men, against the equal influence of the eastern states in the federal senate; and not perceive the full force of the remark which is made in the letter of General Washington when president of the Convention to the president of Congress, that "the constitution is the result of a spirit of amity, and of that mutual deference and concession, which the peculiarity of our political situation rendered indispensible?" And with what pretensions to truth can Mr. Ely assert, that "the apportionment of the direct tax (is) the *only* compensation proposed by the constitution to the states not holding slaves?"—

Objections however, may be offered against the first part of this reasoning. It may be said, that the southern states do not really possess greater political importance than the eastern states; that the fact must indeed be conceded, if the present number of representatives from these divisions of the Union, be taken as the standard of valuation; that this is not however, an accurate standard; that the census of the slaves should not be introduced for the purpose of swelling out the real importance of the southern states; that the only proper standard of national importance, is the number of free persons; and that if we graduate these two quarters of the Union by this new scale, we shall discover that the eastern are the large, and the southern are the small states; and that all the arguments which have been drawn from the equal influence of the states in the senate, may thus be directed against the southern inhabitants. Is this statement however correct?

Different political writers may invent and employ different standards for estimating the real importance of a nation. But none perhaps is more properly adapted to this purpose than the quantity of its productive labor; since productive labor is the source of all the wealth, arts and improvement which it possesses, and of the political influence which it exerts in other countries. The productive labor of the southern, is different from that of the northern states.—Slaves supply the place of freemen. The labor of five slaves is computed to be equal to that of three freemen. Had the southern states then never introduced the use of slaves, it is probable that a number of white inhabitants, equal to three-fifths of the slaves, would have settled in the South. If the same policy were introduced at the present period, it is probable that a similar result would take place at no distant æra.—If the productive labor of a country is thus made the criterion of its real importance, and if the productive labor of five slaves is equal to that of three freemen, no reliance is to be placed on the objections which have been offered against the preceding arguments. It will still be true, that the relative importance of the eastern and southern states is to be ascertained by the representative rule of the constitution—that the southern states are entitled to a greater share in the representation of the senate than the eastern states: and that if they are willing to resign this superior influence in the upper house for the sake of protecting the sovereingty of the states, they have a claim to some equivalent compensation in the lower house, dependant on their black population. Indeed, if this argument has any positive weight, it would be sufficient to support a more extensive deduction. If it *be* true; the southern states should not only have had a certain number of representatives in the lower house proportional to their black population, *because* they had relinquished that part of their representative right in the senate, to which their superior political importance had entitled them; but they should have possessed independently of this compromising expedient, a greater number of representatives than the census of their free inhabitants should have entitled them to, *because* they possessed this superior political importance. If we apply this principle therefore in all its extent, we shall at last arrive at this conclusion, that the southern states are equitably entitled to a greater influence in the senate, in the house of representatives, indeed in all the departments of the federal government, than the eastern states have a right to; and that this influence ought to be as much greater, as the number of *their* members in the lower house is greater than the number of representatives from the eastern states: that is, in the ratio of 55 to 35.

A new view may be taken of this subject perhaps more interesting and appropriate than the one which has been already delineated. This view will serve to introduce another principle, on which the southern states may support their right of qualified representation, and it may serve to explain more distinctly another source of compensation, which the eastern states are permitted to enjoy. Taxation and representation should in a certain degree be commensurate with each other. That state should probably possess a greater number of representatives in the lower house, which makes the largest contributions towards the support of the government. This principle is certainly not republican or proper, when it is applied to the different individuals of a society. No rich man should be entitled to as many more votes than a man of moderate fortune, as his wealth is superior to that of the latter. But the case of two individuals is not sufficiently analagous to the case of two sovereign states. A wealthy individual, who should have several votes, would very frequently direct the votes of others to the object of his choice. But "it is not probable that the richest state in the confederacy will ever influence the choice of a single representative in any other state."*

In this country taxation would be nearly proportionate to wealth. Those states which are the most wealthy, will probably embrace more taxable commodities.

Wealth would be nearly proportionate to labour. "The differences existing in the respective circumstances of the several states, are not so great"† as to occasion any considerable difference in the productive powers of the same quantity of labor.

The labor of five slaves is computed to be equal to that of three freemen‡

From these maxims, will it not follow, that the representation from the different states, should "be apportioned among the several states, according to the respective numbers, which shall be determined by adding to the whole number of free persons—three-fifths of all other persons"? Does not this abstract principle contribute then to give new efficacy to the representative rule of the constitution?—Observe too the compensation which this principle holds out to the eastern states. If the southern states are entitled to a greater share in the representation, because they contribute more towards the expences of the government; do not the eastern states experience a proportional diminution of the oppressive burthen of taxation? If the southern states pay more, do not the eastern states pay less?

