The principal actors in the ſcene, the then majority, aſſuming to themſelves a once popular TITLE—by which, in the greater part of the union, they ſtill diſtinguiſh themſelves—put every thing to the account of French depredations—and kept up an unceaſing alarm of war—probable invaſion, and the like, to form ſome ground for their proceedings, and retain the public confidence. The ſound of alarm, at length, availed not to excite the uſual apprehenſion—but paſſed off with little more effect, than ſound itſelf. Our commerce however it is true, from the courſe of the war in Europe, and the changes made in our relations with the belligerent powers, had ſuffered conſiderably, and afforded ſome apology, for ſome degree of naval preparation, but it was difficult, becauſe impoſſible, to find one good reaſon for the vaſt expenſes to which the country was run in providing and recruiting armies.

But again, the annual period came round, and a new congreſs was aſſembled. Power was ſtill found in the ſame hands, and a temper manifeſted to maintain the ſame uſeleſs, and worſe than uſeleſs, profuſe extent of the tax—army—and navy ſyſtem. Though aſſurances of a wiſh for peace on the part of the French government, had been once, and again received—a new ſet of envoys gone to effect that deſirable object, and aggreſſion abated—nothing yet ſufficed to relax, or abate the enormous expenditure of public money. The new elections now began to approach in the ſpring of 1800. They occurred firſt in New York, and a change of men and principles followed. Thoſe who had been juſt before uſed to give alarm, now took the alarm, and at once, aſſumed a tapering policy; but it was too late. Public ſentiment remained no longer on that ſide of the queſtion—and when the elections had finally iſſued in the different ſtates, a majority for almoſt two to one, was returned to the houſe of repreſentatives, on the ſide of the preſent adminiſtration; a majority alſo to the ſenate, and at the election for preſident, the triumph was rendered ſtill more happy and complete—Mr. Jefferſon was choſen in the room of Mr. Adams—It would ſeem now, as if all difficulties were over—but not ſo. Another ſitting was yet to intervene, and power remained to be uſed by the ſame hands—and truly, it may be ſaid, to have been uſed. Mr. Jefferſon and Mr. Burr had obtained an equal vote, and impoſſible as it was, to miſtake the known preference of the people in favor of Mr. Jefferſon, the moſt obſtinate attempt was made in the houſe of repreſentatives, to give Mr. Burr the preference, and make him the preſident. After ſeven days conteſt, however, the oppoſition deſpaired, then yielded, and Mr. Jefferſon's election was confirmed.

The only alternative now remaining was, to rally about the judiciary. Repealing ſubſtantially the old, a newly organized ſyſtem has juſt been adopted.—In this the old judges were retained, and handſome proviſion made for 16 new ones. Theſe, with all the ſubordinate officers, of the different courts, were, of courſe, ſelected among friends of the *ſame order*. For, although in the hurry of favorite appointments, miſtakes might happen in filling up commiſſions, none were like to happen as to the politics of the man.

On the 4th of March, 1801, Mr. Jefferſon delivered his inaugural ſpeech, took the oath required by the conſtitution, and commenced the duties of his office. Placed in this ſituation, it is hard to conceive of one, more arduous and difficult, more intereſting and delicate. On him had devolved the important duty of beginning the work of reformation, ſo much wanted, and ſo much deſired. He found, with ſcarce a ſingle exception, every executive office in every department, and quarter of the government, filled with his political enemies, oppoſed to his principles, and to that ſyſtem of reform he was about to purſue. He had the power to diſplace them. They only wanted the power to diſplace him. But his views were turned more to the general intereſt, and concerns of the nation, than to the power he might poſſeſs over individuals in office. To commence a new adminiſtration, and make the neceſſary arrangements to enſure ſameneſs, and ſyſtem in buſineſs, and that reſponſibility of character, ſo indiſpenſible in any government, ſome removals muſt have been foreſeen and calculated upon, by every liberal mind—and ſome have occurred; but few indeed, in compariſon of the whole, not exceeding, I believe, to the 20th caſe. Indeed, in the ſtate of North Carolina not a ſingle removal has been made. Such moderation ought to have, if it has not, conciliated every good and faithful officer.—Such has nothing to fear, but much to admire.

