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WEDNESDAY, DECEMBER 14, 1791.

[Whole No. 274.]

The SECRETARY of STATE, to whom was referred by the PRESIDENT of the UNITED STATES, the Resolution of Congress, requesting the President "to cause an estimate to be laid before Congress at their next session, of the Quantity and Situation of the Lands not claimed by the Indians, nor granted to, nor claimed by any Citizens of the United States, within the Territory ceded to the United States, by the State of North-Carolina, and within the Territory of the United States, Northwest of the River Ohio," makes thereon the following

### REPORT.

THE territory ceded by the State of North-Carolina to the United States, by deed bearing date the 25th day of February, 1790, is bounded as follows, to wit: Beginning in the boundary between Virginia and North-Carolina, that is to say, in the parallel of latitude 36½ degrees north from the equator, on the extreme height of the Stone mountain, where the said boundary or parallel intersects it, and running thence along the said extreme height to the place where Watauga river breaks through it; thence a direct course to the top of the Yellow Mountain, where Bright's road crosses the same; thence along the ridge of the said mountain between the waters of Doe river and the waters of Rock creek, to the place where the road crosses the Iron Mountain; from thence along the extreme height of said mountain to where Nolichucky river runs through the same; thence to the top of the Bald mountain; thence along the extreme height of the said mountain to the painted rock, on French Broad river; thence along the highest ridge of the said mountain, to the place where it is called the Great Iron or Smoaky mountain; thence along the extreme height of the said mountain to the place where it is called Unaka mountain, between the Indian towns of Cowee and Old Chota; thence along the main ridge of the said mountain, to the southern boundary of the said State of North Carolina, that is to say, to the parallel of latitude 35 degrees north from the equator; thence westwardly along the said boundary or parallel, to the middle of the river Mississippi; thence up the middle of the said river to where it is intersected by the first mentioned parallel of 36½ degrees; thence along the said parallel to the beginning; which tract of country is a degree and a half of latitude from north to south, and about 360 miles, in general, from east to west, as nearly as may be estimated from such maps as exist of that country.

The Indians having claims within the said tract of country, are, the Cherokees and Chickasaws, whose boundaries are settled by the treaties of Hopewell, concluded with the Cherokees on the 28th day of November, 1785, and with the Chickasaws, on the 10th day of January, 1786, and by the treaty of Holston, concluded with the Cherokees, July 2d, 1791. These treaties acknowledge to the said Indians all the lands westward and southward of the following lines, to wit: beginning in the boundary between South and North-Carolina, where the South-Carolina Indian boundary strikes the same; thence north to a point from which a line is to be extended to the river Clinch, that shall pass the Holston, at the ridge which divides the waters running into Little River from those running into the Tennessee; thence up the river Clinch to Campbell's line, and along the same to the top of the Cumberland Mountain; thence in a direct course towards the Cumberland River, where the Kentucky road crosses it, as far as the Virginia line, or parallel thereof, of 36½ degrees; thence westwardly, or eastwardly, as the case shall be, along the said line or parallel to the point thereof, which is due northeast from another point to be taken on the dividing ridge of Cumberland and Duck Rivers, 40 miles from Nashville; thence south west to the point last mentioned, on the said dividing ridge, and along the said dividing ridge north westwardly, to where it is intersected by the said Virginia line, or parallel of 36½ degrees. So that there remained to the United States, the right of pre-emption of the lands westward and southward of the said lines, and the absolute right to those northward thereof, that is to say: to one parcel to the eastward, some what triangular, comprehending the counties of Sullivan and Washington, and parts of those of Greene and Hawkins, running about 150 miles from east to west, on the Virginia boundary, as its base, and between 80 and 90 miles from north to south, where broadest; and containing, as may be conjectured, without pretending to accuracy, between seven and eight thousand square miles, or about five millions of acres: And to one other parcel to the westward, somewhat triangular also, comprehending parts of the counties of Sumner, Davidson, and Tennessee, the base whereof extends about 150 miles also, from east to west, on the same Virginia line, and its height, from north to south, about 55 miles, and so may comprehend about four thousand square miles, or upward of two and a half millions of acres of land.

Within these triangles, however, are the following claims of citizens, referred by the deed of cession, and consequently forming exceptions to the rights of the United States.

