mind. He wished it still to be understood that he sincerely believed that other members would vote differently with the purest intentions, but these members being honest themselves did not impute nor even insinuate a suspicion of dishonesty in those who differed from them in opinion; doing so indeed looks so much the worse when it is charged on those who are acknowledged to be the majority of the representation of the United States. For his own part he would not think himself justified in applying such arguments against the smallest minority ever he had seen in a public body.

Mr. F. said from a long opportunity of observation he believed that the people of New England, were the least skillful or the most simple of any people in the U. States, in their purchases of land, and that in endeavoring to account for this, he thought he had found sufficient data. Their country was long settled, there had in the present generation been few if any contests about original titles. They well knew that in sales between one man and another, there might be frauds, but that governments should issue fraudulent patents or grant titles on which disputes might afterwards arise, was a circumstance with which they were unacquainted. He well knew that about the same time that this purchase was made, land meddling swindlers went from Pennsylvania, with bundles of deeds for land & the law agreeable to which they were made, and sold them in Massachusetts. The land indeed was not settled, but was sold to individuals or companies. The people in these old settlements had no suspicion because they had no experience of a vast body of land, at least now 6 counties in Pennsylvania unsettled, being at the same time appropriated to others. They purchased the fraudulent deeds and many of them moved their families into the wilderness, and sat down on heavy timbered land reputed to be dear of the clearing, and after they had spent their strength and endured incalculable hardships, found that the land was not their own but the property of some Pennsylvania or foreign companies or other land jobbers. He was informed of this peddling or swindling business by the then members from Massachusetts, who enquired of him for information, he informed them that the whole business was a fraud, that all the land in question had been sold long before, though not settled, and he advised them to inform their people. They did so, and put a stop to this mischievous business. But after they had paid the swindlers and cleared the heavy beach weeds to make a living, they were ejected, and no doubt after paying their money and spending their labour were averse to giving up their residence, but he understood by the newspapers that they were making overtures to the legal owners for the purchase of the titles.

The lease of the Wyoming settlers from Connecticut in Pennsylvania, which had given so much trouble to that state, and to whose claims he had been opposed, and had assisted in making laws against them, he considered as a proof of the observation he had made, they had rashly confided in a claim of the Connecticut government, to part of Pennsylvania, and before that claim was decided had made purchases, and removed their families to the land they had purchased under that claim, they had defended it against the Indians, by whom many of them had been butchered in a most shocking manner, and they had resisted the laws of Pennsylvania, even after judgment was finally given against the claims of Connecticut by a court appointed for that purpose, by the old Congress. They defeated even some laws expressly made for their advantage and continued to live in poverty and uncertainty, long since this contest, they might have taken lands in that state agreeably to law, on very easy terms and have lived undisturbed. In all this contest during more than forty years, they have given a continued testimony of simplicity with respect to claims and titles for land, and at the same time however they have set a notable example of perseverance under the greatest difficulties occasioned by a savage war, & some times from an armed force from Pennsylvania. The proprietory government, of that state never proposed to quiet these settlements as had been done with intruders from other states, it having previously granted the land to others, but their obstinate perseverance has had its effect. After trying various and sometimes inconsistent methods, Pennsylvania has found it best at last to quiet their settlements on moderate terms, and for this purpose, to purchase the rights of the original purchasers from the proprietory government.

It had been objected to him by another of his colleagues, that he had himself voted for the repeal of a contract in the state legislature; from his knowledge of that gentleman's candor, and discernment (Mr. Gregg,) he knew he would not have made this observation, if he had examined the case. Mr. F. said, in the course of a longer life than was common to many, at one time or other, in all the various public bodies, which instituted or conducted republican governments, he had given some votes which he regretted, and many which he would not give again, if he had the opportunity, and he would never admit that a member was inconsistent for changing his opinion on better information; for what purpose is all our painful studies and wearisome debates but to inform our judgment; and of what use is this information if we cannot take advantage of it for the public good, and if we have voted wrong, if we cannot correct it by changing our vote, we ought to prevent all discussions, all reading and study, and become mere machines. But though he advocated this right, he did not need it on this occasion, nor for his vindication against the charge of inconsistency.