He found likewiſe on coming into office, many of our foreign concerns remaining yet to be finally compromiſed and adjuſted. The late convention with France was not yet complete, and ratified on the part of that government. The negociation with Great Britain growing out of the miſunderſtanding of the 6th article of the exiſting treaty ſtill pending, war with Tripoli, one of the Barbary powers, and jealouſies ſubſiſting with ſome of the reſt. He found alſo ſundry treaties to be held, and various other matters to be adjuſted with the Indian tribes. Theſe concerns have been all brought to favorable iſſue, except the war with Tripoli, which has been, however, conducted with great economy and conſiderable effect.

To practice every uſeful economy, and leſſen unneceſſary public burthens was made a firſt maxim with the preſent adminiſtration. With this view Mr. Jefferſon began with reducing the number of diplomatic agents abroad—and with diſcontinuing and ſuppreſſing a number of unneceſſary offices and expenſive agencies, which had been created by, and reſted with executive diſcretion. By theſe, ſavings of public money, to a conſiderable amount, were made during the receſs.

When the new congreſs, however, had convened in December following, the fulleſt information of the ſtate of the union was laid before them, and various ſubjects which ſeemed to require legiſlative review, were recommended. They were accompanied with the neceſſary documents to guide in retrenching many uſeleſs expenſes, and inſtitutions of the government. The military eſtabliſhment was found to conſiſt of more men, than were likely to be wanted in times of peace, for public ſervice; their number was accordingly reduced. This at once produced a ſaving of more than half a million. Though the navy itſelf was not reduced, by economy in the expenſes of that department, that the *reduction* of the marine corps, a conſiderable ſaving was alſo made, and ſo likewiſe in that of the civil liſt. The reſult of the whole at length, ſhewed a clear ſaving of conſiderably more than a million of dollars to the country, or in other words, to the pockets of the people, and that with ſafety we might repeal the whole of the internal taxes, as the preſident had recommended. They were accordingly repealed. We have not only to congratulate ourſelves with getting rid of the burthen of thoſe taxes, but a hoſt of 453 collecting officers, who received in ſalary 139,000 dollars of the amount collected and what was a ſtill more unfavorable circumſtance, as it reſpects our own ſtate, it actually took juſt about one third to collect the balance.

It was next thought a meaſure conſiſtent with good faith, and a wiſe policy, under the proſperous ſtate of our finances, to make proviſion by law, for the entire reduction of the public debt, which had been heretofore neglected. The ſecretary of the treaſury had made an able report, and deviſed a plan upon ſuch fair, probable and ſafe ground of calculation for its total diſcharge, in about fifteen years, that congreſs accordingly adopted it, and made a permanent appropriation of 7,300,000 dollars to the object.

The repeal of the judiciary was the only other meaſure of the laſt ſeſſion, worthy of particular notice. The repeal was ſuſtained on the ground of the inutility and expenſiveneſs of the enlarged ſyſtem, which had been adopted at the preceding ſeſſion, and under a train of circumſtances, giving the ſtrongeſt ſuſpicion, that purpoſes of party were as much to be anſwered as that of the public good. The oppoſition was grounded upon the charge of unconſtitutionality. That the judges held their office during good behavior, and that they muſt be provided for, ſo as to be kept in office, whether that office was found uſeful to the country or not. On the other hand, it was deemed abſurd, that congreſs had power to paſs a law which it could not repeal. It was at length, determined, by a large majority, that the repeal was both conſtitutional and expedient, and accordingly prevailed.

I now come to the preſent ſeſſion, which commenced with pleaſing intelligence, that our funds were in a ſtate flouriſhing beyond all former example; that upwards of eight millions had been paid out of the treaſury towards the principal and intereſt of the public debt, and after ſatisfying all their wants of the government, there remained upwards of four millions in the treaſury in a courſe of farther application to the debt. Much of the ſeſſion has been occupied with buſineſs of a local and private nature; of which this territory has been a fruitful ſource and affords good reaſon to apprehend, will continue to claim too much of the time of congreſs for the general intereſt of the union. Moſt ſubjects which were of a general and intereſting nature, have been laid over to the next ſeſſion.

The ſhutting of the port of New Orleans againſt the produce of the United States, coming down the Miſſiſippi, on the part of the intendant of that port, and that contrary to our right of depoſit, as ſtipulated by treaty, has excited much intereſt, and great ſenſibility in the government, and muſt have produced ſerious inconvenience to the people of the weſtern country. The Spaniſh miniſter has remonſtrated to the intendant againſt ſuch conduct, and has given the beſt aſſurances to believe, that it is an unauthoriſed act, on the part of his government. The preſident, however, has ſent Mr. Munroe, late governor of Virginia, envoy extraordinary to Europe upon the occaſion, to try an amicable adjuſtment of differences. It is underſtood he will be aided in the negociation by our miniſter in Spain, or that of France, if the province of Louiſiana has been actually transferred to the latter. I cannot doubt of a ſucceſsful miſſion, and that the reſult will be peace. However, it has been thought prudent to authoriſe, at the diſcretion of the executive, a detachment of 80,000 militia, and the eſtabliſhment of arſenals on the weſtern waters.

