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LEGISLATURE OF KENTUCKY.

TUESDAY, DEC. 2.

Proceedings against judge Sebastian, continued.

To which the following answer was returned

Sir,

We have seen the communications made by you to Mr. Sebastian.

In answer thereto we declare *unequivocally*, that we will not be concerned either directly or indirectly in any attempt that may be made to invade the western country from the U. States.

That whatever part we may be induced to take in the politics of our country, this her sacrifice will be our inducement: and that we will never, voice any personal, or other reward, for any personal services made by us to promote that welfare.

The free navigation of the Mississippi which always be the fervent object with the inhabitants of the western country—they cannot be contented without; and will not be deprived of it longer than necessity shall compel them to its being withheld from them. We flatter ourselves that every citizen of this republic the important benefits will be the rights of the government of the two nations—but if this should not be the case, it appears to us that it will be the policy of Spain to encourage by every possible means the freed intercourse with the inhabitants of the western country as that will be the most effectual means to conciliate their good will, and to obtain without hazard, and at reduced prices, those supplies which are indispensably necessary to the Spanish government, and its subjects.

True copy from the original, in the hand writing of colonel George Nicholas—which is deposited in the hands of the undersigned, this 1st day of December in the year of our lord 1806.

Signed,

HARRY INNES.

The original communication and point answer of colo. Nicholas and independent were forwarded to Mr. Sebastian, who has since informed this department that both were given to Mr. Power. Whether the letter was signed also by Mr. Sebastian the department does not know; it was sent open to him nor does he recollect that Mr. Sebastian ever informed him that he had signed it.

This opinion said that the reasons why he and col. Nicholas did not communicate the subject to the executive of the U. S. were these. 1st. That it was well known that neither of us approved of Mr. Adams's administration, and that we believed he kept a watchful eye over our actions. That the communication must depend upon his opinion of our very, by, and it would have the appearance of courting his favour—2d. That we both had reason, and did believe that the information which we dispensed upon the slightest pretext to send us away to other states, which we considered would be a great, since upon the people, and that we declined making any communication upon the subject, as we apprehended he might think the Spanish government.

This deponent requests the committee to inform Mr. Morrison to prove the substance of the Mr. Sebastian's quoting the transactions which relate to that gentleman, if any doubt exists as to the truth of the communication made.

HARRY INNES.

December 1, 1806.

This deponent requested that the committee would permit an address from the democratic society of Lexington, bearing date the 15th day of December, 1793, and addressed to the people west of the Allegany, and Appalachian mountains, and a remonstrance from the people of Kentucky to the President, and Congress of the U. S. on the subject of the navigation of the Mississippi, as also a letter signed by Benjamin Lincoln, dated as is supposed from other papers same time in the year 1796, addressed to the democratic society in Lexington, stating that (about) two thousand brave Kentuckians has been recruited to march against the Spaniards in Louisiana to assist the French to regain that country, in support of the stat-ment made by this deponent in his opposition relative to the state of the public mind in Kentucky, in the year 1794, which was accordingly ordered and the papers read.

HARRY INNES.

To the inhabitants of the United States west of the Allegany and Appalachian mountains.

FELLOW CITIZENS,

The democratic society of Kentucky having had under consideration the measures necessary to obtain the exercise of your rights to the free navigation of the Mississippi, have determined to address you upon that important topic. In so doing they think that they only use the unlimited right of citizens to consult for their common welfare. Nor, fellow citizens, is it necessary by part or fiction—it is the consequence of unwarrantable aggression. It has become so from the neglect shewn by the general government, to obtain for those of the citizens of the United States, who are interested therein, the navigation of that river.

