

town as the HOWARDS, SOMERSETS, BERTIES, &c. in England.—Blind, undistinguished reproaches against the aristocratic part of mankind, a division which nature has made, and we cannot abolish, are neither pious nor benevolent. They are as pernicious as they are false—*they only foment prejudice, jealousy, animosity, envy and malevolence.* They serve no ends but those of sophistry, fraud, and the spirit of party. It would not be true, but it would not be more egregiously false to say, that the people have waged everlasting war against the rights of men.

"The love of liberty, you say, is interwoven in the soul of man." So it is, according to *La Fontaine*, in that of a wolf, and I doubt whether it be much more rational, generous or social in one than in the other, until in man it is enlightened by experience; reflection, education and civil and political institutions, which are first produced and constantly supported and improved by a few, that is by the nobility. The wolf in the fable who preferred running in the forest, lean and hungry, to the fleshy, plump and round sides of the dog, because he found the latter was sometimes restrained, had more love of liberty than most men. The numbers of men in all ages have preferred ease, slumber and good cheer, to liberty, when they have been in competition. We must not then depend upon the love of liberty in the soul of man alone, for its preservation. Some political institutions must be prepared to assist this love, against its enemies. Without these the struggle will ever end only in a change of impositions and oppressors. When the people, who have no property, feel the power in their own hands, to determine all questions by a majority, they ever attack those who have property, till the injured men of property lose all patience, and recur to finesse, trick and stratagem, to outwit those who have too much strength, because they have too many hands too be resisted any other way—Let us be impartial then, and speak the whole truth. Till we do, we shall never discover all the true principles that are necessary. The multitude, therefore, as well as nobles, must have a check. This is one principle. "Were the people of England free, after they had obliged king John to concede to them their ancient rights?"—The people never did this. There was no people who pretended to any thing. It was the nobles alone. The people pretended to nothing but to be villains, vassals and retainers to the king, or the nobles. The nobles, I agree, were not free, because all was determined by a majority of their votes, or by arms, not by law. Their feuds depopulated "Henrys, Edwards and Richards" to gratify lordly ambition—patrician rivalry, and "family pride." But if they had not been depopulated, those kings would have become despots, because the people would not, and could not, join the nobles in any regular and constitutional opposition to them. They would have become despots, I repeat it, and that by means of the villains, vassals and retainers shorn off. It is not family pride, my friend, but family popularity, that does the great mischief, as well as the great good.—Pride in the heart of man is an evil fruit and concomitant of every advantage, of riches, of knowledge, of genius, of talents, of beauty, of strength, of virtue, and even of piety. It is sometimes a ridiculous, and often pernicious, but it is even sometimes, and in some degree, useful.—But the pride of families would be always, and only ridiculous, if it had not family popularity to work with. The attachment and devotion of the people to some families, inspires them with pride.

As long as gratitude, or interest, ambition or avarice, love, hope or fear shall be human motives of action, so long will umbrellas at each themselves to particular families.—When the people will, in spite of all that can be said or done, cry a man or a family up to the skies, exaggerate all his talents and virtues, not hear a word of his weaknesses or faults, follow implicitly his advice, detest every man he hates; adore every man he loves, and knock down all who will not swim down the stream with him, or them, where is your remedy? When a man, or family, are thus popular, how can you prevent them from being proud? You and I know instances in which popularity has been a wind, a tide, and a whirlwind. The history of all nations and ages is full of such examples. Popularity, that has great fortune to dazzle—splendid largesses to excite warm gratitude, sublime, beautiful and uncommon genius or talents to produce deep admiration, or any thing to support high hopes and strong fears, will be proud, and its powers will be employed to mortify enemies, gratify friends—procure votes, emoluments and power. Such family popularity ever did, and will govern in every nation, in every climate, hot and cold, wet and dry—among civilized and savage people—Christians and Mahometans—Jews and Heathens.—Declamation against family pride is a pretty juvenile exercise, but

unworthy of a Statesman. They know the civil and danger is too serious to be sported with. The only way, God knows, is to put the families in an hole by themselves, and let two watches upon them, a superior to them all on one side, and the people on the other.

