ſtates where the aſſeſſments were completed, and the returns tranſmitted to the treaſury prior to the act. And it muſt be obſerved, that the aſſeſſment had been completed before that act in every ſtate except New York, North Carolina, Georgia, and South Carolina. Similar embarraſſments to thoſe now complained of in New York have therefore been encountered, and even to a greater extent in the ſtates of Maſſachuſetts, Pennſylvania, Virginia and Kentucky.

If to this conſideration be added the difficulty and expence of correcting the aſſeſſment,—the impoſſibility of extending the benefit of any proviſion which might now be adopted to ſtates where ſales ſhall have previouſly taken place,—the ſmallneſs of the ſum (not more than 15000 dollars) thus outſtanding in New York,—and the recollection that the preſent difficulty might have been almoſt altogether avoided, had the proprietors complied with the directions of the act in giving complete liſts of all their lands; it is believed that no ſufficient reaſon can be given why a partial correction ſhould at this time be applied to an aſſeſſment which is no longer conſidered as a permanent work.

I have the honor to be with reſpect,
Sir,
Your obedient ſervant,
ALBERT GALLATIN.

*The Hon. JOHN RANDOLPH, eſq,*
*Chairman of the Committee of Ways and Means.*

*Friday, January* 28.

Mr. Jones preſented a memorial from the chamber of commerce of Philadelphia reſpecting the injurious effects reſulting from a conſtruction given at the cuſtom houſe at Philadelphia of the 14th ſection of the revenue law reſpecting the recording and regiſtering of veſſels.

*Mr. Davis* offered a reſolution, for inſtructing the committee of ways and means to enquire into the expediency of ſuſpending for a limited time the collection of all debts or duties due the United States from the citizens of Tennеſſee, Ohio, Kentucky, and the Indians and Miſſiſippi territories.

Mr. Davis ſaid as the government had lately paſſed a law ſuſpending the payment of duties due by the citizens of Portſmouth in conſequence of a fire at that place, he thought the citizens of the weſtern country, from the peculiar ſituation in which they were placed, had as ſtrong a claim on the indulgence of congreſs. The produce on hand was the means with which they had expected to pay debts due the United States. Many citizens in that country were indebted to the United States. If they were puſhed by the government, while the port of New Orleans remained ſhut, and executed for debts which they were unable to pay from an inability to ſell their produce, great embarraſſment and uneaſineſs would be produced. On the other hand if an indulgence ſhould be extended, anvil their ports were opened, the exiſting debts could be ſecured by counter ſecurities, under the direction of the ſupervisor, or ſuch other officer as congreſs might authorize, by which the ultimate payment will not be effected. He concluded by ſaying he was perſuaded the United States could better afford to lay out of thoſe monies, than the citizens of that country could afford, under their preſent circumſtances, to pay them.

The houſe immediately took up the reſolution, and agreed to it—ayes 58.

Mr. Mitchill made a report from the committee appointed on the ſubject of Docks—that under a law of the United States 50,000 dollars had been appropriated for docks to be expended under the direction of the Preſident; which ſum having, however, not been expended, had reverted to the treaſury. The report concludes with a reſolution declaring that it is expedient to appropriate the ſame ſum for the ſame object, to be placed under the direction of the preſident.

Referred to a committee of the whole on Monday.