A bill has paſſed to open two land offices in the Miſſiſippi territory, and another to recogniſe the admiſſion of the North Weſtern territory into the union as a ſtate by the name of Ohio.

The comparative view of the two adminiſtrations, which I had undertaken to give, has carried me into a length of detail, far beyond my firſt intention. I hope, however, the view I have given, will prove the more ſatisfactory.

I am, Sir, reſpectfully yours,
R. STANFORD.

WASHINGTON, March 30.

Don Juan Ventura Morales, principal contador (commissary) of the army, intendant ad interim of the provinces of Louisiana and West Florida, &c. &c.

The knowledge of the impoſſibility of ſupporting theſe provinces during the war, without a commerce, which ſhould ſupply the articles not yielded by the ſoil, and procure a vent for its products, was the only cauſe which determined this intendancy to conform itſelf to, and order to be carried into effect, the reſolution of the council of royal finance of the 11th June, 1798, eſtabliſhing the regulations under which the commerce of neutrals might be permitted, and authorizing its continuance as a ſubſtitute for the nation, until the ceſſation of hoſtilities, or his majeſty ſhould otherwiſe command: And the conviction of the ſame cauſe, ſtrongly urged by the chiefs of the province, and by the corporation and principal merchants of this capital, in like manner induced the council and myſelf, notwithſtanding the pointed reſtrictions contained in the royal orders of the 20th April, and 3d December, 1799, to adopt the reſolutions of the 7th October, 1799, 3d November, 1801, and 15th February and 5th October of the preſent year, permitting a continuance of the ſaid commerce, until the publication of peace, unleſs expreſs orders from the king ſhould be ſooner received to make a change neceſſary. The happy moment to this province, ſo much deſired for the alleviation of afflicted humanity, has now arrived. The publication juſt made by the government, of the contents of the royal order of the 4th of May laſt, leaves not the leaſt doubt of the re-eſtabliſhment of peace. In virtue of which, it not being juſt that the commerce of theſe coloniſts, under the regulations preſcribed by the royal ordinance of the 18th January, 1783, and by the royal orders of the 9th June, 1793, and 11th June, 1796, ſhould longer ſuffer by the competition of that of neutrals adopted from neceſſity, *I, using the powers which belong properly and peculiarly to my ministry*, do declare and order that from the date hereof the aforeſaid reſolutions of the council of royal finance of the 13th June, 1798, 17th October, 1799, 3d November, 1801, and 15th February, and 5th October of the preſent year, which permitted and prolonged the ſaid commerce of neutrels until the publication of peace, be and remain without any force or validity whatever: And the ſaid commerce being thus ſuſpended and prohibited under the penalties eſtabliſhed by the laws and royal orders, the coloniſts, conforming themſelves, as they can now do without inconvenience, to the will of his majeſty, explained in the aforeſaid royal orders of the 20th April, and 3d December, 1799, are henceforth at liberty to trade with the provinces and enter into mercantile ſpeculations according to the regulations eſtabliſhed by the royal ordinance of the 18th January, 1782, and the royal orders of the 9th and 11th of June, 1793 and 1796: Provided however, that the licences granted by the intendancy (in caſes and circumſtances where the good of the province made them neceſſary) for the purchaſe of veſſels in foreign countries and bringing them thence with cargoes of merchandize, ſhall not ſerve as a pretext for the infraction of the ſaid regulations; ſince, of thoſe expedited from and after the year 1790, ſuch only as proceed from the ports of Europe, diſpatched by the conſuls or commiſſaries of commerce, in conformity with the royal orders before mentioned, or with others which ſhall have been communicated, ſhall be admitted with cargoes; and ſuch as come from the ports of North America, or the friendly iſlands, ſhall be admitted only in ballaſt.

