

reasonable we might find them, on investigation, to be. Under these circumstances, and I appeal to my excellent friend from Maryland, who brought it in, for the correctness of my statement, the opponents of the bill gave it no other opposition than a silent vote. And now, sir, we are told that we stand pledged, and that an appropriation for British grants not re-granted by Spain, especially, and for such other claims against the state of Georgia, generally, as congress should find quite worthy, was made for the especial benefit of a particular description of claimants, branded too with the deepest odium; who dare to talk to us of public faith and appeal to the national honor.

The conclusion of the memorial is amusing enough. After playing over the farce, which was acted by the Yazoo Squad at the last session, affecting to believe that an appropriation has been made by the act of March 1803, for their especial benefit, they pray that congress will be pleased to give them—what? that to which they assert they are entitled? by no means—an eighth or tenth part of it—which said eighth or tenth part, if we may credit them, has been already appropriated to their use by law. From a knowledge of the memorialists, and those whom they represent, can you believe for a moment that if they had the least faith in the volume of argument, (I am sorry to profane the word) which they have presented to the house to prove the goodness of their title can you believe that under such an impression they would accept a paltry compromise of two shillings in the pound—much less that to obtain it they would descend so low. Sir, when these men talk about public faith and national honor, they remind me of the appeals of the unprincipled gamester and veteran usurer to the honor of the thoughtless spendthrift, whilst, in reality, they are addressing themselves to his vices and his folly.

I have confined myself on this occasion, principally to the question of notice, because it has been made an engine to play upon the generous feelings of many, and not because I deemed it material to the question of title. It is not my intention to travel over the ground which I occupied at the last session on the following important points. That Georgia had no right to make the sale; that even if she had, the contract being laid in corruption and fraud, was null and void, ab initio; that, consequently, the question of notice was not material to the question of the title, in the hands of third persons; since the original grant being obtained by bribery and fraud, no right could vest under it; and that even if these positions were as false, as they are indisputably true, the present case presents a monstrous anomaly, to which the ordinary and narrow maxims of municipal jurisprudence ought not, and cannot be applied. It is from great first principles, to which the patriots of Georgia so gloriously appealed, that we must look for aid in such extremity. Yes, extreme cases like this, call for extreme remedies. There is no cure short of extirpation. Attorneys and judges do not decide the fate of empires.

The right of the state of Georgia to sell (although I do not propose to go largely into that question) is denied by your own statute book, by turning to which you will find that so far from being able to transfer to others the right of extinguishing Indian title to land, she has not been able to exercise it for her own benefit. It is only through the agency of the United States that she can obtain the extinguishment of Indian titles to the soil within her limits, much less could she delegate it to a few Yazoo men. But, as has been repeatedly stated on former discussions of this subject, even if the question of right on the part of Georgia to sell, and on the part of the grantees to take, be conceded, it cannot be controverted that the fraudulent and corrupt attempt of the legislature of 1793 to betray the interests of those who had confided in them, was ipso facto void; that no right could be vested by it, in the investigators and participators of the fraud, and that these could not convey to others a better title than they themselves possessed. If the authority were worthy any thing, I myself would cite that of the memorialists themselves and of the committee of claims, in support of this position. It is allowed by those authorities, that the title of the purchasers, at second and third hand, is diminished in the ratio which five millions of acres bears to the whole territory; which they modestly affect to contain thirty-five millions of acres, although there is the best reason to believe it to be near fifty. Now, sir, they have not condescended to explain to us by what legerdemain it comes to pass, that a title to thirty-five millions of acres (to take their own statement) is depreciated, in their hands so fearfully as to quantity, is reduced to one seventh of its value, whilst the quality of the title to that seventh is proportionally raised. Plain, honest men would have been very different. A man of this stamp would argue somewhat in this way.