There are a few popular men in Massachusetts, my friend, who have, I fear, less honor, sincerity and virtue, than they ought to have. These, if they are not guarded against, may do another misfortune. They may create a party spirit, and a mobbish spirit, instead of a spirit of liberty, and produce another *Wat Tyler's* rebellion. They can do no more. But I really think their party language ought not to be countenanced, nor their Shibboleths pronounced. The miserable stuff that they utter, about the *well born*, is as despicable as themselves. The *eugenias* of the Greeks—the *biennes* of the French—the *weibghornen* of the Germans and Dutch—the beloved families of the Greeks, are but a few samples of national expressions of the same thing, for which every nation on earth has the same expression. One would think that our scribbles were all those of redemptioners, or transported convicts. They think with *Tarquin* "In novo populo ubi omnis repentina atque exvirtute nobilitas fit, futurum locum forti ac strenuo viro." Let us be impartial. There is not more of family pride on one side, than of vulgar malignity and popular envy on the other. Popularity in one family raises envy in another. But popularity of the least deserving will triumph over envy and malignity while that which is acquired by real merit will very often be overborne and oppressed by it. "Let us do justice to the people, and to the nobles, for nobles there are, as I have before proved, in Boston, as well as *Madrid*: but to do justice to both, you must establish an arbitrator, between them. This is another principle. It is time that you and I should have some sweet commands together. I do not believe that we, who have preferred for more than thirty years, an uninterrupted friendship, and have so long thought and acted harmoniously together in the worst of times, are now so far asunder in sentiment, as some people pretend. In full confidence of which, I have used this freedom.

JOHN ADAMS.

From the Palladium.

The following statement of Mr. Tracy's mission to the frontiers is authentic, and the remarks subjoined, are so clear and satisfactory, that we feel it to be a duty as well as a pleasure, to give the whole publicity. Justice and gratitude demand that we repel the malicious attacks of the ministerial committee upon the unspotted characters of those men who have sacrificed property and health in the service of their country. We trust that this, together with what has already been published, will settle the character of that part of the report which implicates Mr. Tracy, and prove that this committee have paid as little regard to truth, justice or honor, as the attorney general or the President himself could wish.

COLUMNY EXPOSED.

The facts on which the committee have founded that part of their report which relates to Mr. Tracy are these.—In May or June, 1800, Mr. T. then a senator of the United States, was appointed by the President to visit and examine into the actual state of the garisons, Indian trading houses or factories, and public property of every description, with the means of preserving or disposing of the same for the use or consumption, in the N. W. T. on the Mississippi, and on the frontiers of Georgia and Tennessee. On receiving this appointment Mr. T. was then at Litchfield, repaired to the seat of government at Washington, for the purpose of receiving his instructions, and of settling the terms of the proposed service. According to the contract made with the secretary at war, his expenses were to be borne by the public, and he was to receive as wages 8 dollars per day.*

Having received his instructions, he returned from Washington to Philadelphia, and from thence proceeded on his journey to the frontiers, in pursuance of his appointment.—He visited forts Fayette, Franklin, Peque Lake, Erie, Niagara, Detroit, and Michillimackinac—but in consequence of a severe illness, which confined him a considerable time at Pittsburg, and the lateness of the season when he returned from Michillimackinac, he was unable to pursue his route down the Ohio. He therefore returned from the lakes directly to Washington.

He was employed in the duties of this appointment, till the 16th of November, 1800, inclusive; till which time and no

* This is precisely the allowance which has frequently been made to our agents for negotiating treaties with the Indians.

longer, he was allowed 8 dollars per day. On the 17th Nov. the day on which Congress met, he took his seat in the senate, and from that time drew wages as a senator of the United States, to the close of the session, including 6 dollars for every 20 miles distance between the seat of government and the place of his residence.—On the 16th Nov. then, his compensation under the president's appointment ceased; on the 17th his wages as senator commenced. It ought also to be observed, that for a very considerable time after he took his seat in the senate, he was laboriously engaged in digesting and completing a long and detailed report upon the subjects which he was instructed by the secretary at war to examine; for doing which he received no compensation whatever.

Upon this state of facts the committee cannot forbear to remark, that Mr. Tracy's acceptance of this appointment has the appearance, at least, of inconsistency with that part of the constitution which provides, that "no person holding an office under the U. States, shall be a member of either house of congress." If the acceptance of this appointment was a violation of the constitution, so, unquestionably was the expenditure under it. If then, the majority of the committee supposed it unconstitutional, why did they not, in the useful title of reporting, declare their opinion to be, that it was so? Such an opinion might, it is true, have excited some additional doubts of the soundness of their understanding; but it would certainly have left a much more favorable impression as to their integrity, than this part of the report does as it now stands.

But the "remark" of the committee on this point is really too ridiculous to merit a serious discussion. Every office, holden under the United States, is created by the constitution, or by law. Mr. Tracy's appointment was a mere agency, created by the executive. And if Mr. Jefferson or the commissioners of the City of Washington, under his direction, had, at the expense of the public appointed or employed a member of either house of Congress to erect a fence of post and rails about Congress hall, the investigating committee might, with as much propriety, as in the instance under consideration, have gravely reported, that the acceptance of this appointment had the appearance, at least, of being inconsistent with the constitution!!

The committee, being misled of this "remark," proceed to "find, that, for the last 17 days of the five months of his service under the above appointment," Mr. Tracy received eight dollars per day, though "at the same time, he received as a member of the senate, six dollars per day, for travelling from Litchfield, in Connecticut, to the seat of government."

