when a sufficiency of revenue, if managed with economy, can be raised from the impost, collected in a few ports, of those who have the most ready means of payment, without any additional officers, with little interruption to internal police, and with less than four per cent. cost of collection, leaving the sources of internal taxation for a time of war or other national exigency? Who in the present state of things, is ambitious to have our public expenses re-enlarged to their former amount? Where is the man, who would willingly prevent or protract the redemption of the national debt? Is there one in this assembly, who, if his life should be spared fifteen years, would not feel proud to behold his country out of debt; or who would not, in case of his own intermediate decease, rejoice in such a prospect for his children? If no such man is to be found among us, why, then, in the name of conscience and common sense, let me ask, why would any one be so inconsistent, as to oppose, or countenance others in opposing a system of measures now actually in train to produce so desirable a result?

In the mean time let us not forget the appropriate duties of the day. Fellow-citizens of all parties and denominations, on this anniversary of Independence, let us honestly try ourselves by the maxims of the revolution, and compare our politics with the principles of the constitution. While we are celebrating the conquest of our enemies in the field, and the establishment of a national government, let us resolve to conquer our own political prejudices, and establish a government over our party passions. Let us spread abroad a mantle of charity over the petty animosities, which have too long divided us; and, with grateful acknowledgment to the God of our fathers for past interpositions, and a humble reliance on his grace, through the Savior, for future blessings, let us unite our congratulations upon the happy prospect of our country.

Congressional Register.

HOUSE OF REPRESENTATIVES.

SATURDAY, February 1.

DEBATE ON THE YAZOO CLAIMS,

MR. FINDLEY—CONTINUED.

Mr. F. said that it had been his lot to have been in public bodies of different kinds in the state government, and also in the congress of the U. States where party spirit and irritation had run very high. Where sometimes one party preponderated and sometimes another, and where parties were nearly equal. But on no question before the present had he heard corrupt motives ascribed to members who differed in opinion, at no time had he heard members called on to rescue their characters from the infamy of corruption, at no time had he heard the trumpet of party spirit sounded on the floor of a public body to influence a decision of a claim of property, at no time had he heard the opinions or power of another branch of the government brought in as a substitute for argument, at no time had he heard the characters of individual members arraigned instead of replying to their arguments, before the present occasion.

During all his opportunity of observation, Mr. F. said party spirit was always exerted about the construction of the constitution, or about the measures of government, and even in such cases it was never permitted to be mentioned in argument with impunity; but the mention of party in the decision on claims of property would have been considered as a breach of the rules of order and decency by all parties. In times when party spirit rose to an alarming height, he never even out of doors heard of any decision on a claim of property ascribed to the influence of party. However far one party might charge the other with political error and oppose the political measures they pursued, he never had heard the morals or the motives of members attacked on the floor of the house, but had always observed the most remote attempt of that kind suppressed by the authority of the house.

Mr. F. acknowledged he had been astonished at the manner in which the arguments in opposition to the report of the committee of claims in favor of carrying into complete execution the convention with the State of Georgia had been conducted. These arguments had been uniformly applied to cases that had no connection with the question before the house; whether the assembly of Georgia in 1789 had made a good bargain or a bad one, or whether the succeeding assembly in defeating that contract had acted on honorable or dishonorable principles, or whether the assembly of 1795 in their law for the sale had acted so corruptly as to vitiate the contracts made under that law, though all the other laws made by that same assembly were sustained, or whether the ex post facto act of the assembly of 1796, impairing the obligation of contracts contrary to the constitution of the U. States, was sufficiently justified by necessity, and could annul the former contracts for a valuable consideration, were questions that had never been decided by a court of justice, nor had Congress any negative or revisionary powers over the laws of Georgia.

Mr. F. said that the whole question before the House arose from the book in his hand (the President's message.) In pursuance of a resolution of Congress, for that purpose, the President had instructed three commissioners appointed by law, to treat with the state of Georgia for a cession of the territory, or part of it, then possessed by the Indians. The state of Georgia had also appointed three commissioners on their part to meet with the commissioners fully authorised by the U. States. A convention or treaty of cession was made to the U. States of fifty-two millions of acres of land, subject to specified conditions, five millions of acres of which was appropriated to satisfy specific claims, and the residue after compensating those claims, was appropriated to satisfy, quiet and compensate other claims obtained under any law, or pretended law of Georgia, and if not so appropriated within one year, the lands shall revert to the state of Georgia.