*Mr. Mitchill* who had been appointed chairman of the committee on the mint-eſtabliſhment, in the place of Mr. Dennis (who had requeſted to be excuſed), made an application to the houſe to report *by bill*. As he knew a diverſity of opinion exiſted on the ſubject, and there had been ſome diſcuſſion already about it, he had brought the propoſition before the houſe in ſuch a form as to take their ſenſe upon it. If there were a majority againſt the exiſtence of the mint, they would now have it in their power to ſhew it by voting againſt the preſent motion. If there was on the other hand, a majority in favor of the domeſtic coinage, it might be ſhewn by granting leave to report a bill. That the houſe might the better comprehend his meaning, he would be a little more particular. The act concerning the mint, providing for its continuance at Philadelphia, paſſed in March 1801, would expire on the 4th of March 1803. That day would ſoon arrive; and it was deſirable to have ſomething done ſpeedily, unleſs proviſion was made by law, the mint could not continue at Philadelphia. It muſt be moved to Waſhington. Money would be neceſſary for that removal. The government now owned both real and perſonal eſtate in Philadelphia. If not occupied and employed there, legal regulation muſt be made for the ſale of it. On the other hand, if it ſhould be permitted to the committee to report, he was inſtructed to preſent a bill for continuing in operation the mint eſtabliſhment in Philadelphia. By this means, the inconvenience and expence of breaking up this manufactory of money and moving it to Waſhington, would be avoided; and the mint would be continued at work at very little more than the ordinary appropriations. He wiſhed this queſtion had been ſettled by the houſe. The committee had been equally divided, and his caſting vote had decided in favor of making the preſent application. In the preſent want of copper coin and ſmall ſilver for change, he did not chooſe to take the reſponſibility upon himſelf, of ſuffering the mint to ſtop for want of legiſlative conſideration and aid. The houſe ought to decide upon the propriety of the general queſtion of diſcontinuance. He would however mention that if leave was granted, it was his intention to report a further continuance of the exiſting law, and an appropriation of five hundred dollars, which the director had declared to be neceſſary for purchaſing horſes, and making repairs to the machinery.

Mr. Dawſon ſpoke againſt giving leave to the committee to report by bill.

On which queſtion the houſe divided—ayes 45—noes 32.

Much additional buſineſs was done, which our limits do not admit ſtating to day.

Of this buſineſs was a letter received from col. Humphreys deſiring congreſs to make diſpoſition of a preſent ſent to him by the Dey Algiers, and a preſent ſent to Mrs. Humphreys by the king of Spain, both of which are depoſited with the chief clerk in the department of ſtate.

Mr. Mitchill called up his motion reſpecting the French depredations, as follows:

Reſolved, that a committee be appointed to enquire, by what means, the value or amount of property taken from citizens of the United States by the French during the late war in Europe, can be beſt aſcertained, and the ſeveral ſorts of captures diſtinguiſhed and claſſed, and report their opinion thereon to this houſe, to the end that indemnification be made.

Mr. Bayard offered an amendment, which was agreed to, ſtriking out the latter part of the reſolution, and inſtructing the committee to report their opinion whether indemnification ſhall be made.

After a very deſultory debate on referring the reſolution to a committee of the whole, or to a ſelect committee, and a rejection of the motion of reference to a committee of the whole, the queſtion was taken on the reſolution, as amended, which was determined in the negative—ayes 34—noes 39.

*Monday, January* 31.

The houſe went into a committee of the whole on the bill for the encouragement of learning, and the promotion of the arts.

*Mr. Dawſon* in the chair.

After a diſcuſſion of ſeveral hours duration on various amendments offered, the committee roſe, and the houſe recommitted the bill to a ſelect committee.

About 3 o'clock the galleries were cleared, and the houſe remained with cloſed doors till 4 o'clock, when they adjourned.

*Tuesday, February* 1.

The houſe went into a committee of the whole on the report of the committee of commerce and manufactures on the petition of John Holland jun.

*Mr. Varnum* in the chair.

The report is favorable to the prayer of the petition, and allows a reduction of duties on goods damaged by fire while in the hands of the cuſtom-houſe officers proportioned to the injury ſuſtained.

An agreement to the report was ſupported by Meſſrs S. Smith, Griſwold, Euſtis, John C. Smith, Bacon, Jones, and oppoſed by Mr. Randolph.

On agreeing to the report, the committee divided—ayes 62. Carried.

The committee roſe and reported their agreement to the report of the committee of commerce and manufactures.

The houſe immediately took up the report, concurred therewith, and directed a bill to be brought in.

*Mr. Newman* preſented a letter from the chamber of commerce of Norfolk in favor of a repeal of diſcriminating and countervailing duties.

Referred to the committee of the whole on that ſubject.

*Mr. Mitchill* reported a bill to prolong the continuance of the mint at Philadelphia.

The bill continues the mint at Philadelphia for five years, and makes a ſmall appropriation of money.

Referred to a committee of the whole to-morrow.

The committee roſe and the houſe immediately concurred with them, and ordered a bill to be brought in.

The Speaker laid before the houſe a report from the ſecretary of the treaſury, in compliance with a reſolution of the houſe, reſpecting the quantity of ſilk imported.

The houſe went into committee of the whole on the bill ſupplementary to an act concerning conſuls and vice-conſuls, and for the further protection of American ſeamen.