The eastern states may, however, deny that the burthen of taxation falls upon the southern states, in proportion to 3 5ths of their negro population. But a slight sketch will be sufficient to demonstrate the accuracy of this ratio.

The taxes which the federal government lays upon the people must be either direct or indirect. If they are direct, must, by the very constitution itself be adjusted by this ratio. Mr. Ely however, contends that all the advantages of this provision have been lost to the eastern states by the repeal of the internal taxes. Had the politicians of the north, however, extended their reflections beyond the present condition of society, they might have easily foreseen that the circumstances of the times will probably call this clause into operation. Should a war arise, and block up our sea-ports, will not the principal resources of finance be found in the assessment of direct taxes? The inevitable progress of the country, too, by multiplying the number of agriculturists, and occasioning a greater employment of capital in manufacturers, will lessen the demand for foreign goods. On the smaller quantity which is imported it will be impossible to raise an equal revenue; because an increase of the impost would only serve to multiply the number of smugglers. Must not the revenues of the country be consequently drawn from internal taxes? and what tax can be more eligible than a direct tax upon land?

The southern states contribute more towards the payment of the indirect tax, than the eastern states; and the ratio of contribution is regulated by the number of their black inhabitants. The northern merchants who import the goods, advance the tax, but they afterwards recover their capital with a mercantile profit from the persons who purchase them. Whether the southern or eastern states then pay the greatest part of the indirect tax. can only be determined by another question; are these imported goods most abundantly consumed by the southern or eastern inhabitants. These goods are certainly cheaper in the eastern than southern states; because when they are transported to the latter, the price necessarily rises with the expence of freight, and sometimes of insurance. As far as this cause operates, the eastern states may be supposed to consume a more than equal proportion of these imported commodities. But this cause is more than counterbalanced by another principle. The eastern states having less land in proportion to the number of their inhabitants, have more extensive manufactures: and thus they supply themselves with those commodities, which are imported from foreign countries. Hence a larger stock of goods is destined to the markets of the south. When they arrive, the purchase and consumption will be exactly proportionate to the wealth of the purchasers; and this is proportional to the productive labor of the society. But it has been already remarked that the labor of five slaves is supposed to be equal to that of three freemen. Hence the net amount of the imposts, and the quantity of goods consumed in the southern states, will be in the compound ratio of the whole number of their white people, and three-fifths of their black inhabitants: and hence the southern states which have a greater number of representatives than the eastern states, will contribute to the expences of government in a greater proportion. Each day will probably throw a greater proportion of this indirect taxation upon the southern states; as each day will increase the number of manufacturers in the northern part of the union, while the great abundance and fertility of the land in the south will multiply the number of agriculturists. In '93 Connecticut and Massachusetts were supposed to contain on an average, as many as fifty-five inhabitants to every square mile;|| while Virginia perhaps contains at the present day, not more than 8 or 10.

As the southern states then contribute so much revenue to the support of the government; would it not seem equitable to allow them a proportional share of representation and influence in some of its important departments; Have we not thus discovered for Mr. Ely an additional "compensation" produced by the situation of our country, "to the states not holding slaves, for this unequal principle in representation."

In opposition to these two principles, arguments may be drawn from the theory of a republican government. It will be said, that the number of persons in each state ought to be the standard for regulating the proportion of those who are to represent the people of each state: and that slaves are considered as property, not as persons. A celebrated writer** has, however, denied this last position. He says they partake of both these qualities, "In being protected on the other hand in his life and in his limbs, against the violence of all others, even the master of his labor & his liberty; & in being punishable himself for all violence committed against others, the slave is evidently regarded by the law as a member of the society; as a moral person, not as a mere article of property. The federal constitution therefore, decides with great propriety on the case of our slaves, when it views them in the mixt character of persons and of property."—Again—"Let the case of the slaves be considered, as in truth it is a peculiar one. Let the compromising expedient of the constitution be mutually adopted, which regards them as inhabitants, but as debased by servitude below the equal level of free inhabitants; which regards the *slave* as divested of two-fifths of the *man*."**

**Burgh's Political Disquisitions.*
‡ *The Federalist No 54.*
† *Gallatin's View of Finances, page 150.*
|| *Morse's A. Geography, p. 255.*
** *Federalist.*

A letter on the supposed Fortifications of the Western country, from bishop Madison of Virginia to Dr. Barton, from the American Philosophical transactions.

