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FIVE DOLLARS PER ANNUM, | FRIDAY, JANUARY 8, 1808. | *PAID IN ADVANCE.*

A LIST OF LETTERS

Remaining in the Post Office at Washington City, the 1st day of January 1808.

[A] William Adams, Henry Addego, John Anes, John Anperson, L. Augustine, Henry B. Austin.

[B] Chelsey Bailey, James D. Barry 4, Anthony Brown, Thomas Brown, Wm. Brown 3, Charles Bradock, Thos. M. Bailey, Jas. Bateman, Thos. Bee, jr. Daniel Brownhill, Mrs. Baker, Samuel Burgess, capt. William Bainbridge, John C. Bush, Thos. Bullett, Thos. Brister, Edward Bonsall, Sarah Baraett, Stephen Bright, Benj. P. Brain, Benjamin Botts, Michael Boone, William Brooks, Herman Blennerhassett, John Brown.

[C.] Michael Carroll, Zac. Cox, Wm. Carter 2, Wm. Cross, James Cartright, Dan. Caffry, Ralph Charlton 2, William Cooper, Joseph Chambers 6, Robert C. Cornell, Benj. Conner, Capt. Jno. W. Cox, Timothy Calbert, Benj. Collins, Henry Carbery, Jane Cruesel, Dan. C. Macrasy Casey.

[D.] Fred. Diedrick 2, Henry Dunlop, John Dent, Glen Drayton 4, Luke Davis, Mildrid Dixon, Miss Lefey Davis, Gibson Dove, P. Despraisrie, John Darby, Jesse Dowe jr.

[E.] Mr. Esmenard, Robert Elvidge, Joseph H. Egan, Rufus Elliott, Gen. Wm. Eaton, Ebenezer Elmer.

[F.] Robert Fulton, Elizabeth Finch, Elizabeth Foyles, James Fletcher, Edward Forgusen, Geo. Fowler, Mrs. Fitzhugh, Rebecca Falor.

[G] Richard Geains, James Gibson 2, Daniel Geyer, David Gould, Ann Glover, Ebenezer Granger, Harry Grant, George Gill, Rachael Grove, Joseph Gardiner.

[H] Mary Hersey, Joseph Hustler, Walter Harris, John Huston, Jeremiah Hunt, Doctor Wm. Hill.

[J] John H. Jarvis, Thomas Jenkins, George H. Jones, Charles Jones of Abel.

[K] Richard R. Keene, Peter Kirkwood, William King, Charles King.

[L] Mr. Lovering 3, Thos. Link 2, Tobias Lear, Mary Lane, John Love, Lewis Leroy, Major James Ladson, Owen Lyons, Charles Love, George Leake, Susannah Lynch, Lieut. W. Lewis.

[M.] Mr. Mackclain, John Minchin, 2. Gen. Thos. Matthews, 4. Charles McGoulrick, Hon. John Marshall, Hon. H. Marshall, Mr. M'Cormick, Jas. M'Cormick, jun. 3. Robert Mills, 2. Mary Madrick, Grace M'Daniel, Kidden Meade, John M'Carroll, Humaous Munhall, Mrs. Myers, Mr. M'Load, Thomas M'Cahan, 2. William Morgan, George Martin, Matthias Maher.

[N.] Charles Newman, Henry G. Neale, Edward Nibbitt.

[O.] Charles O. Neaill.

[P.] Jeremiah H. Pearson, 2. Levi Potter, A. Placide, George Prince, Wm. Patterson, Joseph Peck, 2. James Peed, Capt. W. Post.

[Q.] Edward Quinn.

[R.] John Revell, Wm. Riley, Com. John Rodgers, 3. Gilbert C. Russell, Benjamin H. Rush, John Rimmington, Lieut. Ben. F. Read, David Rawn.

[S.] Daniel Sickells, B. Smith, John Seburn, Thomas Shorthouse, William Sturges, Enoch Spalding, Wm. Stickney, James Spencer, George F. Stras, Gen. St. Clair, 2. Dr. P. Simm, John Sarazen, John Swann.

[T.] Christin Tabler, Patt. Toole, The Jail Keeper of *Washington City*, Jas. Tallmadge, jun.

[U. V.] James Upjohn, John Varner, 3. John Vonor, John Vonair.

[W.] Miss M. Wilson, Eliza Wilson, Mr. Withington, Henry *Wooded*, Elizabeth Williams, Robert White, George Woolger, John H. *Wade*, 2. James Walker, Abel Wrifford, Thos. West, Wm. B. Wood, Simon Willard, jun. Daniel Wright, Wm. Williams, M. J. Witte, Samuel Wilson, Charles Walsh.

CONGRESS.

HOUSE OF REPRESENTATIVES.

Debate on the memorial of the Governor by direction of the Legislature of Massachusetts, in favor of the Yazoo Claimants.