So long as it was neceſſary to tolerate the commerce of neutrals, now aboliſhed, it would have been prejudicial to the province of the intendancy, complying with its duty, had, immediately on the expiration of the ſtipulated term of three years, obſtructed the depoſit granted in this city, to the Americans by the 22d article of the treaty of amity, limits and navigation of the 27th October, 1797; but as it is now made public that the treaty of Amiens has been ratified, and the intercourſe between the ſubjects of Spain and England re-eſtabliſhed, that inconvenience has ceaſed. Conſidering, therefore, that the 22d article of the treaty referred to, ties up my hands againſt the continuance of an indulgence extorted by neceſſity, and that this intendancy, the ſaid term being accompliſhed, cannot permit it without expreſs orders from the king, I do order, without prejudice to the (exportation) extraction of what has been introduced in proper time, that the previlege enjoyed by the Americans, of introducing and depoſiting their goods and merchandizes in this capital, be and remain interdicted from the date hereof: And in order that the foregoing may be known to all, and no one plead ignorance, I command that the ſame be made public by ſetting up copies in the accuſtomed public places, and that the requiſite advices be communicated to the offices of royal finance, adminiſtration of rents, and all others where neceſſary. The preſent is given, ſigned with my hand, and atteſted by the underwritten notary ad interim of the royal finance, in the houſe of intendancy at New Orleans, this 16th day of October, 1802.

JUAN VENTURA MORALES.

By command of the Senor Intendant,
PEDRO PEDESCLAUX,
Notary Public.

I, Don Pedro Pedeſclaux, firſt notary public of the government and ad interim of the royal finance, &c. do certify, that by order of Don Juan Ventura Morales, principal condator of the army and royal finance, and intendant ad interim of theſe provinces, I this day fixed up in the uſual public places of this city, various copies of this proclamation, which I could not do on the day of his date, *having been verbally prohibited therefrom by his excellency the governor:* And in teſtimony thereof I ſign the preſent in the city of New Orleans this 18th October, 1802.

PEDRO PEDESCLAUX,
Notary Public.

The preſent is given by order of the ſenor intendant, being a true copy from the original to which I refer.

New Orleans, October 19, 1802.
PEDRO PEDESCLAUX,
Notary Public.

FROM THE AMERICAN.

Meſſrs. Pechin and Frailey,

As the ſubject of the half toll granted to the Suſquehanna Canal Company, has excited the public attention, and as the letter of gov. M'Kean, conteſting the right of this ſtate to make the grant, has been publiſhed; in order that the citizens of this ſtate may be fully appriſed of what has been ſaid on both ſides the queſtion, a copy of the reply of the governor of Maryland has been procured, and is now offered to the public.

A Citizen of Baltimore.

Council Chamber, January 15, 1803.

SIR,

As early as the 20th of November laſt, I handed to the legiſlatuae of Maryland, the letter your excellency addreſſed to me, of the 25th of October preceding, together with its incloſure; their deliberations on the ſubject, have finally reſulted in the reſolutions I have now the honor to tranſmit, the date of which will, I hope, explain and apologize for the delay of my reply.

It will not eſcape your obſervation that the legiſlature of Maryland has conſidered it unneceſſary to ſubmit to diſcuſſion the right ſhe has exerciſed in granting an half toll on the bed of the Suſquehanna—this caution has probably proceeded in great meaſure from a confirmed expectation that the mutual object of both ſtates might be accompliſhed without involving even incidentally a deciſion the remote conſequences of which cannot now be foreſeen. It is, indeed, devoutly to be wiſhed, that in an union ſo intimate as that of the United States, conflicting rights of ſovereignty ſhould never become objects of controverſy; thus impreſſed, the remarks I now offer in reply to the obſervations contained in your letter to me, muſt be conſidered as flowing ſolely from my perſonal reſpect for your excellency, and the ſtate over which you preſide.

Moſt certainly the attempts of European ambition to legalize uſurpation on the ocean, can furniſh no pretext for the right which Maryland has exerciſed over the bed of the Suſquehanna, within her boundaries: but the analogy drawn between that extent of this river (which is little elſe than an uninterrupted ſucceſſion of a cataract, never to be rendered navigable but by the art and labor of man) and the Cheſapeake, perhaps the moſt extenſive bay in the world, is not ſo readily perceived. Reſtraints on the free uſe of the ocean, arms of ſeas, inland ſeas, gulfs, bays, or rivers, which from their vaſtneſs, partake of the nature of ſeas, have been long diſcountenanced by public opinion, and limited by the received laws of nations; ſtill the practice of the civilized world continues ſubject to endleſs varieties, growing out of power and contract; and even in the caſe mentioned by your excellency, the ſtate of Maryland has thought it prudent to ſecure by a ſolemn compact with Virginia, the navigation of the Cheſapeake free from impoſitions, from which it was not entirely exempt previous to the revolution.