If the earnest and corrupting grantees of 1793, sold a claim to thirty-five millions of acres to thirty persons, surely those persons would have the same title to the whole of the property which they had purchased, that they could pretend to set up to any part of it. It would never occur to such a man, that whilst, as to quality, these persons had bought a better title than the vendors themselves had to sell, yet, by some unintelligible process, this better title was in quantity, and of course in value, wasted in their hands to one seventh part of its original worth: in other words, was seven times worse, and at the same time better, than the title of the

original grantees. Discoveries such as these have been reserved for the profound legal learning of the agents of the New-England-Mississippi land company, and the ingenuity of the committee of claims! What, Sir, would you say to a pretender to your estate, who after laying claim to the whole of it, and writing a volume of argument (if I may so abuse the term as to apply it to the sophisticated trash which I hold in my hand) in support of his intentions, should make it the ground work of a proposal to receive a seventh or a tenth part of which he declared himself legally and equitably entitled to, and should at the same time affirm that you were "bound in honor" to accede to his modest, considerate and generous proposition? would you not scout him from your presence as a swindler, as a disturber of the peace of society, or would you be trepanned by his artifice, or bullied by his effrontery out of your property?

The government of the United States, on a former occasion, did not, indeed, act in this firm and decided manner. But those were hard unconstitutional times, which ought never to be drawn into precedent.—The first year that I had the honor of a seat in this house, an act was passed, in a nature not altogether unlike the one now proposed. I allude to the case of the Connecticut reserve, by which the nation was swindled out of some three or four millions of acres of land, which, like other bad titles, had fallen into the hands of innocent purchasers.—When I advert to the applicants by whom we were then beset, I find that among them was one of the very persons who style themselves agents of the New-England-Mississippi land company, who seems to have an unfortunate knack at buying bad titles. His gigantic grasp embraces with one hand the shores of Lake Erie and stretches with the other to the bay of Mobile. Millions of acres are easily digested by such stomachs. Goaded by avarice, they buy only to sell, and sell only to buy. The retail trade of fraud and imposture yields too small and slow a profit to gratify their cupidity. They buy and sell corruption in the gross, and a few millions, more or less, is hardly felt in the account. The deeper the play the greater their zest for the game, and the stake which is set upon their throw, is nothing less, than the patrimony of the people. Mr. Speaker, when I see the agency that has been employed on this occasion, I must own that it fills me with apprehension and alarm. This same agent is at the head of an executive department of our government, subordinate in rank and dignity, and in the ability, required for its superintendence, but inferior to none in the influence attached to it. This officer possessed of how many snug appointments and fat contracts, let the voluminous records on our table of the mere names and dates and sums declare, having an influence which is confined to no quarter of the country, but pervading every part of the union, with officers in his gift amongst the most lucrative, and at the same time the least laborious or responsible under the government, so tempting as to draw a member of the other house from his seat, and place him as a deputy at the feet of your applicant; this officer presents himself at your bar at once a party and an advocate. Sir, when I see this tremendous patronage brought to bear upon us, I do confess that it strikes me with consternation and dismay. Is it come to this? Are heads of executive departments of the government to be brought into this house, with all the influence and patronage attached to them, to extort from us, now, what was refused at the last session of congress? I hope not sir. But if they are, and if the abominable villainy practised upon, and by the legislature of Georgia, in 1793, is now to be glossed over, I for one will ask what security they, by whom it shall be done, can offer for their reputations, better than can be given for the character of that legislature? I will pin myself upon this text, and preach upon it as long as I have life. If no other reason can be adduced but a regard for our own fame, if it were only to rescue ourselves from this foul imputation, this weak and dishonorable compromise ought to receive a prompt and decisive rejection. Is the voice of patriotism lulled to rest? that we no longer hear the cry again t an overbearing majority, determined to put down the constitution, and deaf to every proposition of compromise? Such were the dire forebodings to which we have been heretofore compelled to listen. But if the enmity of such men be formidable their friendship is deadly destruction, their touch pollution. What is the spirit against which we now struggle, which we have vainly endeavored to stifle? A monster generated by fraud, nursed by corruption, that in great silence waits his prey. It is the spirit of FEDERALISM!

