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NILES'

# WEEKLY REGISTER.

CONTAINING

POLITICAL,  
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GEOGRAPHICAL,  
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ASTRONOMICAL,  
STATISTICAL,  
AND  
BIOGRAPHICAL,

DOCUMENTS, ESSAYS, AND FACTS;

TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES, AND A RECORD  
OF THE EVENTS OF THE TIMES.

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H. NILES, EDITOR.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FROM SEPTEMBER, 1817, TO MARCH, 1818—VOL. XIII.

OR, VOLUME I.—NEW SERIES.

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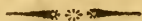
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In general, there are *two or more* references to every important article contained in this volume. But persons, places and things situated or happening in countries or states, if not found under their own alphabetical arrangement, will be found under the country or state that they belong to. As, for instance, for "Prince regent" see *British*; for "Moscow" see *Russia*, &c.



# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The terms of the WEEKLY REGISTER are five dollars per annum, payable in advance, by every subscriber.

Notice that a payment is expected, will hereafter be given by the use of a slip of blue paper, (instead of white, as customary,) for the direction of the REGISTER to individuals. But there is no necessity for it at present—as every subscriber was informed of the apparent state of his account, on the 9th instant—to which attention is respectfully invited.

Gentlemen desirous of obtaining the GENERAL INDEX and volume of REVOLUTIONARY SPEECHES, or either of them, will please to forward the cost thereof, (\$5 each) with their advance for the present year.

It is with pride and pleasure the editor observes that, so far as he has heard, the arrangement as to payment in advance, is received with universal satisfaction.

## Desultory Remarks.

It is the advice of a sage, “never to speak until you have something to say”—meaning, that we should reflect before speaking. This good advice is too often wilfully neglected, if we may judge by the proceedings of congress and other legislative bodies; and, sometimes, perhaps, set aside by peculiar circumstances, in which a person is apparently compelled to speak. I have been told that our celebrated advocate, *Luther Martin*, esq. attending the general court at *Annapolis*, discovered that the copy of a certain paper recorded in *Baltimore* county court was wanting, for the success of a cause in which he was engaged, when the trial had begun: an express was dispatched, and he undertook to employ the court until the desired copy could be had—the distance between the places is thirty miles. He did so, and amused and instructed the court and the bar by a flood of law knowledge, which, though it did not always bear upon his case, was not sufficiently irrelevant to cause him to be checked. He was in the midst of a learned exposition of a great point at the moment that the official copy was put into his hands; and, at once breaking off his argument, he said, “and please your honors, here is the very thing that I have been speaking for.” The paper was read by a junior lawyer; and it must be acknowledged “he spoke to some purpose,” for he gained the cause. If—on the occasion of presenting the first number of a new volume, and feeling, as *Mr. Martin* did, a sort of a necessity to speak, I am fortunate enough to amuse or instruct my readers, I shall be gratified.

The first immediate concern between the editor and his subscribers is the WEEKLY REGISTER. The language of our motto is changed. Vol. XII.—I.

ed, but the substance is as heretofore;—and so shall it be with the work itself.

The second is of our country. Here we feel at home; contentedly sitting down in our own house, and enjoying all that pleases the husband and father—a state of repose that gold cannot buy; the quiet of the soul; the rest of safety in the lap of freedom. PEACE, with LIBERTY and VALOR for her supporters, bearing the horn of PLENTY, visits every section of the republic. The centinel says—“*All's well!*”—but he must not leave his post. Carelessness may destroy like treason.

There is not one reflecting American that calculates (as we Yankees say) on the friendship of nations governed by kings. It is the principle of their own power to hate us. We have presented to their subjects a “dangerous example of successful rebellion,” and they very naturally wish to see us “crippled.” Policy may lead them to treat us courteously; but, whatever may be the motive of their conduct, a love of justice ought to regulate our own.—It is a noble reflection—it is a part of the national strength, that no foreign nation ever sent hither a minister to remonstrate against us; and, though there was something apparently humiliating in it at the time, it is also to our honor that we so long suffered the outrages of England, seeing that we resisted them; at last, as we did. Repeated defeats and disasters taught us to conquer—the Eagle-spirit of the people rose, and looked direct at the sun, to receive the full rays of its glory. The issue of the contest, which had for its avowed object our reduction to “unconditional submission,” astonished Europe. The undivided power of England, every where felt through her gold or by her arms, was baffled by a people yet in the gristle of their manhood; and the vulgar no longer suppose us to be “a sort of savages with long tails,”—but regard us as men like themselves, capable of attempting, and in fact of accomplishing, almost any thing.—As to naval enterprizes, they would hardly be surprized to hear that a party of yankees had doubled Cape Horn in a great washing-tub for a ship, and captured in the Pacific a frigate or two that they happened to fall in with unconvoyed by ships of the line! Every one that has travelled in Europe since the treaty of *Ghent*, is sensible of the vast change that has been made in our favor. The opinions about us are as extravagant in our favor now, as they were against us some years ago. But it is not a high military character that we would aim at; the world wants repose—and, whilst we mani-

fest a determination and an ability to maintain our rights, at arms—may it be our great praise to excel in works of peace, and proudly to shew to the world the capability that man has to govern himself, in equity and justice: and to hold up our country as an asylum for the oppressed of all nations.