MONDAY, JAN. 4, 1808.

MR. BACON having moved that the memorial be referred to the committee of Claims,

MR. BIBB moved that it be rejected. He said there were very few cases in which he should oppose the reference of a petition; but this was a case in which he should be in favor of rejection. He would never object to a petition for a lawful object: but when a petition was laid before the House evidently founded in fraud and corruption, he should reject it. So much had been said on this subject heretofore, the fraud and villainy of the transaction on which the claim was founded, had been so ably exposed, that he deemed it unnessary to say any thing more on the subject.

MR. TROUP did not know whether the memorial should be thrown under the table, or whether, as had been moved by his colleague, it should be rejected. The memorial, on a subject on which the House had before decided, and that on the most mature deliberation, was treating the House with disrespect; it was an attempt (it could be considered in no other light) to teaze the House; to torture it into a compliance with the prayer of the petition. The House was to be provoked into a surrender of important rights to get rid of the memorialists. They were bound to listen to a memorial couched in decent, proper and respectful terms, but not to the language of insult—and this was an insult upon this body, calling upon it to sanction corruption so vile and infamous. With this impression he should second the motion of his colleague.

The Speaker declared a motion for a reference to take preference of a motion to reject.

MR. BIBB called for the Yeas and Nays on the motion for reference.

MR. SMILIE said, as he should vote for the commitment of the petition, he should mention one reason that induced him to vote thus. His sentiments on this subject were well known; he was no Yazoo man. He never had nor did he now mean to vote in favor of the claim; but when a petition came before the House through the medium of the Executive of a high & respectable state, he felt a delicacy in saying that such a petition should not be referred. The House had this session heard a great deal with respect to the rights of states; he hoped they would take no step which might infringe those rights. Though not in favor of this claim, yet in the form in which it now came before the House, he hoped it would be referred.

MR. LIVERMORE did not know whether he could well sit still and consent to give a silent vote on a question of this nature. If no objection had been made to this motion there would have been no occasion; but considering the question as it ought to be considered, it was astonishing to him that any objection should be made to a commitment. Here was a representation from the legislature through the executive of a state, to the legislature of the U. S. Now whether the claim was well founded or not, he did conceive that there was more deference to be shewn to a state, than instantly to throw its memorial under the table, or to reject it without debate. He did not conceive that this was the regular mode of doing business; he apprehended, notwithstanding what had been said by the gentleman from Georgia, that this question might and ought to be brought before the legislature. Whatever views might have been taken by a former legislature on the subject, had nothing to do with the present. He conceived that the present legislature were not as well informed on the subject as might be supposed, for although there were present many members of a former Congress, there were also many new members. He by no means admitted the idea that the legislature ought to grant the claim; but at the same time he did not contend, nor did it follow, that every subsequent legislature should pursue the same course as the one preceding it, or never listen to a claim because it had been before rejected. He would not now undertake to enter into the merits of the claim, would not say he should vote for or against it: he was determined to hear every argument that should be adduced against granting relief to the memorialists; but it was at the same time his bounden duty to consider the petition of any portion of our citizens who considered themselves deprived of any rights. Without troubling the House with any further observations, he hoped they would refer the memorial from a respect to the legislature of the state by whom it was preferred.

MR. W. ALSTON did not care what course was taken with this petition; whether it was rejected or not; but it seemed to him it would be as well to act somewhat consistently on this occasion. A great clamor had been raised a few days ago because the House neglected the petition of a parcel of merchants. Even their petition, such as it was, was not rejected; the right of petitioning was revered, and it was laid on the table. What was now before the House? A petition from one of the most respectable states in the union, which after the most mature reflection had requested the House to do—what? To grant the Yazoo country to speculators?—No. It asked for its citizens a hearing. And yet they were told that this petition should not be committed, that no respect should be paid to the respectable source from which the memorial had proceeded, because the original ground of the claim was fraud. This might be true. That the Yazoo act was as corrupt a one as ever the statute book was disgraced with he had no doubt; and he also believed that no man was more opposed to fraud and corruption than he had always been. It was from his great opposition and aversion to land jobbers and speculators, that he had been heretofore in favor of examining into this subject, and getting totally clear of it in the best manner they could.

The story of Yazoo had been so often resounded within these walls, that it had become, like the cry of wolf in the fable, repeated so often that it was no longer regarded. It should seem from the language in the House, that a part of it really designed to countenance fraud. This was not the case; there had been no question as yet proposed to the House to grant a single acre of land; such a proposition had never entered these walls. The only question was and had been, whether this claim should be settled on any principle, if narrowed down to the terms of the convention of the state of Georgia.