Dear Sir,

Having lately visited that beautiful river, the Kanhawa, and a considerable part of the country, within its neighborhood, an opportunity was afforded of examining with attention some of those remarkable phœnomena, which there present themselves, and which have been so much the subject of conversation, and of literary discussion. To remove error of whatever kind, is, in effect, to promote the progress of intelligence; with this view, I will endeavor to prove to you, that my journey has enabled me to strike one, at least, from that long catalogue, which so often tortures human ingenuity.

You have often heard of those remarkable fortifications with which the western country abounds; and you know also, how much it has puzzled some of our literati, who supposed themselves, no doubt, most profound in historical, geographical and philosophical lore, to give a satisfactory account of such surprising monuments of military labor and art. Some have called to their aid the bold and indefatigable Ferdinand Soto; others, the fabulous Welsh prince of the 12th century; and all have made a thousand conjectures, as lifeless as either Soto, or the prince. Had they first examined into the fact, and endeavored to settle this most essential pre-requisite, they would soon have seen, that the enquiry might be very easily terminated; and, that what had so greatly excited the admiration of the curious, existed only in their own imaginations. No one was more impressed, than myself with the general opinion, that there did exist regular and extensive fortifications, of great antiquity, in many parts of that vast country, which is watered by the various tributary streams of the Ohio, and the Mississippi. The first specimen which I beheld, was examined with an ardent curiosity, and with a full conviction, that it was the work of a people skilled in the means of military defence. The appearance is imposing; the mind seems to acquiesce in the current opinion, and more disposed to join in a fruitless admiration, than to question the reality of those fortifications. But, as my observations were extended, and new specimens daily presented themselves, the delusion vanished; I became convinced, that those works were not fortifications, and never had the smallest relation to military defence. The reasons upon which this conviction, so contrary to that which has been generally received, was founded, I shall now submit to your consideration. Only, let me first observe, that those supposed fortifications differ as to area and form. Some are found upon the banks of rivers, presenting a semi-ellipse, the greater axis running along the banks: others are nearly circular, remote from water, and small; their diamaters seldom exceeding forty or fifty yards. The first of these species is the largest; their longer axis, at a mean rate, may be estimated at 250 yards; their shorter, at 200 or 220. It is said, and I believe upon good authority, that some have been found large enough to comprehend 50 acres, and even more. Some are also reported to be square; but I did not see any of that form. I shall confine myself to those which I have seen, and which are to be met with in the low grounds of the rivers Kenhawa, Elk, & Guyandot, or their adjacent uplands; though I am persuaded, the conclusion which I undertake to establish will be applicable to all those works, which have been dignified with the appellation of fortifications, in whatever part of the western country they may be found; since, from the information which I have obtained, there are certain striking features in which they all agree, and which indicate one common origin and destination.

1. Those works were not designed for fortifications, because many of them have the ditch within the enclosure, and because, the earth thrown up, or the supposed parapet, wants the elevation necessary for a defensive work. Both these circumstances occur, without exception, so far as my observations went, in all those which present an entire, or nearly a regular circle. The imaginary breast-work induces a belief, that it never exceeded four or five feet in height. At present, the bank seldom rises more than three feet above the plain; and it is well known, that in ground which does not wash, a bank of earth, thrown up in usual way, will lose very little of its height, in a century, or twenty centuries; one fourth for depression would be more than a sufficient allowance. But, we will not rest our argument upon what may, perhaps, be deemed a disputable point. The ditch, even at this day, affords, a certain criterion by which we may judge of the original elevation of the bank. Its width seldom exceeds four feet, at its margin; its depth is little more than two feet. Such a ditch, making every allowance for the operation of those causes, which tend continually to diminish its depth, whilst some of them are at the same time, increasing its width, could not have yielded more earth, than would form a bank of the elevation mentioned. If the width, now, be not greater than that ascribed, we may be assured, that, originally it was a very trifling fosse. But you will naturally ask; are there not some found which present a different aspect, and which evidence more laborious efforts? no, on the contrary, it is remarkable, that the kind of which I am now writing have as constant a similarity to each other, as those rude edifices, or cabbins, which our first settlers rear. The description of one will answer for all; there is no anomaly, except, now and then, in the diameter of the circle; and here, the variation will only amount to a few yards.