It is a singular fact, that our government is the only one in the civilized world whose revenue exceeds its disbursements; and yet we are more lightly taxed than any of them. With much money lying in the treasury, there is a serious difficulty to redeem the public debt according to the appropriations for it, the stocks being above par. A very natural enquiry arises as to the cause of this? The stocks bear only six per cent. and money in the United States is worth, because it will easily produce, a greater interest. But the cause is in the foreign demand. European capitalists now have an entire confidence in the stability of our government; and, considering the uncertainty of things at home, wish to deposit something in our keeping for a *dernier* resort: the probability is, that the public debt, instead of being paid off according to our ability for it, will not be reduced much faster (after the present year) than the periods of its limitations will admit of—and that we shall have much money lying idle in the treasury. This is, really, an enviable situation. The theory of our government has been severely tested by difficulties in peace and great pressure in war; but has an elasticity in the support of the people, or rather in supporting itself, (for the people and the government are as nearly the same as they can well be) that causes positive good to result from apparent evil. It is evident that our system is the strongest in the world—and why should it not be, seeing that it is every man's *personal* interest to support it; a case that exists no where else? In all other countries, the state and church, in alliance, are at war with the people: we have nothing of this, because the state and church affairs are managed by the people for their own benefit, and at their own pleasure. In every department of either, they are immediately represented; and cannot be taxed without their consent.—And hence it very naturally follows, that we ought to have the best *patriots* and the best *Christians* on the globe; as indeed, I believe that we have.

These are among the advantages enjoyed by our country, and have we not reason to be proud of them? Behold, the peace that prevails!—the president of the United States has travelled through the eastern section of our country unguarded, save by the respect of his *filiole* citizens; the regent of England proceeds to his parliament in a *bullet-proof* coach; and *Louis*, though yet surrounded by foreign bayonets, would tremble like an aspen leaf if

one man were only to stamp his foot upon the shore of France. But these are "*legitimate* sovereignties!"

It has been the great business of the editor of the WEEKLY REGISTER to endeavor to raise up a *national character*; and it shall be persevered in with unwearied assiduity. The people are every day more and more convinced that they have a country and a constitution worth defending; and it is now manifest to all, that, with a sound and enlightened policy, we must have peace and prosperity at home, and safety and respect abroad. To point out this policy is a labor worthy of the soundest hearts and best heads amongst us—and the people should be made as familiar with it as with the right of suffrage, that they may exercise the latter as they ought. With *electioneering* we have nothing to do: it is the *principle* of things that concerns us—it is the business of the people to judge of those principles and apply them, as they see fit. The end of government is the happiness of society; if it fails to secure that, it is the right of society to alter or amend it. Here is the *Alpha* and *Omega* of our politics. The rule that shall govern our conduct through life.

### Godfrey's Quadrant.

National character, like private reputation, grows out of a scrupulous regard to every apparent trifle that is necessary to constitute an aggregate. And, while we would claim no more than is our due, from a love of justice to others, we should be quite as rigidly honest to ourselves and exact that due, tempering the exactness with mercy, so far as the case may deserve it.

It is not in my line nor within my power to eulogize, according to its merits, the quadrant at present used by all civilized nations. It was truly one of the most important inventions of modern times. The history of its discovery is as follows:

A considerable premium had been offered in London, for the invention of a quadrant possessing the properties, which were ultimately attained in this. *Godfrey*, a poor but ingenious man, applied himself diligently to the business of forming one, which should answer the description given in these proposals, and succeeded. To acquire the premium and the honor of the invention, he engaged a passage to England in a ship just ready to sail from Philadelphia. *John Hadley*, esq. then commanded a ship, lying also in the Delaware; and invited the captain, with whom *Godfrey* was to sail, to dine with him.—After dinner he brought out a quadrant, which he considered as superior to those in common use. His guest told him, that if he would dine with him the next day, he would show him one lately invented by a Philadelphiaian, which was much superior to his own. *Hadley* consented; and came the next day, provided with the means of taking an exact description of the new quadrant. After they had dined, the quadrant was produced; and *Hadley* took a description of it. His ship being ready to



