NATIONAL INTELLIGENCER,

AND

WASHINGTON ADVERTISER.

VOL. III. WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. No. CCCLXV.

FIVE DOLLS. PER ANN. MONDAY, FEBRUARY 21ſt, 1803. PAID IN ADVANCE

LETTER

FROM

WILLIAM HENRY HARRISON,

Preſident of the Convention,

Held at Vincennes, in the Indiana Territory, on the 28th of December, 1802, and Delegate from the County of Knox, incloſing an inſtrument declaratory of their conſent to ſuſpend for a term of years, the operation of the ſixth article of Compact between the United States and the people of the ſaid Territory, paſſed the 13th of July, 1787.

IN CONVENTION,

Vincennes, Indiana Territory,

28th December, 1802.

SIR,

The people of the Indiana Territory, having by their repreſentatives in general convention aſſembled, determined to ſuſpend, for a term of years, the operation of the ſixth article of Compact between the United States and the people of the Territory; I have the honor herewith to encloſe you for the information of the houſe of repreſentatives, the inſtrument declaratory of their conſent.

I have the honor to be,

With perfect reſpect,

Sir,

Your humble ſervant,

(By order of the Convention)

WILLIAM HENRY HARRISON,

Preſident, and Delegate from the County of Knox.

The Honorable

the Speaker of the Houſe of Repreſentatives of the United States.

We the people of the Indiana Territory, inhabiting the middle and weſtern diviſions of the country north-weſt of the Ohio, do by our repreſentatives in general convention aſſembled, hereby agree, that the operation of the ſixth article of compact between the United States and the people of the territory ſhould be ſuſpended for the ſpace of ten years from the day that a law may be paſſed by congreſs, giving their conſent to the ſuſpenſion of the ſaid article: Provided, however, that ſhould no law be paſſed by congreſs for ſuſpending the ſaid article before the 4th day of March, 1805, then the conſent of the people of this territory, hereby given, ſhall be void and of no effect.

Done at Vincennes, in the Indiana Territory, the twenty fifth day of December, one thouſand eight (L. S.) hundred and two, and in the twenty-ſeventh year of the Independence of the United States.

By order of the Convention,

Teſte,

WILLIAM HENRY HARRISON,

Preſident and Delegate from the County of Knox.

JOHN RICE JONES, *Secretary.*

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED.

The Memorial and Petition of the Inhabitants of the Indiana Territory,

Reſpectfully ſheweth:

That nine-tenths of your memorialiſts being of opinion, that the ſixth article of compact contained in the ordinance for the government of the territory, has been extremely prejudicial to their intereſt and welfare, requeſted the governor by petitions from each of the ſeveral counties to call a general convention of the territory, for the purpoſe of taking the ſenſe of the whole people by their repreſentatives on a ſubject to them ſo intereſting, and of afterwards taking ſuch meaſures as to them might ſeem meet, by petition to your honorable bodies, not only for obtaining the repeal or ſuſpenſion of the ſaid article of compact, but alſo for that of repreſenting and petitioning for the paſſage of ſuch other laws as would in the opinion of the convention be conducive to the general welfare, population and happineſs of this diſtant and unrepreſented portion of the United States.

This convention is now ſitting at Vincennes, and have agreed to make the following repreſentation to the congreſs of the United States, not in the leaſt doubting but that every thing they can deſire (not prejudicial to the conſtitution or to the intereſt of the general government) will readily be granted them.

The ſixth article of compact between the United States and the people of the territory, which declares there ſhall be neither ſlavery nor involuntary ſervitude in it, has prevented the country from populating, and been the reaſon of driving many valuable citizens poſſeſſing ſlaves, to the Spaniſh ſide of the Miſſiſſippi, moſt of whom, but for the prohibition contained in the ordinance, would have ſettled in the territory; and the conſequences of keeping that prohibition in force, will be that of obliging the numerous claſs of citizens diſpoſed to emigrate, to ſeek an aſylum in that country, where they can be permitted to enjoy their property.

Your memorialiſts, however, and the people they repreſent, do not wiſh for a repeal of this article entirely, but that it may be ſuſpended for the term of ten years, and then to be again in force; but that the ſlaves brought into the territory during the continuance of this ſuſpenſion, and their progeny may be conſidered and continued in the ſame ſtate of ſervitude, as if they had remained in thoſe parts of the United States, where ſlavery is permitted, and from whence they may have been removed.