He might be permitted while up to make a few observations on this convention. The subject of this grant of land was introduced into the convention, with the express view that Congress should do something with the grant; that they should take it into their hands, and rid the state of Georgia of it forever. Under this view it was that he had been led to vote for the convention which he did not entirely like; but the subject had taken such a turn in Georgia, that the Representatives from that state wished to get clear of it, for it would always hang over them, until the U. S. should do something with it. Under these impressions had that convention been adopted. What is now our situation, said he? The government of the country had passed a law appropriating a small portion of country for settling claims, among which this was recognized. Whether it was good policy or not to give these petitioners any thing was not a question now before the House. He thought the government were not now bound in the same manner as they were immediately after the transaction took place.

Whatever mode were adopted to get rid of the claim, he should be satisfied. If a reference were refused, he would vote for a rejection. He had not about him those nice feelings which some gentlemen professed; for if a petition were not referred, he cared not what became of it. He should vote for a reference of this petition, as he did in other cases, to dispose of it finally in the shortest time. Gentlemen who were so liberal of professions of respect for the rights of petition at all times, *might* be able to account to their consciences for the rejection of this.

MR. NELSON said as he had the honor of seconding the motion for rejection, it might be expected that he should assign his reasons for so doing. It appeared to him that this question was so perfectly well understood in this House and throughout the United States, that, if there were no impropriety in rejecting a petition at this stage of the business, there could be no reason for a reference of this. The subject was perfectly understood; every gentleman had made up his mind on it, and he therefore saw no reason why the petition should be referred and go through the whole rotine of business, when they meant finally to reject it. If there was a determination to reject it could it not be done now as well as at any time? But gentlemen said a petition coming from so respectable a state as Massachusetts should be treated with attention. Mr. N. would listen to a petition coming from any state legislature, but not sooner than to a petition coming from a number of individuals. If the members composing that legislature had petitioned in their individual capacity, he should conceive himself bound to pay the same respect to them. A majority of the people composing the legislature of the state of Massachusetts had thought that this claim was correct and ought to be granted. These persons imbibed their opinions from their constituents who were perhaps very much interested in the claim. These men (the claimants) had tried the question here in various shapes. What further form could it assume? They thought if they could come forward under the sanction of a legislature, they should be treated with more attention than if they had come forward in their individual capacity. If the House were prepared to reject their memorial, it would be no indignity offered to Massachusetts to reject it. Every state in the union had a right to make such applications as she pleased; which might be referred or not. If Congress were not acquainted with the subject and facts stated in the memorial, it might be referred. But if they were already fully acquainted with it, where in the name of common sense, was the necessity of referring it? If he should engage in any business to which he was not competent, but in which some man perfectly acquainted with it should give him the necessary information, he need not employ his time in receiving the same information from another source. In this case then there could be no more disrespect in rejecting this memorial in this stage of the business, than at any time hereafter. It was said there were many new members in the House. In answer to this he might say that there was not a child of ten years old in the country who had not heard of this business—not a member in the House who had not understood this subject as well as ever he could; it had made a noise throughout the country and every one had heard it, and must be prepared to vote on it. Gentlemen who were in favor of the claim would of course vote against its rejection; but they wanted no time to reflect on the subject. Their minds were fully made up, and they were ready to give their yea or nay on the question.

The gentleman from North Carolina had endeavoured to put this subject in a different point of view from that in which it had generally appeared. The law of the country was open to these claimants, and because they and other men might think the forms of law too tedious, they had petitioned Congress to erect a more summary tribunal, that they might obtain a more speedy decision; that Congress should pass a law to authorise A. B. and C to pass a law respecting land titles. We had better discharge all our judges, said Mr. N. and say we will have no courts, and whenever a question is to come on, application may be made to the national legislature for the erection of a tribunal for its decision. This memorial prayed that Congress would pass a law for the purpose of giving the Yazoo people an opportunity of trying this question against the U. States. If they wished the validity of their claim to be decided, let them bring an action of ejectment against any person settling on their land; if no person would settle on it, let them erect a house for the purpose. It was a new idea and an abominable principle that congress should pass a special law for the purpose of trying a particular case. If the laws of the United States were deficient, let the general system be amended, but not legislate on any particular case.

For these reasons he should vote against the reference of this petition: because, in the first place, the House were as well prepared now as they could be at any time; because, in the second place, voting against it would be no sort of disrespect to the state of Massachusetts; because, in the third place, he believed it would be improper to pass a particular act (as the memorial prayed) for a particular case; and fourthly, because he thought the particular transaction on which the claim was founded was abominable throughout. For these reasons he was prepared to vote against a reference.

MR. HOLLAND rose to express his opinion that the petition should be referred to the committee of Claims or to some other; it was certainly one of those cases entitled to consideration, and he did not believe that the ears of the House would be insulted by listening to it. Perhaps the legislature of Georgia in granting this land had acted as corruptly as the gentleman from that state had said it had. Had not this subsequently been a matter before the commissioners of the United States, and had they not in some degree recognized this claim? Let the gentleman from Georgia examine and see whether the settlement of this claim had not been recognised by these commissionerrs. Mr. H. did not recollect that this claim had even been rejected at any time; and let it be recollected that a bill had once passed the Senate of the U. States authorizing a compromise of this claim.