A law was passed in 1803, to carry the convention of Georgia into execution, in which the residue of the 5,000,000 of acres after the specific claims were satisfied, are expressly appropriated to satisfy, quiet and compensate the claims in question, and the claimants have been by government invited to release their original claim to 35,000,000 of acres, and to make proposals of compromise, and in the mean time to register their claims in the office of the secretary of state, at considerable expense they have made proposals of compromise and registered their claims, and proposals have been made by the authority of government to them, and these mutual proposals of compromise have been laid before the Congress by the President, in order that commissioners may be authorised to settle and adjust the claims, and satisfy, quiet and compensate them on equitable principles. These, he said, were the facts on record, and from these facts he considered the government to be under a moral obligation to apply the residue of the 5,000,000 of acres, amounting probably to little if any more than 4,000,000 of acres, and as a member of the house he was convinced that he was under a moral obligation to vote for it. He repeated, that agreeable to the opinions of the commissioners, tho' neither the U. States nor the state of Georgia were suable in law, and the claimants had no direct legal remedy, yet that the interest of the U. States, the tranquility of those who may hereafter inhabit the territory, and various equitable considerations rendered a compromise expedient; a full indemnity is not proposed nor sought.

Some, however, in opposition had asked, how could this interest of the U. S. be promoted by it? He would also ask if it was not the interest of the U. States to fulfil her engagements with good faith? She having never purchased or paid for the land in question, but received it as a deposit to be applied to the relief of those injured claimants or to be returned to the state of Georgia, whose legislature had done the injury. The state of Georgia made the deposit for the purpose of making some reparation for the injury, and lest the U. S. should apply it to her own use, had exacted the obligation of returning it if it was not so applied. He confessed when he first saw the conditions of the act of session, he thought this provision expressed an unreasonable jealousy of the U. States. But when he heard gentlemen, when argument failed, declaim, that if we applied the residue of the 5,000,000 of acres for the purposes for which it was deposited with government, and appropriated by both the mutual act of cession and the subsequent law of Congress, that we were putting our hand into the public purse, robbing the public of millions of dollars, &c. he was astonished.

He said he would ask these gentlemen if they were convinced, on dispassionate examination, that laying hold on this deposit for the use of the U. States would be for their interest? He was persuaded it would not. The commissioners report that there is above 3,000,000 of acres adjoining the Mississippi freed from the Indian claim, and these settlements had been made long since, and the land office of the U. States has been open for some time, yet we all know that notwithstanding the great advantages of the situation, the lands sell and the country settles very slowly indeed. Compare this with the state of Tennessee, which has now three members in this house and very lately was not known as a state. Compare it with the state of Ohio, which lately was an Indian hunting ground and seat of war, and much more remote from market, and yet this wilderness is now grown into a populous state. He asked why the lands on the Mississippi with such superior advantages did not sell, and the population encrease in some proportion to other new settlements? The reason to him was plain. Where the title was clear, where there was no danger of future disputes, good people would emigrate and settle their families; where it was not so, no wise man would run the risk of vesting his property, and leaving his family under a cloud of uncertainty.