Your memorialiſts beg leave further to repreſent, that the quantity of lands in the territory, open for ſettlement, is by no means ſufficiently large to admit of a population adequate to the purpoſes of civil government:—They therefore pray that the Indian titles to the land lying between the ſettled parts of the Illinois country and the Ohio; between the general Indian boundary line, running from the mouth of the river Kentucky and the tract commonly called Clark's Grant, and between and below the ſaid Clark's Grant and the Ohio and Wabaſh rivers, may be extinguiſhed; and as an encouragement for a ſpeedy population of the country, that thoſe lands and all other, the public lands in the territory may be ſold in ſmaller tracts, and at a lower price than is now allowed by the exiſting laws—A purchaſe of moſt of the country abovementioned, but more eſpecially of that part lying between the Illinois and the Ohio, it is conceived may be eaſily obtained from the Indians, and on very moderate and advantageous terms.

Several perſons (as your memorialiſts are informed) having ſettled on the public lands in this territory, with the intention of purchaſing the ſame, when offered for ſale by the United States, are fearful that advantages may be taken of their improvements to enhance the price—Your petitioners therefore pray, that a law may be paſſed for their relief, giving the right of pre-emption to all thoſe who may have ſo ſettled on the public lands:—And alſo, as one of the more ſure means as well of populating the country, as of enhancing the value of the United States lands, remaining undiſpoſed of in the territory—they further pray, that proviſions may be made in the ſaid law, for ſecuring a certain part of every ſection of ſuch public land, to thoſe who will actually ſettle on and cultivate the ſame.

The United States having pledged themſelves in the ordinance, that ſchools and the means of education ſhould be forever encouraged; and having in all the ſales of land heretofore made, reſerved conſiderable portions thereof for that purpoſe.

Your memorialiſts therefore humbly pray, that a law may be paſſed, making a grant of lands for the ſupport of ſchools and ſeminaries of learning to the ſeveral ſettlements of the territory, to wit: the two ſettlements in the Illinois, the ſettlement of Vincennes, and that of Clark's Grant, near the rapids of the Ohio.

The means of communication, as well between the ſeveral ſettled parts of the territory, as between the territory and the ſtate of Kentucky, being extremely difficult and inconvenient, as well for want of good roads, as for want of houſes of entertainment; and as neither of thoſe objects can be obtained otherwiſe than by application to the United States, who own or may own the lands through which the ſaid roads muſt paſs;

Your memorialiſts therefore further pray, that a law may be enacted, granting to ſuch perſons as the governor of the territory may recommend, four hundred acres of land to each, in ſuch places as the ſaid governor may deſignate, not exceeding the diſtance of twenty miles from each other, on the road leading from Clark's county to Knox county, & from Vincennes in the ſaid county to the bank of the Ohio, oppoſite to the town of Henderſon in Kentucky: Alſo, from Vincennes to Kaſkaſkia in Randolph county, and from thence to Luſk's Ferry on the Ohio, who will open good waggon roads, and eſtabliſh houſes of entertainment thereon for five years under ſuch reſtrictions as to your wiſdom may ſeem neceſſary.

And your memorialiſts further beg leave to repreſent, that one of the moſt indiſpenſible articles of life (ſalt) is very ſcarce and difficult to be obtained—That for the want of a ſufficient number of ſalt-ſprings in their country, that difficulty muſt increaſe with the population; and if effectual methods are not taken to ſecure the timber in the neighborhood of the ſalt-ſprings from being wilfully or careleſsly waſted and deſtroyed, they will in a very few years indeed be utterly deſtitute of that very valuable article—That there is but one ſalt-ſpring known in the country of any value, and that is ſituate below the mouth of the Wabaſh river, commonly called the Saline, and is very advantageouſly placed for the accommodation of moſt of the inhabitants of the territory, and has moreover been lately ceded by the Indians to the general government.

Your memorialiſts therefore humbly pray the Congreſs of the United States to extend their bounty to this territory as they have lately done to that North Weſt of the Ohio, and veſt the ſaid Salt Spring in the legiſlature of the territory, as ſoon as it is formed, in truſt for the uſe of the territory, and until the legiſlature be formed, that the management of the ſaid ſpring be committed to the governor of the territory, or to ſuch other perſon as the Preſident of the United States may think proper to appoint.

By a reſolve of Congreſs of the 29th Auguſt, 1788, confirmed by an act of the United States of the 3d March, 1791, a donation of four hundred acres of land is given to each of thoſe perſons who were heads of families in the Illinois country, on or before the year 1783, which the governor of the territory was directed to cauſe to be laid off to the ſeveral claimants in a form of a parallelogram adjoining the ſeveral villages therein mentioned.

The whole of the lands adjoining thoſe villages were before the paſſage of the above reſolve, the private property of individuals who claimed the ſame by virtue of old grants made to them and their anceſtors during the time of the French government, ſo that the Governor could not cauſe the ſaid donation to be laid off in the form and manner deſignated by the ſaid reſolve.

