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square. And by the ordinance of the 13th day of July 1787, Congress resolved that so soon as Virginia should by law consent to the laying off the said territory so as to form three states, that the same should be bounded in the manner therein specified. By the same ordinance the whole of the territory of the United States north west of the Ohio is made one district for the purpose of temporary government; and it is therein declared, that so soon as any one of the said states to be laid out as aforesaid, should consist of sixty thousand free inhabitants the same should be admitted by their delegates in Congress on an equal footing with the original states.

By the deed of cession of the State of North-Carolina of the lands therein described, it is made a condition that the territory so ceded shall be laid out into one or more states, containing a suitable extent of territory; the inhabitants of which shall enjoy all the privileges set forth in the ordinance for the government of the western territory of the United States. By the act for the government of the territory of the United States south of the river Ohio, the whole of the said territory for the purpose of temporary government is made one district; and it is declared that the inhabitants thereof, shall enjoy all the privileges set forth in the ordinance for the government of the territory of the United States north west of the Ohio: as in the territory north west of the Ohio, it is necessary that the same shall by Congress be laid out in States according to the conditions of the act of cession, or to the provisions expressed in the ordinance of Congress, and that such states shall each contain sixty thousand free inhabitants before they are entitled to be admitted into the Union; so in the territory south west of the Ohio, Congress are obliged by the act of cession to lay out the same into one or more states, the inhabitants of which so soon as they shall amount to sixty thousand free persons will be entitled to be admitted into the Union.

Congress have declared that the whole of the territory north west of the Ohio shall for the purpose of temporary government compose one district; and likewise that the whole of the territory ceded by North-Carolina shall for the like purpose compose one district; but they have not definitively laid out the territory north west of the Ohio into states, nor have they decided whether the territory ceded by North-Carolina, shall be laid out into one or more states. If the district north west of the Ohio, contained more than sixty thousand free inhabitants, it would not from thence follow that the district could demand admission as a new state into the Union, because the district must by the terms of its cession be previously divided into a number of states, the free inhabitants of each of which must amount to sixty thousand, before such state would have a right of admission into the union; in like manner although the district south west of the Ohio should contain sixty thousand free inhabitants, it cannot from thence be inferred that they would have a right to be admitted as a new state into the union, because Congress have not decided whether the same shall compose a single state, or be laid out into two or more states. The number of inhabitants which establishes a claim of admission must be the number of inhabitants of a state previously laid out, and defined in its boundaries by Congress, and not the number of inhabitants of a territory which for the purpose of temporary government composes a district which may be divided by Congress into several states.

Hence results this conclusion, That Congress must have previously enacted that the whole of the territory ceded by North-Carolina, and which now composes one district for the purposes of temporary government should be laid out and deemed to be one state, before the inhabitants thereof [admitting them to amount to sixty thousand free persons] could claim to be admitted as a new state into the union.

Had the territory south west of the Ohio, which for the purpose of temporary government composes one district, been laid out by

Congress into one state, the enumeration of the inhabitants in order to ascertain whether such state was entitled to be received into the union ought to have been made under the authority of Congress; for the enumeration of the inhabitants of the original states for the purpose of apportioning the Representatives, and ascertaining a rule for the apportionment of direct taxes must by the Constitution be made by Congress, and cannot be made by the individual states. And as the rights of the original states as members of the union are affected by the admission of new states, the same principle which enjoins the census of their inhabitants to be taken under the authority of Congress, requires the enumeration of the inhabitants of any new state laid out by Congress, in like manner, to be made under their authority; and the principles of the Constitution seem to leave Congress without discretion on this point, yet the propriety of the enumeration being made under their authority, will be manifest on comparing the 5th section of the law for the enumeration of the inhabitants of the United States with the law under which the census has lately been taken in the territory south west of the Ohio: by this comparison it will be perceived that the guards against error, provided in the former law, are omitted in the latter, and that instead of confining the enumeration to the free inhabitants of the territory south west of the Ohio; the law authorizes and requires the enumeration of all the people within the said territory at any time within the term allowed to complete the same, including as well the persons casually within or passing through the said territory, as the inhabitants thereof.

From the preceding view of the subject, the committee are of opinion that the inhabitants of the territory south west of the Ohio are not, at this time, entitled to be received as a new state into the union.

But as the said territory may by Congress be laid out into one state, although from the distance between its extreme parts the inhabitants thereof may, thereby be exposed to some inconvenience, and as it appears to be the desire of a majority of the inhabitants of said territory to be received as a new state into the union, recommend that leave be given to bring in a bill laying out the whole of the said territory into one state, and providing for an enumeration of the inhabitants thereof in the manner prescribed in the act entitled, "An act providing for the enumeration of the inhabitants of the United States, passed the first of March, one thousand seven hundred and ninety."