But the right to juriſdiction over the bed of a river, which is controulable in its traject, from either of its banks, it is believed no moral writer or a publiciſt has ever yet divided, or diſtinguiſhed, from the juriſdiction, to which thoſe banks belong, and (as far as my information extends) the uniform practice of mankind has confirmed a right, which will be found equally eſſential to improvement and defence, the great objects of national aſſociation. The Suſquehanna riſing and become navigable in the ſtate of New York traverſing the whole extent and through the heart of Pennſylvania, empties itſelf into the Cheſapeake in Maryland.—Is Pennſylvania at this time prepared to admit that unqualified right of New York to its navigation, within her limits, which ſhe ſeems to expect of Maryland? Have her opinions and conduct on this ſubject been hitherto uniform? And may not circumſtances occur in the calculable events to which human affairs are liable, to render ſuch an admiſſion now, highly inconvenient and miſchievous hereafter?

If the terms of the charter of Pennſylvania, as cited, are not too general to ſerve as the baſis of a ſpecific claim; ſtill it is to be obſerved, that no tie, or political connexion, it is believed, has been even impliedly admitted between the ſeveral ſtates, after they had diſſevered themſelves from Great Britain, except what has been created by the articles of confederation, and the federal conſtitution. The 8th article of this laſt inſtrument, has indeed, as your excelleney obſerves, conferred on congreſs the power of regulating commerce between the ſtates as well as foreign commerce; but the extent of this power is explained and qualified by the exceptions contained in ſection 10, of ſame article, by which the ſtates are prohibited from laying impoſts, duties, and tonnage; if the general power granted to congreſs was not incompatible with the ſubſequent exerciſe of theſe powers by the ſtates, it cannot now be conſtrued to exclude the right of the ſtates to grant a toll for the improvement of the navigation of a river, or a turnpike of a road, which are not prohibited: all powers granted to congreſs, muſt be expreſsly granted; and even then, they may be concurrently exerciſed by the ſtates, unleſs expreſsly prohibited to them.

This leads me to what I conſider as the real principles on which the law of Maryland is founded.

By this law, granting the half tolls to the canal company, the ſtate exerciſes no fiſcal right, ſhe does not enrich herſelf by indirectly levying contributions on her neighbors, a practice againſt which the federal conſtitution was intended to guard, and which having no limits but thoſe which public avarice, uncorrected by private feelings would impoſe, had been and would no doubt be, liable to all that abuſe of which your excellency ſtates the extreme; her right to juriſdiction had only been exerciſed as ſubſervient to that acceſſorial right of property in a river, which exiſting in no one individual, reſults to the ſtate as a truſtee for the benefit of thoſe intereſted.

Such property in governments like ours, founded wholly on the repreſentative principle, can rarely from local jealouſies be improved by the public treaſure, and even in patrimonial governments ſuch improvements have always been beſt conducted by private hands, at private expenſe and for private advantage; we are therefore to look only to this one ſource of accompliſhing the *great* national objects; that is, by contracting with individuals, who undertake them for certain emoluments, generally attached to and growing out of the objects themſelves, great abuſes, it is admitted, may ſtill be committed in ſuch contracts, but not until the repreſentative body ſacrifices their duty to their conſtituents, to the private intereſt of a few individuals—the ſtate of Pennſylvania therefore in this caſe, has all the ſecurity that this power will not be abuſed, that the people of Maryland have, *and all that the repreſentative ſyſtem can afford*; the treaſury of Maryland never can be benefitted by the tolls levied on the Suſquehanna, what is gained by the company is paid by the public, who is remunerated by the advantages derived from the labor and expenſe of the improvements; and that the ſtate has, in this caſe, acted as a faithful truſtee of the public, muſt be evident to all men, when it is found that the contractors with them are willing after the ſacrifice of 18 years attention, and uſe of their capital in productive times to relinquiſh their whole contract, on their principal and intereſt being refunded to them.

In this conduct and in the purity of the repreſentative principle your excellency and the legiſlature of Pennſylvania will perceive the perfect ſecurity of your ſtate from any future injury.

Our infant commerce, burſting for a vent to diffuſe its accumulated products over the world, is the offſpring of public faith; induſtry and moral rectitude among the people depend on the examples which their governments may ſet them—your excellency's great experience in public affairs, and known attachment to thoſe principles, which alone can make a nation proſperous and happy, have induced me to ſubmit theſe ob-