*Mr. John C. Smith* in the chair.

After making ſeveral amendments to the bill, the committee reported the bill with ſundry amendments, which were ordered to lie on the table.

Mr. S. Smith obſerved that in order to allow the fulleſt time to obtain information of the public ſentiment, he ſhould not call up the report of the committee of commerce and manufactures on diſcriminating duties until the 2d Monday in February.

From the NATIONAL INTELLIGENCER

## THOMAS PAINE,

*To the Citizens of the United States.*

*LETTER THE FIFTH.*

IT is always the intereſt of a far greater part of the nation to have a thing right than to have it wrong; and therefore, in a country whoſe government is founded on the ſyſtem of election and repreſentation, the fate of every party is decided by its principles.

As the ſyſtem is the only form and principle of government by which liberty can be preſerved, and the only one that can embrace all the varieties of a great extent of country, it neceſſarily follows, that to have the repreſentation real, the election muſt be real: and that where the election is a fiction, the repreſentation is a fiction alſo. *Like will always produce its like.*

A great deal has been ſaid and written concerning the conduct of Mr. Burr, during the late conteſt in the federal legiſlature, whether Mr. Jefferſon or Mr. Burr ſhould be declared Preſident of the United States. Mr. Burr has been accuſed of intriguing to obtain the preſidency. Whether this charge be ſubſtantiated or not makes little or no part of the purport of this letter. There is a point of much higher importance to attend to than any thing that relates to the individual Mr. Burr; for the great point is *not* whether Mr. Burr has intrigued, but whether the legiſlature has intrigued with *him?*

Mr. Ogden, a relation of one of ſenators of New Jerſey of the ſame name, and of the party aſſuming the ſtile of federaliſts, has written a letter publiſhed in the New York papers, ſigned with his name, the purport of which is to exculpate Mr. Burr from the charges brought againſt him. In this letter he ſays,

"When about to return from Waſh-
"ington, two or three *members of con-*
"*greſs* of the federal party ſpoke to me
"of *their views* as to the election of a
"Preſident, deſiring me to converſe with
"Col. Burr on the ſubject, and to aſcer-
"tain *whether he would enter into terms.*
"On my return to New York I called
"on Col. Burr, and communicated the
"above to him. He explicitly declined
"the explanation, and did neither pro-
"poſe nor agree to any terms."

How nearly is human cunning allied to folly! The animals to whom nature has given the faculty we call *cunning*, know always when to uſe it, and uſe it wiſely; but when man deſcends to cunning he blunders and betrays.

Mr. Ogden's letter is intended to exculpate Mr. Burr from the charge of intriguing to obtain the Preſidency; and the letter that he (Ogden) writes for this purpoſe is direct evidence againſt his party in congreſs, that they intrigued with Burr to obtain him for Preſident, and obtained him (Ogden) for the purpoſe. To ſave *Aaron*, he betrays *Moſes*, and turns informer againſt the *golden calf.*

It is but of little importance to the world to know if Mr. Burr *liſtened* to an intriguing propoſal, but it is of great importance to the conſtituents to know if their repreſentatives in congreſs made one. The ear can commit no crime, but the tongue may; and therefore the right policy is to drop Mr. Burr as being only the hearer, and direct the whole charge againſt the federal faction in congreſs as the active original culprit, or, if the prieſts will have ſcripture for it, as the ſerpent that beguiled Eve.

The plot of the intrigue was to make Mr. Burr Preſident on the private condition of his agreeing to, and entering into, terms with them, that is, with the propoſers. Had then this election been made, the country, knowing nothing of this private and illegal tranſaction, would have ſuppoſed, for who could have ſuppoſed otherwiſe, that it had a Preſident according to the forms, principles, and intention of the conſtitution. No ſuch thing. Every form, principle, and intention of the conſtitution would have been violated; and inſtead of a Preſident, it would have had a mute, a ſort of image hand-bound and tongue-tied, the dupe and ſlave of a party, placed on the theatre of the United States and acting the farce of Preſident.