The bank of north America, the first bank in the United States, not chartered by the old Congress, which had no constitutional authority to grant charters; but the situation of the United States at that period, justified an extraordinary exertion. Congress however, well knowing their own want of power, recommended it to the states, also to grant charters to the bank. The state of Pennsylvania, granted a charter. other states refused to do it. The bank was put in operation. In 1784, a new company applied for a charter, the bank of north America, the only one, at that time in the United States opposed it, although parties were heard by counsel before the legislature, but the decision on the question was postponed. In 1785, the question was taken up, the bank company was again heard by counsel in favour of their exclusive monopoly without limitation of time, the incorporating law was repealed, and afterwards a new charter was granted for a limited time and with such restrictions of the monopoly as has permitted the operation of other banks in the state of Pennsylvania, and other states. This however, was a charter of privileges which in free governments, are always subject to the discretion of the legislature, no price is paid for them, and the privilege may be always withdrawn, when the public good requires it. But the claim before the House is of quite a different nature, it is a transfer of property by a competent authority, for which a more valuable consideration had been received by that state, than, for any sale of lands by that state, before or since that time, and the present claimants, on the faith of government, had their purchase at a still much higher rate.

Much had been said about the extent of the purchase by the original granters, and the corruption of the legislature, but that was not before the House.—The condition of the convention between the United States and Georgia was, that, not 40 nor 35, nor 21,000,000 of acres, should be given to satisfy those claims, but that 5,000,000 of acres or some part thereof should be given, but 5,000,000 of acres is by that convention vested in the United States as a deposit for that purpose, and if not so applied, the deposit is to be returned to the state of Georgia; these are the facts on record, and if the record is true, the assertion so boldly made that those who voted in favor of the report of the committee of claims, were putting their hand into the public purse, that it was public robbery &c. was not only unfounded, it was mere declamation. He would not say for what purpose. It was not the property or purse of the United States, but a deposit put in the hands of the United States, for the very purpose, for which the resolution before the House proposes to apply it.

Mr. F. said, that this was not only the opinion of the committee of claims, but of the commissioners of the United States, who had the best opportunity of understanding the subject, and whose talents and integrity, it will be admitted, are not inferior to that of any member on this floor, & in their words he would conclude. In their report they say, that the interest of the United States, the tranquility of those who may hereafter inhabit that territory, and various equitable considerations that may be urged in favor of most of the present claimants, render it expedient to enter into a compromise on equitable terms.

(To be continued.)

War Department,
March 6, 1805.

Notice is hereby given.

THAT separate proposals will be received at the office of the Secretary for the Department of War, until 12 o'clock at noon of the first Wednesday in June next, for the supply of all rations that may be required for the use of the United States, from the 1st day of October 1805, until the 30th day of September 1806, both days inclusive, at the following places, viz

First, At Niagara, Detroit, Michillimackinac, Fort Wayne, Chikago, Swan Creek, and at any place or places, where troops are or may be stationed, marched or recruited within the state of Ohio, & territory of Michigan, & at any place or places within the Indiana territory north of the 41st degree of north latitude.

Second, At south West Point, Tellico, Knoxville, Nashville, and within the Cherokee nation between Tennessee and Georgia, and on the Tennessee river, and on the road between said river and Nashville, and at any place or places where troops are or may be stationed, marched or recruited within the states of Kentucky and Tennessee.

Third, At the garrison near Vincennes on the river Wabash, at Fort Massac, New Madrid, Chickasaw Bluffs, Arkansas, Natchez and Fort Adams, and at any place or places where troops are or may be stationed, marched, or recruited in the Mississippi territory, except the county of Washington, and at any place or places in the Indiana territory south of the 41st degree of north latitude and fifty miles east of the Mississippi river.

Fourth, At St. Louis, St. Charles, Kaskaskia, Cahokia, and at at any place or places, where troops are or may be stationed, marched or recruited within the territory of Louisiana north of New Madrid, and at any place or places in the Indiana territory within fifty miles east of the Mississippi river and south of the 41st degree of North latitude, Fort Massac excepted.

Fifth, At New Orleans Placquimines, Point Coupee, Oachera, Natchetoches, Appelousas, Attakapa, Fort Stoddert, Fort St. Stephens, and at any place or places where troops are or may be stationed, marched, or recruited within the territory of Orleans, or in the county of Washington in the Mississippi Territory, and at any place or places on the west side of the Mississippi river below Arkansas.