This finding of the committee is false. Mr. Tracy did not draw wages as a member of the senate for seventeen days, or for any number of days, or for any one day, for which he received compensation under the above appointment. He received, it is true, six dollars per day, from the 17th of Nov. for every day of his attendance in the senate, to the close of the session; and it is also true, that he received six dollars for every twenty miles distance between the seat of government and the place of his residence; though he did not actually travel from Litchfield to Washington after his return from the frontiers. But let it be observed, that this last sum was not received as day wages, or as wages for actual travel. The law of the United States provides, that each senator shall be allowed, at the commencement and end of every session of Congress, "six dollars for every twenty miles of the estimated distance, by the most usual road, from his place of residence to the seat of Congress." This act does not contemplate members of the senate as travellers for a daily stipend. The allowance, prescribed in it, was intended as a compensation to senators, for the inconvenience of being employed in the service of the public, at a distance from home, but without regard to their actual travel in any given distance. It being supposed, that this inconvenience would be, in a great degree proportioned, as it doubtless is, to the distances, at which the respective members might reside from the seat of government. To entitle a senator to this part of his compensation, it is not, nor was it ever deemed necessary that he should have travelled the whole, or any part of the distance between the place of his residence and the seat of Congress for the purpose of taking his seat. It is sufficient, that he attend in his place, as his duty requires—and the enquiry is never made, nor is it at all material, whether he has visited his family, between any two successive sessions of Congress, or remained from the close of one session to the commencement of the next, within a stone's cast of the capital.

It is notorious, that the uniform practice upon this law, from the organization of the government to this time, has been conformable to this construction; and in other times than these, it would be a subject of surprise, that a committee appointed by one branch of the great council of the nation, to enquire into the expenditures of public monies and to promote national economy; should have selected for animadversion, one solitary case, like that in question, and omitted a great number of others, which they knew to be exactly similar to it.

Raleigh,

TUESDAY, AUGUST 24, 1802.

Further returns from the Elections for Assembliesmen.

HALIFAX.

S. W. Carney, Senator.
Matthew Whitaker, } Commoners.
Sterling Harwell, }
Balfett Stith, for the Town.

NASH.

John Arrington, Senator.
Arch'd. Griffin, } Commoners.
John Hilliard, }
EDGECOMBE.

Henry Harrison, Senator.
George Brownrigg, } Commoners.
Jeremiah Hilliard, }
BERTIE.

George Outlaw, Senator.
Henry Peterfon, } Commoners.
James Clark, }

WARREN.

James Turner, Senator.
John Macklin, } Commoners.
Robert Parke, }

MARTIN.

John Hymas, Senator.
Jeremiah Slade, } Com'rs.
Smythwick, }

SAMPSON.

Gabriel Holmes, Senator.
Joab Blackman, } Commoners.
Wm. Robinson, }

MOORE.

Murdock M'Kenzie, Senator.
Henry Galter, } Commoners.
John M'Lenon, }

ROBESON.

Elias Barnes, Senator.
James M'Queo, } Commoners.
L'c, }

RICHMOND.

James Stewart, Senator.
Moses Knight, } Commoners.
John Clark, }

ANSON.

James Marshall, Senator.
Robert Troy, } Commoners.
Wm. Lanier, }

NEW HANOVER.

Samuel Ashe, (major) Senator.
James Larkins, } Commoners.
Richard Nixon, }

Joshua G. Wright, for Wilmington.
WAYNE.

John Coor Pender, Senator.
James Rhodes, } Commoners.
Wm. Smith, }

GREENE.

Hymnick Hooker, Senator.
Jonas Williams, } Commoners.
William Taylor, }

GRAVEN.

R. D. Spaight, Senator.
Wm. Bryan, } Commoners.
Lewis Fonville, }

Edward Harris, for Newbern.
BEAUFORT.

Henry S. Bonner, Senator.
Frederick Grift, } Commoners.
Ellison, }

PITT.

Thomas Williams, Senator.
William Moy, } Com'rs.
Wm. Eastwood, }

LENOIR.

Simon Bruton, Senator.
Benj. Wetherington, and
Wm. Goodman, Commoners.

JONES.

Edmund Hatch, Senator.
John Ifter, and
Benj. Fordham, Commoners.

CHOWAN.

John Bond, Senator.
Stephen Cabarrus, } Com'rs.
Reuben Small, }

Nathaniel Allen, for Edenton.
WASHINGTON.

Samuel Chesson, Senator.
Miles Hardy and
John Gnyther, Commoners.

STOKES.

Joseph Winston, Senator.
Charles Banner and
Henry Dobson, Commoners.

SURRY.

Gideon Edwards, Senator.
Thomas Wright and
Commoners.

MONTGOMERY.

West Harris, Senator.
Wm. Allen and
James Sanders, Commoners.

Tuney, the property of Mr. Gilmour, Halifax, who was condemned to be hung, was pardoned by Governor Williams on the 18th inst.

An extract from a petition to the Go-