It is of little importance, in a conſtitutional ſenſe, to know what the terms to be propoſed might be, becauſe any terms other than thoſe which the conſtitution preſcribes to a Preſident is criminal.—Neither do I ſee how Mr. Burr, or any perſon, put in the ſame condition, could have taken the oath preſcribed by the conſtitution to a Preſident, which is, "*I* "*do ſolemnly ſwear* (or affirm) *that I will* "*faithfully execute the office of President of* "*the United States, and will to the beſt of* "*my ability preſerve, protect, and defend,* "*the conſtitution of the United States.*"

How, I aſk, could ſuch a perſon have taken ſuch an oath, knowing at the ſame time that he had entered into the preſidency on terms unknown to the conſtitution and private, and which would deprive him of the freedom and power of acting as Preſident of the United States, agreeably to the conſtitutional oath?

Mr. Burr, by not agreeing to terms, has eſcaped the danger to which they expoſed him, and the perjury that would have followed, and alſo the puniſhment annexed thereto. Had he accepted the preſidency on terms unknown in the conſtitution and private, and had the tranſaction afterwards tranſpired (which it moſt probably would, for roguery is a thing difficult to conceal) it would have produced a ſenſation in the country too violent to be quieted and too juſt to be reſiſted; and in any caſe the election muſt have been void.

But what are we to think of thoſe members of congreſs, who having taken an oath of the ſame conſtitutional import as the oath of the preſident, violate that oath by tampering to obtain a preſident on private conditions. If this is not ſedition againſt the conſtitution and the country, it is difficult to define what ſedition in a repreſentative can be.

Say not that this ſtatement of the caſe is the effect of perſonal or party reſentment. No. It is the effect of *ſincere concern* that ſuch corruption, of which this is but a ſample, ſhould, in the ſhort ſpace of a few years, have crept into a country that had the faireſt opportunity, that providence ever gave within the knowledge of hiſtory, of making itſelf an illuſtrious example to the world.

What the terms were, or were to be, it is probable we ſhall never know; or what is more probable, that feigned ones, if any, will be given. But from the conduct of the party ſince that time, we may conclude, that no taxes would have been taken off, that the clamour for war would have been kept up, new expences incurred, and taxes and offices increaſed in conſequence; and among the articles of a private nature that the leaders in this ſeditious traffic were to ſtipulate with the mock preſident for lucrative appointments for themſelves.

But if thoſe plotters againſt the conſtitution underſtood their buſineſs, and they had been plotting long enough to be maſter of it, a ſingle article would have comprehended every thing, which is,

*That the president (thus made) ſhould be governed in all caſes whatſoever by a private junto appointed by themſelves.*

They could then through the medium of a mock-preſident have negatived all bills which the party in congreſs could not have oppoſed with ſucceſs, and reduced repreſentation to a nullity.

The country has been impoſed upon, and the real culprits are but few; and as it is neceſſary for the peace, harmony, and honor, of the union, to ſeparate the deceiver from the deceived, the betrayer from the betrayed, that men who once were friends, and that in the worſt of times, ſhould be friends again, it is neceſſary, as a beginning, that this dark buſineſs be brought to a full inveſtigation. Ogden's letter is direct evidence of the fact of tampering to obtain a conditional preſident. He knows the two or three members of congreſs that commiſſioned him, and they know who commiſſioned them.

THOMAS PAINE.

*Federal City. Lovell's Hotel,*
*January* 29, 1803

PHILADELPHIA, January 14.

IMPORTANT COMMUNICATION.

The law enacted by the legiſlature of Pennſylvania, on the 12th of March, 1800, which allowed further time to all who had title, their heirs or aſſigns, to any lands, tenaments, or hereditaments, on the 26th day of March, 1785, to purſue their action for the ſame if they were unjuſtly kept out of poſſeſſion—will give no time further than the 25th day of March next, to enter their ſaid actions, ſo that if they will not embrace the opportunity before that day, they will loſe ſuch eſtates forever, let their title be ever ſo good. Thoſe who wiſh further information on this ſubject, may have it by applying at No. 3, Plumb-ſtreet.

As newſpapers are the proper channel of information, it is hoped that the ſeveral printers thereof, both in this ſtate and the United States, and alſo in Europe, will inſert the above piece of intelligence, as people in all thoſe places may be affected thereby.

*February* 1.

By the report of the ſecretary of the treaſury it appears, that the exports of the United States, for one year, ending the 1ſt of October laſt, amounted to ſeventy-one millions, nine hundred and fifty-ſeven thouſand one hundred and forty-four dollars, of which thirty-five millions ſeven hundred and ſeventy-four thouſand nine hundred and ſeventy-one dollars are eſtimated to be the goods, wares and merchandize of foreign growth or manufacture.