After this had actually taken place, were the ears of gentlemen in the House so extremely delicate that they felt themselves insulted when such a memorial came before them?

The gentleman from Maryland had said that school boys knew the circumstances of the case and that all must be ready to decide. Mr. H. said this was not the case; this was a complex business and would require more time to decide on it than that gentleman had devoted to it. The gentleman might ask another question, why was a particular law passed declaring that a particular class of citizens should not settle? It was certainly proper that their claim should be taken notice of, and particularly when the legislature of a state had interfered on the subject. But the gentleman had said that the state had given an easy ear to the claim of its citizens. Perhaps this was just. Mr. H. was one of those who thought that the claim should have been long ago settled, and that no clamor should have been made about it; for he begged leave to say that nothing but clamor had been opposed to the claim; and gentlemen so much opposed to it had not examined into its justice. He believed policy as well as justice required its settlement; that its not being determined would prevent the Mississippi territory from being peopled, and its citizens from settling. For who would settle it in its present situation? He hoped therefore that it would be referred and undergo a serious examination; and that gentlemen would not feel their ears insulted by a memorial couched in such respectful terms as this.

MR. BACON said, he felt himself incompetent to decide on this claim, and feeling so, he had supposed that other gentlemen were in the same situation, especially as there was in this Congress so large a proportion of new members; but were he even competent, fully competent to enter into an examination of it, he should feel it by no means his duty to enter into an investigation of it in the present stage of the business. When he presented this memorial, he did not apprehend that he should be under the necessity of making any observations; but from the objections made to giving it the ordinary course, it might be expected that he should say something in favor of it. It was not necessary that he should at this time enter into a long dissertation on the right of petitioning. A few minutes ago, when, as a gentleman had said, the ink was scarcely cold with which the embargo law was written, they were called upon virtually to repeal it. What did they do with that petition? Though it contemplated a case which must have been within the view of the House when the law was passed, although it had an important bearing on foreign relations as well as domestic, the House had treated it with that respect which they were now required to deny to the state of Massachusetts. He should not enlarge upon this; perhaps his feelings might not permit him to do it. He hoped the House would consider the petition as coming from (he would not say a respectable—it was unnecessary to say it,) but from a decent source, and that they would treat it with ordinary respect. If this memorial was to be treated out of the ordinary course, the burden of proof in favor of its rejection rested with its opponents who had indeed given some reasons why it should be excepted from the usual course, which it might be proper to notice.

The gentleman from Georgia (Mr. Bibb) had said, that the claims of these citizen memorialists were founded in fraud. Mr. B. would only say, that whatever fraud had been committed, the legislature of Massachusetts had not been contaminated by it. Neither could it be laid at the door of the state of Massachusetts; she had no participation in it. It had been said that this memorial was an attempt to teize the House into an improper act. He would ask whether every member of the House was at this moment convinced, whether they had sufficient evidence to convince them that it was founded in fraud. He himself had not this evidence, and thought the House had not, on which to say that this claim was so palpably unjust. They were told it was teazing the House. Mr. B. said, they had lately been told that the frequency of former applications was no reason against referring the same petition now. It had been asked, he recollected, a few days ago by a gentleman from Virginia, (Mr. Randolph) whether Oliver Pollock's petition should be turned out of the House because it had been so repeatedly referred? And this question would be well applied to the present case.

It had been said by the gentleman from Maryland, that the legislature of Massachusetts had asked a new principle to be adopted; had asked them to give a different distination to the petition. Mr. B. would say this ought to be done: Was it not the introduction of new principles, which gave rise to the present claim? The whole course of proceeding in this case had been novel; and new and extraordinary cases required extraordinary consideration. This was a sufficient answer to that charge.

Mr. B. protested against being driven into a consideration of the merits of the claim at this time; he was not, nor was the House now competent to discuss it. If the unanimous voice of the three branches of the legislature of Massachusetts (concerning whose respectability he would say nothing) was to be rejected, if the door was to be slapped in their faces, it would be presumptuous in him to imagine that any thing which he could advance, should receive attention.

Mr. Elliot, Mr. Troup, and Mr. Smilie, rose at the same time. Mr. Smilie gave way, and the Speaker declared Mr. Elliot entitled to the floor, as he had not been up on the question.

MR. ELLIOT. I knew that I was entitled to the floor, and that the Speaker would decide that I was so entitled, in preference to the gentleman from Georgia. The occurrences of every day, nay of almost every moment of the present session, have evinced that it is the indispensable duty of this House to adopt some practical construction of that provision of the constitution of the United States which respects the