The United States have purchased fifty two millions of acres from Georgia, for which they are to make the payments out of the proceeds of the sales, besides the reserve of five millions of acres to satisfy claims against that state, out of this, in the first place, specific claims of actual settlers and some others are to be satisfied to perhaps more than one million of acres. Georgia sold lands to an amount unknown in 1789 to the Virginia and Carolina companies, for which part payment was received, and in 1795 that state sold what the commissioners estimate at 35,000,000 of acres, for which payment was fully made and patents granted in due form, and by the original patentees sold to others. None of these sales have ever been set aside by a court and jury, without whose decision no man under either the government of the United States or the individual states can be legally divested of his property. These facts are very generally known, and every man of common information knows, that tho' the claimants cannot have an action against the state of Georgia or the United States, yet they can have an action against any or all the actual settlers on the land which they claim. This apprehension, if it was worse founded than it is, would be sufficient to prevent the sale and settlement of the land until these claims are settled by compromise, agreeable to the convention with Georgia and the usual practice of the other states, and the original claim relinquished. Experience and observation, he said, had taught him that the sooner accommodations of this kind were made, they were the easier and the cheaper done. He added, that quieting and satisfying 1200 respectable and injured claimants and their connexions who had been injured by their confidence in the law of a state, and in men who stood high in government, was certainly the interest and duty of Congress, when it could be done without loss, which it certainly could in this case, for the land in question had cost the United States nothing, but was a deposit from Georgia for that very purpose.

[TO BE CONTINUED.]

Alleghany.

The subscriber having determined to reside in Alleghany Co. Maryland,

offers for sale 40,000 acres of land there and in Hardy County, Virginia, which is separated from Alleghany county, only by the North branch of Potomac. The land to be laid of in small or large quantity as to suit purchasers. He will remain here till 5th October, and be in Western Port at the mouth of Georges creek, 25 miles above Cumberland on 12th of October, for the express purpose of showing, selling, and laying out lands for those who wish to purchase. The terms of sale will be very reasonable, and a long time allowed for a large proportion of the payments, and produce or stock of any kind will be taken from year to year, at the Cumberland prices, and as he will want land opened, labor will also be taken in payment. A small payment will be expected at the time of purchase, say one Eighth part, which may be made in cash, good notes, bonds or slaves. He also offers a number of good lots at the west end of the city of Washington, and his dwelling house, out houses, garden &c. in George Town, now under the occupation of Washington Bowie, Esq. The lots will be sold for cash or on a long credit, or leased on ground rents. The place in George Town is one of the handsomest in the world, is well calculated for a man of business, and particularly well for a gentleman with a family of Children to educate, it being situated in the midst of excellent seminaries for male and female, and good society, with fine water and excellent health. For further particulars respecting the city and George Town property, apply to Mr. CHARLES WAYMAN in George Town. The country at the head of the Potomac, where the subscriber offers his lands for sale, has perhaps important advantages over all other new countries, though in general it is mountainous, yet there are large bodies of land sufficiently level, and fertile in a high degree. No country is more healthy, none better adapted to farming and grazing. The crops of Indian corn are from 5 to 8 barrels the acre, in the common mode of cultivation, and there is no country superior for wheat, rye and oats, but its greatest advantage over most new countries, is its convenience to market, being not more than 150 miles from the seat of government of the United States; to which the produce can be brought by water. Those who may wish for further particulars, may see me in George Town any time between this and 5th of October.

JOHN TEMPLEMAN.

Sept. 4—w8w.

Preparing for the Press,

AND will be published early in the Spring, in one closely printed volume,

The spirit of the Public Journals;

Being an impartial selection of the best original Poetry, Essays, &c. which have appeared in the newspapers of the United States during the year 1805.

☞ The Editors of Newspapers who exchange with the BALTIMORE Evening Post, are requested to give the above advertisement a few insertions in their papers. When published, a copy of the work will be sent to each office.

Sept. 9—

A Valuable Tract of Land

FOR SALE,

LAYING on the main road, leading from Charlottsville to Washington city, containing 263 acres; six miles from Culpepper Court House, Virginia, convenient to a number of fine merchant and saw mills. The situation pleasant and remarkably healthy, the land level, fertile and well adapted to the production of Indian corn, tobacco, wheat and other small grain, and is remarkably well watered, having the north fork of Cedar Run passing through the center of it, and sixteen bold and never failing springs on it; 140 acres of timothy meadow land on it, all of which may be put in good repair at a very small expence and a superabundance of large and lofty timber on it. The improvements are a dwelling house, three rooms on a floor, a good kitchen, a very large barn two stories high and other out houses sufficient, and which are strong and well built—2200 bearing fruit trees, principally apple trees, together with all kinds of seed and stone fruits. It is so situated as to admit of being divided into two convenient and profitable farms. I will sell it entire or divide it as may be found most convenient and give immediate possession—there is a good chance to feed a large crop of grain on it this fall. I will take negroes to the full amount of the above land or any part thereof for the accommodation of a purchaser; if the above land is not sold before the 20th of October, it will be sold on that day to the highest bidder; the sale to take place on the premises.