That spirit which considers the many as made only for a few, which sees in a government nothing but a job, which is never so true to itself, as when false to the nation.—When I behold a certain party supporting and clinging to such a measure, almost to a man, I see only men faithful to their own principles; pursuing, with unsteady step and untiring zeal, the uniform tenor of their political life. But when I see associated with them, in firm compact, others who once rallied under the standard of opposite principles, I am filled with apprehension and concern. Of what consequence is it that a man smiles in your face, holds out his hands and declares himself the advocate of those political opinions to which you also are attached, when you see him acting with your adversaries upon other principles which the voice of the nation has put down, which I did hope were buried, ne-

ver to rise in this section of the globe. I speak of the plunder of the public property. Say what we will, the marrow and pith of this business will be found in the character of the great majority of its friends, who stand, as they have before stood on this floor, the unblushing advocates of unblushing corruption. But this, it may be said, is idle declamation. We may be told, as we have been told before, that the squanderers of the public treasure are the guardians of the people against their worst enemies, themselves; that to protect them from farther dilapidation, it is necessary to give this Cerberus of corruption, this many headed dog of hell, a sop; that is to your interest to pacify him: and this sentiment is re-echoed by his yells. Good God! Sir can you believe, can any man believe it; is there a woman or a child in the country weak enough to credit it—that a set of speculators, out of pure regard to the public interest, are willing to sacrifice thirty millions of acres of land; That they press their offer to accept a seventh or a tenth of their claim, from motives of patriotism?—Can you believe that their love of country has got the better of their avarice, that their virtue is equal to such a sacrifice at the shrine of the public welfare? Such men, I repeat it, are formidable as enemies; but their friendship is fraught with irresistible death. I feared indeed the "Danaos et dona ferentes." But after the law in question, shall have passed what security have you that the claimants will accede to your terms of compromise? That this is not a trap, to obtain from congress something like a recognition of their title to be hereafter bad against us? Sir, with all our wisdom, I seriously doubt our ability to contend with the arts and designs of the claimants, if they can once entangle us in the net of our own legislation. Let the act of March 1801, of which already they have made so dextrous an use, be remembered. They themselves have pointed out the course which we ought to pursue.—They have told us that so long as we refrain from legislating on this subject, their case is hopeless. Let us then persevere in a "wise and masterly inactivity."

Whenever a bill shall be introduced in conformity to the principles of the report, if such should unfortunately be the decision of the house, I trust that some gentleman more competent than myself will be ready to give it a more effectual opposition. My weak health and want of preparation unfit me for the task. But, sir, if this claim is to be admitted, I hope we shall not fail to go the whole length of our principle; that we shall not narrow down to 5 millions of acres a legal or equitable title to fifty millions of acres. If Congress shall determine to sanction this fraud upon the public, I trust in God we shall hear no more of the crimes and follies of the former administration. For one, I promise that my lips upon this subject shall be closed in eternal silence. I should disdain to prate about the petty larcenies of our predecessors, after having given my sanction to this atrocious public robbery. Their petit delinquencies will vanish before it, as the stars of the firmament fade at the effulgent appearance of a summer's sun.

NEW-YORK, April 5.

By the brig Patty, from Bordeaux, we have received Paris papers to the 6th of February, which contain a variety of interesting documents relative to the overtures of France for a peace. We this day commence those papers, and shall continue them in future numbers of this Gazette.

CONSERVATIVE SENATE.

PARIS, Feb. 4.

THE Senate assembled this day in grand costume, under the presidency of his serene highness the arch-chancellor.

His excellency, M. Talleyrand, minister of foreign relations, was introduced, and presented the following report:

M. Talleyrand.—The national solemnity of the coronation, that noble and necessary completion of our social institutions, attached to its sentiments too profound and too universal not to occupy the whole attention of all classes of the state; at the near approach of this great internal event, which has just assured for ever the destinies of France, in consecrating by the voice of men and heaven all that we had acquired of glory, of greatness, and of independence, the interest of all other events was generally, as if by one common impression, felt to diminish and grow feeble; even the thought of war seemed to vanish from the bosom of a nation which owes so much to its victories.

All is accomplished; the empire is founded and in re-assuming the cares of the exterior, and recalling genius to the interests of war, the first sentiment of the Emperor has been to elevate himself above all the passions, and to justify the great destiny for which Providence reserves him, by shewing himself inaccessible to hatred, to ambition and revenge.

If there exist men who have conceived the project of combating us with the weapons of crime; who have, as much as lies in their power, realised that cruel thought; who have hired assassins; and who, even at this moment, subsidize our enemies, it is over these very passions that the Emperor has wished to triumph. The more natural and common is it to men to be irritated by personal attacks, and to shew sentiments of resentment, so much the more he has felt that it was the part of a great soul to rise superior to them.