Of cotton there were 27 501,075 lbs. exported in the above period.

Of flour, 1,156,248 barrels.

Of Indian meal, 266,816 buſhels.

Of pork, 78,239 barrels.

The amount of exports deſtined to

| | |
|---|---|
| Ruſſia was | 73,721 dolls. |
| To Pruſſia | 150,920 |
| Sweden | 275,255 |
| Denmark | 1,721,485 |
| Holland | 5,266,858 |
| Great Britain | 23,925,091 |
| Germany | 12,742 |
| Hanſe towns | 6,107,750 |
| France | 14,475,437 |

To the dominions of Spain, 11,227,859 of which 2,075,614 was deſtined to the Floridas and Louiſiana.

To Portugal, 2,160,701.

February 3.

James Monroe, Eſq. we are informed (ſays the New York Mercantile Adverti-ſer) has engaged his paſſage to Havre de-Grace in the ſhip Warren, which is intended to ſail from this port on Sunday next.

The ſupercargo of a veſſel from Portland, at Barbadoes, writes to his owners, that on the 29th November the commandant of that port informed him, that the next mail would bring certain intelligence of the recommencement of hoſtilities between the French and Engliſh.

CHIMNEY REGULATOR.

Invented by the ingenuous Mr. Robert Wilſon, of York town, Pennſylvania, the 17th January, 1803.

This invention conſiſts in fixing a plate of iron or braſs in the lower part of the chimney, cut out, ſo that it conſiſts of alternate bars and openings, of an inch in breadth, leſs or more, each;—another plate ſliding thereon, with correſpondent bars and openings, ſo that the bars of the upper or ſliding place can be made to ſhut up the openings of the unplate altogether, or to leave any required proportion of them open, as the ſtate of the room or fire may demand. This apparatus is not to extend in any of its movements beyond the wall of the chimney into the room, by means of which the chimney may be opened entirely when the fire is firſt put on, and gradually ſhut, as the neceſſity for vent is diminiſhed. When the wood is burnt down into coal, the chimney may be ſhut altogether, and by a very ſmall attention may be made to ſave a very great proportion of the heat to warm the room which otherwiſe aſcends the chimney.

Mr. Wilſon will immediately apply for a patent for the above invention; in the mean time thoſe who wiſh to ſatisfy themſelves may ſee it in operation, at the inventor's dwelling houſe, where its advantages may be eſtimated by the moſt convincing of all teſts—actual experience.

It may ſafely be added, that by running in the ſliding plate at the time the chimney catches fire, the air will be effectually ſtopped below, and will ſtop the flame from riſing in the chimney.

*York Recorder.*

On the 10th ult. the grand jury for the county of Columbia found two bills againſt *Harry Croſwell*, one of the editors and the printer of the *Balance*, for charging the Preſident of the United States, in a publication called the *Waſp*, with violating the federal conſtitution in certain inſtances, and aſſerting that "Jefferſon paid Callender for calling Waſhington a traitor, a robber, and a perjurer—for calling Adams a hoary headed incendiary—and for groſsly ſlandering the characters of men who he well knew were virtuous." To theſe the priſoner pleaded not guilty, before the court of general ſeſſions, then in ſeſſion at Claverack.

Theſe indictments were founded on the common law, which does not admit the truth of the fact to be offered in defence of the libel. But the attorney-general conſenting that the defendant ſhould be allowed conditionally to plead the truth of his charges in one of the indictments, and the court having adjourned the other, his trial was poſtponed, bail being given for his appearance in court.


The Subscriber

HAS A NEGRO MAN to hire out, for the remainder of the year.

JOHN L. BOZMAN.

Feb. 15, 1803. 3

James Berry,

*Gold & Silverſmith, EASTON.*

THE ſubſcriber reſpectfully informs the public that he has commenced buſineſs in the houſe lately occupied by Mr. *Ludwick Wainer*, Waſhington ſtreet, and ſolicits the patronage of a generous public, with aſſurances on his part of the ſtricteſt attention and aſſiduity to their commands.

Eaſton, January 4, 1803.

N. B. The higheſt price given for old Gold and Silver.