Separate proposals will also be received as aforesaid for the supply of all rations, which may be required for the use of the United States, from the 1st day of January 1806, to the 31st day of December of the same year, both days inclusive, within the several states herein after mentioned, viz.

Sixth, At Fort Wilkinson, Cockspur Island, and at any place or places where troops are or may be stationed, marched or recruited, within the state of Georgia, and on the Indian boundary between Georgia and the Creek nation.

Seventh, At Charleston, Rocky Mount, on the head waters of the Santee, and at any place or places, where troops are or may be stationed, marched, or recruited, within the states of North and South Carolina.

Eighth, At Norfolk, and at any place or places, where troops are or may be stationed, marched, or recruited, within the state of Virginia.

Ninth, At Fort M'Henry, and at any place or places, where troops are or may be stationed, marched, or recruited, within the state of Maryland and the district of Columbia.

Tenth, At Fort Mifflin, and at any place or places, where troops are or may be stationed, marched, or recruited, within the state of Pennsylvania, east of the river Susquehannah, and within the states of New Jersey, and Delaware.

Eleventh, At Pittsburg, Carlisle, and at any place or places, where troops are or may be stationed, marched, or recruited, within the state of Pennsylvania, west of the river Susquehannah.

Twelfth, At Fort Jay, West Point, Albany, Shenectady, and at any place or places, where troops are or may be stationed, marched or recruited, within the state of New York, Niagara and its dependencies excepted.

Thirteenth, At Fort Trumbull, Fort Wolcott, and at any place or places where troops are or may be stationed, marched or recruited, within the states of Connecticut, Rhode Island and Vermont.

Fourteenth, At Fort Independence (Boston harbour) and at any place or places, where troops are or may be stationed, marched, or recruited, within the state of Massachusetts, the town of Springfield, and the district of Maine, excepted.

Fifteenth, At Portsmouth, Portland, and at any place or places where troops are or may be stationed, marched, or recruited within the state of New Hampshire and the district of Maine.

Sixteenth, Proposals will also be received as aforesaid, for the supply of all rations, which may be required by the U. States, for the troops which are or may be stationed, marched or recruited within the town of Springfield in the state of Massachusetts, & for the armourers and other persons employed in the United States' armoury at that place, from the 1st day of January 1806 to the 31st day of December in the same year, both days inclusive.

A ration to consist of one pound and one quarter of Beef, or three quarters of a pound of pork, eighteen ounces of bread or flour, one gill of rum, whiskey or brandy, and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations. The prices of the several component parts of the ration shall be specified; but the United States reserve the right of making such alterations in the price of the component parts of the ration aforesaid, as shall make the price of each part thereof bear a just proportion to the proposed price of the whole ration. The rations are to be furnished in such quantities, that there shall at all times, during the term of the proposed contract, be sufficient for the consumption of the troops at Michilimackinac, Detroit, and Chikago, for six months in advance; and at each of the other posts on the western waters, for at least three months in advance, of good and wholesome provisions, if the same shall be required. It is also to be permitted to all and every of the commandants of fortified places or posts, to call for, at seasons when the same can be transported, or at any time in case of urgency, such supplies of like provisions in advance, as in the discretion of the commandant shall be deemed proper.

It is understood that the contractor is to be at the expence and risk of issuing the supplies to the troops, and that all losses sustained by the depredations of an enemy, or by means of the troops of the United States, shall be paid by the United States at the price of the articles captured or destroyed as aforesaid, on the deposition of two or more persons of creditable characters, and the certificate of a commissioned officer, stating the circumstances of the loss, and the amount of the articles for which compensation shall be claimed.

The privilege is understood to be reserved to the United States of requiring that none of the supplies, which may be furnished under any of the proposed contracts, shall be issued, until the supplies, which have been or may be furnished under contracts now in force, have been consumed; and that a supply in advance may be always required at any of the fixed posts on the seaboard, or Indian frontiers not exceeding three months.

H. DEARBORN,
Secretary of War.

March 8—taw6w

RAGS.

THE highest price CASH, given for clean RAGS, by EDGAR PATTERSON, George town, and SAMUEL STETTINIUS, near the Centre market, Washington

March 8—tf.