This has been very detrimental to the ſeveral grantees, and in a great meaſure prevented the further population of the country; your memorialiſts however beg leave to obſerve, that if the ſaid donation lands are directed to be laid off in diſtinct bodies for each village, by far the greateſt part of them muſt from the very large and extenſive prairies with which the whole of that country abounds, be wholly and abſolutely uſeleſs through the entire want of timber.

Your memorialiſts therefore pray you to take the ſituation of the ancient inhabitants of the Illinois country into conſideration, and as the humane intention of Congreſs was to give ſuch lands as would be uſeful, that you will permit the ſaid grantees, their heirs and aſſigns, eſpecially after a period of fourteen years, to locate their ſaid donation of four hundred acres of land in ſeparate tracts, in ſuch parts of the Illinois country to which the Indian titles may have been extinguiſhed, and that the governor of the territory may be authorized to iſſue patents therefor. This permiſſion to locate the lands in ſeparate tracts, will not it is conceived be prejudicial to the United States, as the value of the lands in the neighbourhood of each ſettled track will thereby be conſiderably augmented.

Your memorialiſts further ſhew that they view that part of the ordinance for the government of the territory which requires a freehold qualification in fifty acres of land as elector for members to the general aſſembly as ſubverſive of the liberties of the citizens, and tending to throw too great weight in the ſcale of wealth. They therefore pray that the right of ſuffrage (in voting for repreſentatives to the general aſſembly) may be extended to the free male inhabitants of the territory of the age of twenty-one years and upwards, but under ſuch regulations and reſtriction as to you in your wiſdom may ſeem proper.

Since the erection of the territory into a ſeparate government, the attorney general thereof has proſecuted not only for offences committed againſt the municipal laws of the territory, but alſo againſt the laws of the United States and has been obliged at three different times to travel one hundred and ſixty miles from his home, the ſeat of the territorial government, to proſecute offenders againſt theſe laws, and yet he has received no compenſation for his ſervices, either from the United States or the territory, nor is it probable that the territory can afford to allow him any ſalary for any of his future ſervices.

Your memorialiſts therefore pray that a law may be paſſed allowing a ſalary to the Attorney General of the territory, adequate to the important ſervices which are rendered by that officer to the United States as well as to the territory.

Your memorialiſts are well aware that the conſideration of the numerous objects contemplated by this memorial will require more time than can well be ſpared from the important and general concerns of the Union; but when they reflect upon their neglected and orphan like ſituation, they are emboldened to hope that their wants and wiſhes will meet with all the indulgence and attention neceſſary to ſecure to them the relief which is ſo eſſential to their welfare and happineſs.

Done at Vincennes in the Indiana Territory the twenty-eighth day of December, in the year of our Lord one thou- (L. S.) ſand eight hundred and two, and of the Independence of the United States, the twenty ſeventh.

By order of the Convention,

WILLIAM HENRY HARRISON,

Preſident and Delegate from the County of Knox.

Teſte,

JOHN RISE JONES, *Sec'ry.*

Article VI. There ſhall be neither ſlavery nor involuntary ſervitude in the ſaid territory, otherwiſe than in the puniſhment of crimes, whereof the party ſhall have been duly convicted: Provided always, that any perſon eſcaping into the ſame, from whom labor or ſervice is lawfully claimed in any one of the original ſtates, ſuch fugitive may be lawfully reclaimed, and conveyed to the perſon claiming his or her labour or ſervice, as aforeſaid.

BY THE

PRESIDENT

OF THE

UNITED STATES.

WHEREAS, by the firſt Article of the Terms and Conditions declared by the Preſident of the United States on ſeventeenth day of October, 1791, for regulating the Materials and manner of of Buildings and Improvements on the Lots in the City of Waſhington, it is provided "that the outer and party walls of all Houſes in the ſaid City, ſhall be built of Brick or Stone;" and by the third Article of the ſame Terms and Conditions it is declared, that the wall of no houſe ſhall be higher than 40 feet to the roof in any part of the City, nor ſhall any be lower than 35 feet on any of the Avenues: *And whereas* the above recited Articles were found to impede the ſettlement in the City of Mechanics and others, whoſe circumſtances did not admit of erecting houſes authorized by the ſaid regulations, for which cauſe the operation of the ſaid Articles has been ſuſpended by ſeveral Acts of the Preſident of the United States from the fifth day of June, 1796, to the firſt day of January, 1803, and the beneficial effects ariſing from ſuch ſuſpenſions having been experienced; it is deemed proper to revive the ſame, with the exception hereafter mentioned. WHEREFORE I, THOMAS JEFFERSON, Preſident of the United States, do declare, that the firſt and third Articles above recited ſhall be, and the ſame are hereby ſuſpended until the firſt day of January, 1804, and that all houſes which ſhall be erected in the ſaid City of Waſhing, previous to the ſaid firſt day of January, 1804; conformable in other reſpects to the regulations aforeſaid ſhall be conſidered as lawfully erected, except that no wooden houſe covering more than 320 ſquare feet, or higher than twelve feet from the ſill to the eve ſhall be erected—nor ſhall ſuch houſe be placed within 24 feet of any brick or ſtone houſe.