sail, he fell down the river that night; and, having a very short passage to *England*, procured a quadrant to be made of the same structure. Some weeks afterwards, the ship in which *Godfrey* sailed, arrived in *England*. Here he found among that class of people, who were interested in such a subject, much conversation about *Hadley's* quadrant, as being a new and very happy invention, and much superior to any, which had before been known. He procured a sight of the instrument, and found it exactly the same with his own. You may suppose, that he was astonished at this discovery. The captain, scarcely less astonished at the grossness of the fraud, and deeply wounded by this proof of his own indiscretion, explained the mystery to *Godfrey*.—The unhappy man became a maniac.

Yet, with these facts as notorious to all men as that the sun shines at noon-day, the thief [I call the man by the proper name that his conduct deserved] the thief, *Hadley*, succeeded in building up a reputation for himself and his country, on the work of *Godfrey*, our countryman, and made his fortune on the insanity of the person he robbed? Is it possible, that we should longer countenance a villiany like this? It is a stain upon the *English* nation, that they have sanctioned it as they have—but it is a spaniel spit-licking meanness in us to sanction it as we do.

Come out of this state, my fellow citizens. "Feel and believe" that you have a country that you may justly be proud of, in every respect, and especially as to nautical affairs. Frankly give to others the praise that is their due, while you profit by their ingenuity and find safety in their genius; but take care of yourselves—"national honor is national strength;" as we disregard it we become fitted for transformation into a nation of puppies. *John Bull* will take whatever you please to let him have; recollect his *sine qua non* at *Ghent*!! He must be met every where and in every way; and the ramifications of his power and influence is so great in this country, that it requires no little industry to discover all its bearings.

To give to our country and countryman their due, at least among ourselves, suppose these things were to be done—

*First.* The state of *Pennsylvania* to pass an act declaring that in all proceedings of a legal nature in that state, the quadrant now in use [which ought to be described,] shall be called *Godfrey's Quadrant*. Let it be made so imperative that the most perfect lawyer, even in his pleading, should not hint that it had any other name.

*Second.* Let the secretary of the navy, or the commissioners of the navy; either of whom to which it may most properly belong, order and direct, that in all conversations on board of our public ships and vessels, and in all official communications whatever, the said quadrant shall be called, as it is, *Godfrey's Quadrant*.

I do not pretend to say that these things would be the most effectual to bring about the change desired. But they seem to be well cal-

culated for it, and may, at least, put some to thinking on the subject; which I really think is worthy of the attention of the patriotic legislature of *Pennsylvania*, and of the distinguished individuals alluded to. The quadrant is as much our own, as our flag—and of it, and all else that honestly belongs to us, let us say—"DON'T GIVE UP THE SHIP."

### British Espionage.

The miserable shifts of the British ministry to keep up "their system," by herds of spies and informers, sham-plots and the like, were referred to in our last number. By *Cobbett's* (*New-York*) Register, of the 21st instant, we have a history of an affair which, soon after it happened, much excited our curiosity; but we were then unable to understand its bearings. The facts are briefly as follows:

The government wished some commotion to justify them in their strong measures, such as suspending the *habeas corpus* act, &c. and panted for the blood of *Mr. Hunt*, whom they feared. A person named *Dyall*, as chairman of a committee, called the famous meeting at *Spa-fields*, to memorialize the prince regent. *Mr. Hunt* was then specially invited to attend the meeting, but hesitated whether to go or not, being unapprized of the intended proceedings, but agreed to be present. *Dyall* is sent for, and a copy of the memorial, intended to be passed by the meeting, is lodged in the office of the secretary of state. The meeting is held at the appointed time; and, at the very moment when it was supposed *Mr. H.* was offering the said memorial, the *Courier* newspaper is put to press, with a paragraph saying that their reporter "had just returned from the meeting, and had heard *Mr. Hunt* move a memorial of a very treasonable nature;" of which it actually went on to insert a passage! But all this fine machinery was defeated—the prepared memorial was not approved of by *Mr. Hunt*; he caused it to be set aside, and introduced in lieu of it a respectful petition for reform.

*Mr. Cobbett* observes—"it is treason in any one not to prevent the commission of treason, if he has the power of doing it." Yet here was a snare laid to lead *Mr. Hunt*, innocently, into an act of treason, and by the government itself! This "out Herod's Herod;" and, as they say on the Eastern-shore of *Maryland*, of any thing that is supereminent, it is the very "cap-sheaf" of all that is dishonest and base.