I. Appropriations by the State of North-Carolina, for their continental and state officers and soldiers.

II. Grants and titles to grants vested in individuals by the laws of the State.

III. Entries made in Armstrong's office, under an act of that State, of 1783, for the redemption of specie and other certificates. The claims covered by the 1st reservation are,

1st. The bounties in land given by the said State of North-Carolina, to their continental line, in addition to those given by Congress; these were to be located within a district bounded northwardly by the Virginia line, and southwardly by a line parallel thereto, and 55 miles distant. Westwardly, by the Tennessee, and eastwardly by the meridian of the intersection of the Virginia line, and Cumberland River; grants have accordingly issued for 1,239,498 acres, and warrants for the further quantity of 1,549,726 acres, making together 2,789,224 acres.

It is to be noted that the southwestern and southeastern angles of this district, constituting perhaps a fourth or fifth of the whole, are south of the lines established by the treaties of Hopewell and Holston, and consequently in a country wherein the Indian title is acknowledged and guaranteed by the United States. No information is received of the exact proportion of the locations made within these angles.

2d. Bounties in land to Evans's battalion, raised for state purposes. These were to be taken west of Cumberland Mountain. The locations are not yet made.

The second reservation covers the following claims.

1. Lands for the surveyor general's fees for laying out the military bounties, to be located in the military district. The grants already issued on this account amount to 30,203 acres.

1. Grants to Isaac Shelby, Anthony Bledsoe, and Absalom Tatum, commissioners for laying out the military bounties; and to guards, chain carriers, markers, and hunters, who attended them, already issued to the amount of 65,932 acres, located in the military district.

3. Entries in Washington county amounting to 746,362½ acres; for 214,546½ of which grants have already issued. Of the remaining 531,812½ acres, a considerable proportion were declared void by the laws of the State, and were particularly excluded from the cover of the reservation in the deed of cession, by this clause in it, to wit—Provided, that nothing herein contained shall extend, or be construed to extend, to the making good any entry or entries, or any grant or grants, heretofore declared void, by any act or acts of the general assembly of this State. Still it is to be considered, that many of these persons have settled and improved the lands, are willing, as is said, to comply with such conditions as shall be required of other purchasers, form a strong barrier on the new frontier, acquired by the treaty of Holston, and are, therefore, objects meriting the consideration of the legislature.

4. Entries in Sullivan county, amounting to 240,624 acres; for 173,332 acres of which grants have already issued; of the remaining entries, many are certified void, and others under flood to be lapsed, or otherwise voidable under the laws of the State.

5. Certain pre-emption rights, granted to the first settlers of Davidson county, on Cumberland river, amounting to 309,760 acres.

6. A grant of 200,000 acres to Richard Henderson, and others, on Powell's and Clinch's rivers, extending up Powell's river in a breadth of not less than 4 miles, and down Clinch's from their junction in a breadth not less than 12 miles. A great part of this is within the Indian territory.

Among the grants of the State now under recapitulation, as forming exceptions out of the absolute rights of the United States, are not to be reckoned here two grants of 2,000 each to Alexander Martin and David Wilson, adjacent to the lands allotted to the officers and soldiers; nor a grant of 25,000 acres on Duck river to the late Major General Greene; because they are wholly within the Indian territory, as acknowledged by the treaties of Hopewell and Holston.

The extent of the third reservation in favor of entries made in Armstrong's office is not yet entirely known, nor can be until the 20th of December, 1792, the last day given for perfecting them: the sum of certificates, however, which had been paid for these warrants into the treasury of the State, before the 20th day of May, 1790, reaches, in all probability, near to their whole amount: this was 373,649l. 6s. 5d. currency of that State, and at the price of 10l. the hundred acres, established by law, shews that warrants had issued for 3,736,493 acres; for 1,762,660 of these, grants have passed, which appear to have been located partly in the counties of Greene and Hawkins, and partly in the country, from thence to the Mississippi, the whole of these locations are within the Indian territory: besides the warrants paid for as before mentioned, it is known that there are some others outstanding and not paid for: but perhaps these need not be taken into account, as payment of them has been disputed on the ground, that the lands being within the Indian territory, cannot now be delivered to the holders of the warrants.

On a review of all the reservations, after making such conjectural allowance as our information authorizes, for the proportion of them, which may be within the Indian boundaries, it appears probable they cover all the ceded lands susceptible of culture, and cleared of the Indian title, that is to say, all the habitable parts of the two triangles beforementioned, excepting only the lands south of French Broad, and Big Pigeon rivers. These were part of the tract appropriated by the laws of the State to the use of the Indians, whose title being purchased at the late treaty of Holston, they are now free to be disposed by the United States, and are probably the only lands open to their disposal, within this southwestern territory, which can excite the attention of purchasers. They are supposed to amount to about 300,000 acres, and we are told that 300 families have already set down upon them without right or licence.