MORTON PANNELL,
Culpepper county, Virginia.

August 21—wtf

WASHINGTON CITY.

WEDNESDAY, September 11.

IT is with the liveliest pleasure we are enabled to say that our late captive citizens in Tripoli are released, and a treaty of peace is made with the reigning Bashaw. Dispatches have been received, which announce these joyous events, and place them beyond all doubt. We congratulate our countrymen on these events, equally calculated to gratify their sensibility as men, and their pride as citizens of a free republic.

Dispatches, we understand, have been received, by the Brig Olio, from Commodore J. Rodgers, as late as the middle of June, Commodore Barron having previously resigned the command; which state that preliminary articles of peace were signed on the second of June by Col. Lear and the reigning Bashaw. Previously to this time, Tripoli had been pressed by a vigorous blockade which intercepted all supply of provisions, and the city was in a condition very little short of starving.

By dispatches received from Mr. Eaton, and capt. Hull, commander of the Argus, it appears that the army headed by Mr. Eaton and the ex-Bashaw, after enduring severe hardships and surmounting great difficulties, attacked on the 27th of April the fortified town of Derne, which they took after a bloody engagement, in which Mr. Eaton was wounded, not dangerously, by a musket ball that struck his left wrist. These operations were ably aided by the cooperation of the brig Argus, the schooner Nautilus, and the Hornet, under the command of Capt. Hull, and which had previously furnished supplies for the army.

The following letter places the liberation of the captives beyond question.

Extract of a letter from Robert Denison, esq. secretary to the Commodore of the Mediterranean squadron, dated Malta, 15th June 1805.

"I do myself the pleasure to announce to you that Peace has been finally concluded betwixt the United States and the Bashaw of Tripoli, and our long captive countrymen restored to liberty and their friends. Commodore S. Barron left this for Sicily about 10 days since, with a view to try the air in the neighborhood of mount Etna. Capt. Bainbridge with some of his officers are gone to join him there."

On Monday the Theatre was opened with Wives as they Were, and the Sprigs of Laurel. In conformity to our expectations the House is fitted up with great neatness. The ornaments are few, but are plain and elegant. There is a distinct view of the whole stage from every quarter of the house; and the seats are placed at a convenient distance from each other. The *coup d'œil* impresses the eye very agreeably, by presenting the appearance of harmony, unity, and accommodation. The whole house, the stage as well as that part occupied by the audience, appears like one elegant room, happily proportioned and neatly furnished. And what is of the first importance, the spectator receives every word uttered by the actor. We have never been in a theatre, in which there was so faithful a transmission of sound to every part of the house.

A first night's performance in a theatre never before occupied will always develope some deficiencies. Accordingly we have some few to notice on this occasion. Owing to the want of ventilation, the lights, at first emitted a very unpleasant effluvia, which, however, was greatly removed by opening one of the southern windows. The boxes are all so capacious as to place it out of the power of a select party to take an entire one. It is with pleasure, we are authorised by the manager to say that these inconveniencies will be obviated. A more perfect ventilation will be afforded, and the boxes be so divided as to give to a party of eight the entire occupancy. It is also intended to cover the benches with green baize.

We have not time to enter into a detailed criticism of the merits of the respective performers. It may, however, suffice to say that a general sentiment of approbation pervaded the audience, and that the pleasure received surpassed that expected. This is saying a great deal, as the performances possessed but little intrinsic merit.

AN ENQUIRY INTO THE CONSTITUTIONALITY AND EXPEDIENCY OF THE GENERAL GOVERNMENT MAKING PROVISION FOR EDUCATION AND INTERNAL IMPROVEMENTS.