NORFOLK, June 3.

On Wednesday last arrived the ship Lark, captain Munro, in 20 days from Surinam, who informs that in lat 12 12 long 57, 2, on the 13th May, a little to the southward and eastward of Barbadoes, spoke the brig —, capt. John Flagg, of New-York, from Barbadoes, bound to Demarara, who informed that a frigate arrived at Barbadoes the day before he sailed from thence, with the news a Dutch fleet having fallen in with and taken a great part of the outward bound West-India fleet under Admiral Christian, a little to the windward of Barbadoes. A French schooner arrived at Surinam from Cayenne, with news that 5 sail of Dutch ships of war are lying at anchor off Cayenne, waiting for the remainder of the Dutch fleet.

An American captain lately being call'd to the bar in the island of Bermuda, to swear concerning the property on board his vessel, desired Judge Green to let him swear on a particular text.—He then laid his hand upon the first verse of the 42nd Psalm—"judge on me Oh God, and plead my cause against the ungodly nation: O! deliver me from an ungodly and unjust man."—The conscientious judge; stricken with the pertinency of the point, releas'd his vessel.

JUNE 4.

Yesterday arrived the ship Martin, Capt. N. Colley, in 46 days from London. Extracts from the papers are given in the preceding columns.

In the above vessel came passenger the Chevalier de Yrujo, Minister Plenipotentiary from the Court of Madrid to the United States.

We understand, that the two young men, Reynolds and Goofely, who were charged with robbing the mail at York town, have been tried at the Federal Court, now sitting in Richmond, and acquitted.

NEWBERN, JUNE 12.

The following message from the President was read in the House of Representatives, on Wednesday the 25th ult.

"Gentlemen of the Senate, and of the House of Representatives,

"The measures now in operation for taking possession of the posts of Detroit and Michilimachinac, render it proper, that provision should be made for extending to those places, and any others alike circumstanced, the civil authority of the North Western Territory. To do this will require expence, to defray which the ordinary salaries of the Governor and Secretary of that territory appear to be incompetent. The forming of a new county or counties and the appointment of the various officers, which the just exercise of government must require, will oblige the Governor and Secretary to visit those places and spend considerable time in making the arrangements necessary for introducing and establishing the government of the United States. Congress will consider what in this case will be proper.

GEORGE WASHINGTON. United States, May 25."

From the Courer Francois of May 17.

J. B. Dewis, captain of the Lively, arrived here on Saturday from the Cape in 14 days informs, that citizen ROUME, one of the agents general of the colonial directory is arrived at St. Domingo in the JUNO Frigate, (a vessel formerly French, now Spanish) three days before his sailing. This agent announces officially to governor Laveaux that he is followed by SANTHONAX, chief of the five agents general; among whom are Raymond, Leblanc, and Gerard; that Roume sailed from Cadix and had a passage of 30 days; that the delay to the fleet was occasioned by a visit which his Catholic majesty paid it. The strength of the land force to be brought out was not known. The fleet consisted of 20 French ships of the line and of 17 Spanish vessels.

ALL persons indebted to the subscriber are desired to make payment to F. X. Martin, Esq. in whose hands their respective notes and accounts are; and who is instructed to put the same in suit indiscriminately, unless early attention is paid to this request. J. P. WHITING.

May 23.

NORTH-CAROLINA. Treasury-Office, May 1.

ALL purchasers of Lots in the city of Raleigh, who are still in arrear to the state, are hereby informed, that their bonds and every one of them will be put in suit on the 20th day of June next, unless they are paid off and taken up before that day.

JOHN HAYWOOD, P. Treas'r.

For Sale, at auction,

ON the 1st July next, the brig JOHN, a staunch good vessel, eighty tons burthen, one year off the stocks, compleat for sea as the now lies at Werden's wharf, the property of Samuel Werden, dec. Six months credit will be given on bond with sufficient security to

DAVID SHOEMAKER, Executor. Washington, June 9.

THE subscriber informs his customers, and the public in general, that he has removed from near the court-house, and carries on the

BOOT & SHOE-MAKING BUSINESS in Craven-Street, opposite Mr. BYRNE'S shop; those that please to favour him with their custom, their demands will be punctually and speedily complied with.—Masters of vessels and sea-faring men, may be supplied on the shortest notice.

FREDERICK CLEMENTS.