[REMAINDER IN OUR NEXT.]

### ON NEWSPAPERS.

[FROM AN ENGLISH PAPER.]

THE effect produced by the newspapers, is so prodigiously great, that it ought to be reckoned as one of the most important among the numerous causes, which have brought this country to its present exalted and unrivalled situation. While the improvements of the public roads, and the creation of immense aqueducts, have shortened the laborious communication of real commerce; while the universal confidence of fictitious commerce has removed, in many cases, the necessity of such weighty communication in practice, the news papers have given wings and light to every thing. The value of all things is known in all places; private correspondence is shortened, and sometimes made superfluous; distances are removed; doubts are cleared up, and the same knowledge of every bargain, every offer, every wish, is diffused with the same certainty and clearness over the whole kingdom, as the petty transactions of a village are made known by the monotonous proclamation of a bell-man. So far their operation extends as to trade and the real concerns of life; but when we consider them in a censorial capacity, we shall be still more astonished at their effect. It is well known that a censorial power is only another word for public opinion—it cannot exist without it. When the republic of Rome ended, the Emperors wished to retain the censorship, and it was often revived, but always without effect. Public opinion was corrupted; shame had lost its blush; no person feared it; and shame is the only real punishment of a censorial power: So that it is true, though

miserably true, that beyond a certain line, just in proportion as such a power is wanted, its authority is of no effect. With us, however, it is different. Publicity is the censor of Great-Britain. The certainty that the proceedings of every individual, from the highest to the lowest, will be immediately transmitted from one end of the country to the other, from Johnny Groat's house to the *Ultima Thule*, keeps all the inhabitants, with a coercion far stronger than the law, from doing any thing which they would be ashamed to read themselves, or afraid that others should hear.

It is true that this power may be, has been, and must be, liable at times to considerable abuse; but this abuse has its remedy. The great variety of the papers having separate interests and separate employers, often, by contradicting each other, set mutual errors to rights; when these errors are palpable, they become of little consequence. If they be of a great and dangerous nature, the law is open, and it is now, upon experience, not only open to hear, but ready to punish whenever there is occasion. It is true that such prosecutions are sometimes but poor satisfaction to the person complaining; yet such a defect is only one among the evils our situation exposes us to as individuals, which we each of us readily hazard the chance of; having a much less stake in that hazard, than we have in the general benefit, that results to us with certainty, as members of the community to whose prosperity these papers contribute so much, and could not do so, but with this abuse as incidental to their nature.

It is certainly incumbent upon newspapers, for their own sake, to avoid it as much as possible. There is enough *sel volatile*, enough matter that is *piquante* without it, and real wit never requires a sacrifice from propriety or truth, to propitiate its divinity. Accordingly we find, that however some years ago the license of the press might be complained of, when its liberty was new: there are at present but few drawbacks on this head from its general utility. Another good consequence, of the same tendency, has followed the delivery of the newspapers from messengers and secretaries. Persons of better talents, of better education, and of a higher station in life, than formerly, are induced to undertake an employment, which by that delivery acquired a freedom and independence that makes it equal to any other department of writing, and renders it a liberal and honorable, as well as lucrative, engagement; from whence arises a security against its abuse, that gains ground every day, and is more operative than the strongest direction of law; namely, the conductor's own interest, in preserving the purity of his paper, by sacrificing which to the disreputation of another, he, in a much more effectual manner, counteracts his own.

LONDON, September 30.

THERE is hardly a kingdom or state on the continent but prohibits the importation of French newspapers, upon the severest penalties. Their folly is almost equal to that of a certain ancient Senate. *Herostatus* had burnt the famous temple of Diana, in order that his name might become immortal. The Senate were resolved to disappoint his wish, and passed an edict, that no person under penalty of suffering death, should pronounce the name of *Herostatus*.—The consequence is, that the incendiary's name has taken root in history, and will never be forgot.

M. Montmorin, the French Minister for Foreign Affairs, has formally notified to all the foreign courts, the King's acceptance of the Constitution. None of the foreign courts have yet thought proper to take any public notice of this notification.

Nothing is a stronger proof of the general confidence in the stability of the outline of the French Constitution, than the prices at which church and crown lands have sold. From the commencement of the sales, the prices have been from twenty-five to fifty years purchase, the average about thirty; and at present national property cannot be bought at less than thirty-three years purchase. The price may be either paid immediately or by regular installments in the course of eleven years, but with five per cent. interest on the balance till paid.

Monsieur Bougainville, the famous circumnavigator, is appointed Minister of the French Marine.