Permit me now to ask, whether the military art does not necessarily require, that the ditch should be exterior; and, whether, among any people advanced to such a degree of improvement in the arts, as to attempt defensive works by throwing up earth, a single instance can be adduced in which the ditch has not an exterior position. Again, can we believe, that a work, having a bank or a ditch, not higher or deeper than I have mentioned, could be intended as a fortification? The moment which gave birth to the idea of a defensive work would also shew, that it must, in its execution, be rendered adequate to the end contemplated. It is scarcely worth while to go back to Livy or Polybius, upon this occasion. But they both inform us, "that the Romans, in the early period of their warfare, dug trenches, which were, at least, eight feet broad by six deep; that they were often twelve feet in breadth; sometimes fifteen or twenty; that, of the earth dug out of the fosse, and thrown up on the side of the camp, they formed the parapet, or breast-work; and to make it more firm, mingled with it turf, cut in a certain size and form. Upon the brow of the parapet, palisades were also planted, firmly fixed and closely connected." The form of the fortification was always square. System appears to have been the tutelar Deity of the Romans. They always proceeded upon one plan. As to the form, indeed there appears to be no reason why that should not vary, not only among different nations; but with the same nation, as different situations might require. The Greeks generally preferred the round figure; but with them, the nature of places decided the question as to form. In other respects, the decision must be made according to fixed and unalterable principles. The same reasons which determined every particular as to height, depth, and position of the earth thrown up, among the Romans, would equally determine the conduct of any other nation. What defence required; what would oppose a sufficient obstacle to human agility, was the point to be decided; and this point would be decided in nearly the same manner by every people unacquainted with gun-powder. The decision would not admit of such fosses and parapets as we find dispersed over the western country. Man in this new world, has lost no portion of his former agility.

(To be continued.)

WASHINGTON CITY.

MONDAY, September 10.

Joseph Stanton and Nehemiah Knight, both republican, have been re-elected representatives to Congress, for Rhode-Island, without opposition.

Mathew Lyon is re-elected for Kentucky.

The votes of 81 towns of New-Hampshire give the republican ticket for representatives in Congress 5,455, and the federal 6,502 votes.

The prints of Connecticut are occupied with discussing the interesting question, whether it is desirable to establish a permanent constitution in the room of the royal charter at present in force.—The republicans are strenuous advocates, and the federalists as strenuous opponents of the measure. There certainly cannot be a more propitious season than the present for a cool and deep examination of the important principles which form the elements of Constitutions; as it is probable that every great change introduced at this time would be in favor of Liberty. It is with much satisfaction, therefore, we perceive this subject awakening the attention it so well merits.

An Eastern Print informs us that an an Oration delivered by *Samuel Taggart*, a member of Congress. on the 4th of July, has lately been published, and that it *contains much light*, without any mixture of party heat. As an evidence of this, we are furnished with an extract containing the following remarks:

"Much is said upon our growing prosperity and increasing flourishing commerce, particularly since the commencement of the present administration. The following official statement of the sum total of our exports, for seven successive years, may serve to give some ideas of this subject.

1797	51,294,710
1798	61,327,411
1799	78 665,522
1800	70 971 780
1801	93 020,513
1802	71,957,144
1803	55,800,033

"From this statement it appears that during two years, i. e. from 1801 to 1803, our exports suffered a diminution of 37,320,480 dollars, a sum greater than the average increase in any two given years. In no year since 1797, were they so small as the last, and as the returns for three quarters of that year were wanting in the sum total, had these returns been made, it is probable it would have equalled, if not exceeded the sum total of the last year. *This is no very flattering symptom of a flourishing and increasing commerce*."

A plain statement of facts will shew the nature of the *light* shed on his subject by the orator. In making this statement we disclaim all intention of impeaching the veracity or the candor of Mr. Taggart. It is true, that his situation as a member of Congress ought to take from him all apology founded on ignorance. Inasmuch, however, as this reason for a deviation from truth is less dishonorable than intentional deception, we in charity ascribe his distortion of the subject on which he has written, to the former. The detection we are about making, will, we trust, save good meaning men from suffering themselves to sacrifice their judgments to the intemperance of party. It is understood that Mr. Taggart is an amiable man. It is therefore painful to reflect that after permitting himself to be deceived, he has been the instrument of deceiving others.

The sums above stated are the aggregate exports, as well of foreign as of domestic productions. Every one knows that the prosperity of the country is determined by the relative increase of the latter, and that the former are of small importance. It is also known to every