In the present age, when the rights of mankind have been diligently investigated and fostered by the voice of nations, and more particularly in America, where man, rights were first developed and declared, it will not be necessary to shew, that the free navigation of the Mississippi, is the natural right of the inhabitants of this country watered by its streams. It cannot be believed that the benevolent God of nature intended, that some favoured nations, with boats called fertility, and furnished it with a number of navigable streams, and that not fertility should be consumed at home, but exchanged for other, to convey its superabundance to other climes. Farthermore, for if we examine the wise dispensations of the creator in climate and productions, lands, seas and rivers, we must discover the glorious plan of infinite benevolence to unite by their existence, the various climates, nations, and connect the ends of the earth by the bands of commerce and mutual good offices. It is from the following decrees of Providence, then, we derive this right, and it is not conferred either to surrender or sell—it to be used, and to be, without the most arbitrary struggles. But this right is conferred only from nature, but compact. We not mean to urge this, as a compact could give an additional sanction to a natural right; but we mean that our claim is derived from every source which can give it validity. The navigation of the Mississippi was solemnly given and confirmed by Great Britain to the citizens of the United States, by the provisional articles entered into at Paris between the two nations. More than eleven years have passed away, during which we have been denied the exercise of a right, founded upon such irrefragable grounds. We had been deny by the former of present government, during that period, of one half of the time, we have not been able to learn of no attempt to procure from the king of Spain, the acknowledgment of our rights. Repeated memorials were presented to Congress upon this subject, which have been treated with a neglect bordering on contempt. Thus we have had against us, they to rest in endless oblivion. Once indeed, we know, this subject was introduced into Congress, under the former government, but it was by an unfortunate chance, and by ingenious art to bantor away our right. The proposition was to grant, the attempt to obtain rendered abortive by the spirited patriotic opposition of a part of the state. The time at length come, when the voice of the people called for a change in the administration of the present constitution of the United States was made. We then believed, ourselves the, our rights would be protected, and the wrongs redressed. But the former boon and weak conciliation having been close away, the we great country, the people, in perquisite energy. Six months upon the present, and seven years have passed away, and our rights as not yet obtained. Money is to be taken from us to support our oppressor exists; but the means of procuring it by the exercise of our rights, we are denied. In the mean while our brethren on the Mississippi are every advance, rage which insult or contract can give them. Say, we do not know that every thing, which we have to obtain has been made. Also! is the energy of our government not the exercise against the enemies? In all to be reserved for friends?

Experience, fellow citizens, has shown us that the general government is unwilling, and unable to secure the navigation of the river Mississippi. A local interest operates, to make us unable weight in the councils of the union. It seems to be the object of that policy to prevent the increase of our consequence, which would draw from the eastern states, their emigrations. This conclusion was inevitably follows from a consideration of the great expense, and the trouble the purchase and settlement of the lands bordering on the Mississippi. Among those measures, the unconstitutional interference which rescinded sales, to the amount of many millions, which makes a sickning object. And perhaps, it is not a successful rivalship by every article of their exports may have its weight. But if they are not unwaning to us in justice, they are at least regardless of our regret and welfare. We have hand prayers and supplications so to avail, and should we continue to load the table of Congress with memorials, from a part only of the western country, it is too probable they would meet with a fate similar to those which have been formerly presented. Let us, then, all unite our endeavours the common cause. Let all join in a firm and manly remonstrance to the President and Congress of the United States, stating our just and undoubted rights to the free navigation of the Mississippi, remonstrating against the injuries we have suffered in regard to that right, which must have been occasioned by local policy or caprice, and demanding of them speedy and effectual exertions for its attainment. We cannot doubt, but that all, cordially and unanimously join in this measure. It is, fellow citizens, necessary to remind you, that considerable quantities of beef, pork, flour, hemp, tobacco, &c. the produce of this country, remain on hand for want of purchasers, or are sold at considerable loss. Much greater quantities might be raised if the inhabitants were encouraged by the certain sale, which the free navigation of the Mississippi would afford. An additional increase of those articles and a greater variety of exports and manufactures would be supplied, by means of the encouragement, which the attainment of that right would give to emigration. But it is not only your own rights, which are in question. We remember that your posterity have a claim to your exertions, to secure that right. Let not your memory be stigmatized with a neglect of duty. Let us, then, discover the generous