Given under my hand this 15th January, 1803.

TH: JEFFERSON.

IRON WORKS.

THE ſubſcriber would rent a ſet of works, ſituated within twenty miles of the boatable waters of James River; conſiſting of Furnace, Forge, Mill, ſaw-mill, and every neceſſary appendage, all new and finiſhed in the compleateſt manner of any in America; having abundance of water, wood, and ore of the beſt quality, and lying in a healthy country where proviſions alſo are abundant and cheap. Fifteen or twenty able negroes may be rented with the works, if ſpeedily applied for.

FERDINANDO FAIRFAX.

Shann. Hill, near Charleſton, Virginia.

N. B. Applications by letter muſt be poſt-paid.

January 28. 1aw6w

National Intelligencer.

Congreſs of the United States.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, Feb. 16, 1803.

Debate on the motion of Mr. Elmer to ſtrike out the firſt ſection of the bill to amend an act entitled an act to amend the Judicial Syſtem of the United States.

Mr. Elmer thought greater inconveniences would ariſe from the change propoſed in this bill than from the preſent arrangements.

Mr. Bayard ſaid the principal object of the bill was to accommodate Judge Waſhington, by altering the allotment of the judges of the ſupreme court, which would be effected without diſaccommodating the other judges, and with their entire approbation.

Mr. Leib ſaid he had ſeconded the motion to ſtrike out the firſt ſection, and he hoped it would prevail. He was not of opinion that the convenience of the judges ſhould alone be conſulted. The public convenience ſhould alſo be regarded. He hoped the preſent diſtribution of the judges would continue; becauſe one of the judges (judge Chaſe) was ſo precious in the eſtimation of Maryland, where he now acted, he was in favor of continuing him there, in preference to tranſlating him to Pennſylvania, where he might not perhaps be held in ſo precious a point of view.

Mr. Smilie was in favor of ſtriking out the firſt ſection. The convenience of the judges ought to be attended to; but if by the arrangements of this bill a greater inconvenience will attach to the people, the judges ought to endure their preſent inconvenience rather than expoſe the nation to one that would be greater. He conſidered the convenience of the people the more important. It would not give ſatisfaction to the people of the ſtate he repreſented (Pennſylvania) to make this alteration: They were ſatisfied with their preſent judge (Mr. Paterſon). They would not be ſatisfied with the judge propoſed to be given them. He hoped, therefore, the houſe would not impoſe upon them what they would deem an evil.

Mr. Mott was for ſtriking out the firſt ſection, to kill the bill altogether. He did not think the accommodation of one judge was a ſufficient ground for the bill. The ſtate he repreſented (New-Jerſey) would be diſpleaſed with the change propoſed by the bill, as there was not in the union a man more obnoxious in that ſtate than the judge contemplated to be given them.

Mr. Euſtis was againſt the motion to ſtrike out the firſt ſection, as it was calculated to remove a great inconvenience attached to the duties of a particular judge; & as there was no reaſon offered in favor of it which ought, in his opinion, to influence the Houſe. In the aſſignation of duties, the Congreſs ought not to know any of the judges; but ought to preſume that they were all equally learned and agreeable to the people.

Mr. Rutledge obſerved that the duties aſſigned to Judge Waſhington were extremely inconvenient. He was obliged to ride from Virginia to Vermont. The judges, he preſumed, were all learned and upright. If any of them failed to diſcharge their duty, the regular courſe of proceeding was known to the Houſe. He had never underſtood the cauſe of the arrangement which ſubjected Judge Waſhington to this inconvenience, until he learned that that gentleman had ſome time ſince contemplated a reſidence in Connecticut; under which impreſſion the preſent arrangement had been made.

Mr. Elmendorf viewed the ſubject differently from any gentleman who had ſpoken on the ſubject. It appeared to him that a judge by being permanently aſſigned to a particular circuit would become better acquainted with the laws of the ſtates embraced within his circuit. He therefore thought Congreſs ſhould legiſlate but once in making a proper diſtribution of the judges.

Mr. Bayard ſaid it muſt be apparent that the whole diſcuſſion conſiſted in what might be termed *argumentum ad hominem*.

After making ſome remarks on the propriety of the change contemplated in the bill, he ſaid that he believed an upright judge would always be inimical to traitors, inſurgents and libellers. He believed Judge Chaſe had been conſidered as in ſome meaſure ſtrict in his treat-