No season can be more favorable than the present for considering how far it is constitutional or expedient in the general government to direct its attention to the great objects of education and internal improvements. That this is a question which, at some future period not remote, must be decided, all will agree. While conflicting opinions exist with regard to the relative investiture of power on these points among the union and the states, and on the expediency of its exercise by either, it is easy to see that either much may be omitted which ought to be done, or that much, that is done, may be effected in an improper manner. That seriously conflicting opinions do exist on these points is most certain. There are undoubtedly respectable authorities for, as well as against the interposition of the general government. The expectation, that the general government will at a proper season exercise powers, with which it is conceived to be invested, is the not unfrequent pretext for an omission, on the part of the states, to attend to objects allowed to be of great importance. Nor will this attention be properly bestowed until the leading question, who are the constitutional repositories of the description of powers alluded to, shall be settled. Is it not then of great importance at once to come to a decision on which such interesting results depend? Is there a member of the community that does not feel a strong interest in carrying forward with vigor, those improvements, which the boundless field presented by our country, the habits of our citizens, their spirit of enterprize, and their encreasing wealth, so forcibly recommend. Whatever, then, facilitates this progress will be welcomed with general and hearty approbation.

In addition to these interesting considerations there are others which ought to have great weight in producing an attention to these points at this time.

As a nation we are now in our infancy, and we possess, perhaps in a higher degree than we shall, at any future period, that purity of motive, and singleness of view, so well calculated to lead our judgments to the happiest decisions. Although personal feelings and interests do, in some measure, mingle their alloy with the pure currency of patriotism, our public councils, as well as the public mind, are unquestionably more free from it than they can be expected to be in our more advanced state. This then is the favorable season for cool reflection, for disinterested deliberation, for wise determination.

Nor is it altogether unimportant that we at present enjoy external as well as internal tranquility. There is nothing of national importance that deeply agitates the public feeling; there is no external danger to absorb the public attention. Our affairs, external as well as internal, wear the fairest aspect; and every new day either brings us some additional benefit, or relieves us from some previous evil. How long this sunshine will continue, it is not for limited intelligence to say. Though the policy of our government, and the pursuits of our citizens promise a long season of prosperity, the sky may, at no distant day, be overcast, and the tempest, which has, in the old world, shaken so many empires to their centre, may burst upon us. Let us then, before this evil day arrives, seize the opportunity that now offers—an opportunity which may never return—of coming to a decision on points so interesting to our future prospects, and so closely interwoven with the leading features of national policy.

How shall this interesting enquiry be made? There are two ways, each of which possesses its peculiar advantages; either by a discussion in the public prints, or in the national and state legislatures. As the one may, if vigorously conducted, lead to the other, and as both may be expected to lead to the best conclusions, it would appear only important, in the present view, to adopt, in the first instance, either course. Some advantages would arise from the discussion of propositions, in the first instance, in a select legislative body. It may be presumed, that in this case, more light would be shed on the subject from the superior powers of the legislator, and his superior inducements to exert them. But, on the other hand, there would be, perhaps, in the previous discussions of the public prints, a greater exemption from personal or local views, a greater freedom from party, and a greater chance of harmony and unanimity.

The subject naturally invites two views. Does the government of the United States possess the power of promoting education and internal improvement? And if it does not, is it expedient that the constitution should be so altered as to confer it?

On the first point, the existence of the power, considerable diversity of opinion exists. Let us in the first instance examine the several provisions of the federal constitution which bear upon this point. This will the better enable us to determine what degree of weight ought to be given to the several prevailing opinions.

By the 12th amendment to the constitution it is declared that "the powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." It follows that we must find in some part of the constitution a delegation of this power to the United States, or a prohibition of it to the states; otherwise it does not exist. This delegation or prohibition must be direct and literal, or it must flow incidentally and necessarily from the delegation or prohibition of some other power.

The preamble to the constitution has generally in cases of a questionable nature been considered as shedding no inconsiderable light on the vested powers. That preamble is in the following words: "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, *promote the general welfare, and secure the blessings of liberty to ourselves and our posterity,* do ordain and establish this constitution for the United States of America."

Among the great ends for the attainment of which the government was established, there are then two sufficiently definite and comprehensive to embrace education and internal improvements. It is indeed impossible to conceive any objects which would more completely tend to "promote the general welfare, and secure the blessings of