This determination prevails in every instance, but it is far removed from the ordinary rules; and in so singular a case, I must forget, for a moment, the principles of courtesy which at any other time would forbid me

from offending by encroaching the sovereign to whom I have the honor of being minister. Here, I cannot explain the steps of a generosity which supposes a forgetfulness of the common laws of prudence, without justifying them; and without intending it; my justifications are eulogiums.

The Emperor has made the first advances towards government which has the guilt of being the aggressor; which has manifested, without motive and without reserve towards him and towards us, sentiments of an inveterate hatred. To comprehend well this moderation, it will be necessary to retrace the events which are passed, and to follow the march of our august sovereign to the extent of his noble career. Men who have studied his character, have they not acknowledged by the boldness of his conceptions, and the vigorous and constant execution of all his enterprises, a calmness of mind and a prudence by which they were tempered, a reserve which prevented all abuse, an effervescence, in short of justice and humanity, which tended incessantly to moderate the effects and cut short the term of necessary violence?

Thus, after a train of advantages obtained upon the borders of the Drave, far from abandoning himself to hopes which the most liberal fortune seemed to hold out for his intoxication, he calculated it would be more useful to France and her enemies to understand each other. He combatted the great allurements of glory with the still greater interests of humanity. He heard the cries of the victims who were speedily to be immolated during the last struggles of an implacable war, and he made overtures of peace.

From this time, with that view of future which outruns events, and distinguishes them from the causes by which they are produced, he had seen all the blood which was to flow on the field of Marengo, on that of Hohenlinden; and, regardless of the prizes which promised to France and her brave armies new laurels and new conquests, he listened but to the dictates of wisdom and humanity, which legalizes glory, but commands sacrifices.

The same principle inspired him, the same magnanimity, when, being called to take the reins of government, he united the title of First Consul to the fame of his generalship, and the powers of the first magistrate to the immense influence of the glory he had acquired. Every where he addressed the words of peace, and he succeeded in making himself heard. The Continent pacified, there remains yet an enemy to France. On the 5th Ventose, year 8, he proposed peace to the King of England.

The generous conqueror of the year 5, the First Consul, pacificator of the year 8, were again to be found with the same, magnanimous moderation in the august sovereign to whom heaven has entrusted our destinies.—The degrees of power, the diversity of situations, change none of those eminent qualities, which might justly be termed virtues of character; and the Emperor owed it to himself to propose peace the third time, to prove that it was not in vain he had used on a solemn occasion these ever memorable expressions: "Soldier and First Consul, I have had but one thought, Emperor, I have no other."

In these two years war is declared, and could not yet be begun. All have been preparations and projects: but the moment being come when their execution was to bring on real events, and give birth to the most terrible hazards, the Emperor has thought it was in the principles of that politic religion, which no doubt draws down upon the thoughts and the efforts of the just and generous princes the assistance of heaven, to do every thing in his power to prevent great calamities by making peace.

I am ordered to communicate to you the letter, which in that view of moderation and humanity, his Majesty, the Emperor has judged it proper to write to his Majesty, the King of England.

Letter from the Emperor to the King of England.

SIR MY BROTHER,

Called to the Throne of France by providence, by the suffrages of the Senate, the people and the army, my first sentiment is the wish of Peace. France and England are wearing out their prosperity; they may contend for ages. But their governments, do they fulfil faithfully the most sacred of their duties? and so much blood shed unnecessarily and without any prospect of an end, does it not accuse them in their own conscience?—I attach no dishonor upon making the first step.—I have sufficiently, I think, proved to the world that I fear not any of the chances of war; it offers me nothing of which I ought to be afraid. Peace is the wish of my heart; but war has never been adverse to my glory. I conjure your Majesty not to refuse to yourself the happiness of giving peace to the world: let not this sweet satisfaction be left to your children. For, in short, there never existed a fairer opportunity or a more favorable moment to put an end to all the passions, and to listen only to the sentiment of humanity and of reason. This moment once lost, what term of duration can be assigned to a war, which all my efforts shall have been unable to bring to a close? Your Majesty has gained more in territory and in riches during the last ten years than the whole extent of Europe; your nation is at the highest point of prosperity. What is the to expect from war? to confound