### The Sea Serpent.

Several accounts have been published of enormous animals, of the serpent kind, being seen in the sea, especially on the coasts of northern Europe; but their appearance was so rare that most persons doubted whether they existed at all. The fact is now resolved be-

yond a doubt—there are “monsters in the deep” of the serpent kind.

That which has appeared in the harbor of Cape-Ann, Massachusetts, has been seen and observed, sometimes within a few yards, by hundreds of persons, hundreds of times, and almost every day for six or eight days, playing near the surface of the water, as if to enjoy the sun-beams. A great diversity of opinion, very reasonably exists as to its length, for its motion is estimated at the rate of a mile in three minutes; but it seems generally agreed to be from eighty to one hundred feet long,\* and of the thickness of a flour barrel at the largest place. Its motion is undulatory, like that of a caterpillar, and it turns itself about with the rapidity of lightning, sometimes holding his head eight feet out of the water. A captain Beach had an opportunity of observing him in several favorable positions, and once when he appeared to be reposing; and he has made a drawing of him, which is intended to be engraved. His head is about “the size of a bucket,” the under jaw and teeth like a shark’s, and, when his mouth is open, is very terrific. His body is of a dark color, but the head is partly white. He often approaches within 15 or 20 feet of the shore. All the skill and ingenuity of the hardy and enterprising people whose coast he has visited, has been put in requisition to take him, but without effect. Shark hooks have been baited and set afloat in the harbor, and many boats have been out to get a better account of him. The eyes of intelligent men are upon him; and if he should escape the snares laid for him, we may expect, at least, an authentic narrative respecting him. “The chance of taking this creature,” observes one of the papers, “is small: it requires not only the club of a Hercules, but the cunning contrivance of a Vulcan.” It delights in smooth water, and does not appear when the sea is ruffled.

On the 23d instant the serpent was seen off Kettle-Island, between Manchester and Cape-Ann, following and feasting on a large school of alewives. Great exertions have been made to take him, for 2000 dollars is offered for him. But he is said to have turned on his pursuers, and caused them to seek the shore in great haste and alarm.

### Indian Reform.

*Copy of a circular address, written by T. L. McKenney, esq. and forwarded to the several Indian agents, accompanied with a circular from the Kentucky Baptist society for propagating Christianity among the Heathens.*

OFFICE OF INDIAN TRADE,

Georgetown, (D. C.) July 12, 1817

Sir—A few days ago I had the pleasure to receive a letter from col. R. M. Johnson, of Kentucky, enclosing a copy of a circular addressed by the

“Kentucky Baptist society for propagating the Gospel among the Heathens,” to the Indian agents, with a request that a distribution might be made through this office. I take great pleasure in complying with this gentleman’s request, and especially if by so doing, I shall have promoted an object, affecting so vitally the happiness of so many thousands of human beings.

I have long believed the key to the civilization of the Aborigines, to be the knowledge of some christian language, but especially the English in this case, inasmuch as information would be conveyed to this people, through this channel. This can be furnished only by the agency of *schools of instruction*. Under this conviction, and by the use of this means, the “Kentucky Baptist society” stands ready to commence its great work of reformation, and sustained as it is by means the most ample, (of this I am assured by col. Johnson) the members honorable men, and christians, and moved to this generous work by the impulse of benevolence, there can be no question of its favourable result, unless in the minds of those who believe Indians incapable of reform; and those who indulge this opinion, are certainly not conversant with the history of those people.

I solicit on the part of humanity and behalf of the christian religion, (that system which of all others, combines the most to promote human happiness) that you circulate these tidings among the Indians within your agency; and by means of all your persuasion, endeavor to influence them to accept the generous offer.

Address to Samuel Trott, C. S. and direct to “Great Crossings Kentucky,” favoring me also with a copy of your address. T. L. M’KENNEY.

*Extract of a letter from T. L. McKenney, esq. to col. R. M. Johnson.*

OFFICE OF INDIAN TRADE,

Georgetown, (D. C.) July 12, 1817.

DEAR COL.—Since I had the pleasure of writing you last, to which address I subjoined a list of agents, embracing the number of those to whom I had at that time addressed circulars, I have forwarded circulars to those whose names are attached, and also (with a letter) to each of the three governors, viz. gov. Cass, gov. Clarke, and gov. Lewis.

I have thought much of the prospects which are brightening before the poor Indians. I rejoice at them. The rays of mercy are already breaking through the clouds, which for so many years have hung over and darkened their prospects. In addition to the establishments which I named to you, is one of magnitude and much promise, on the Tywasee in the Cherokee country, under the “American board of commissioners for foreign Missions,” at the head of which is Cyrus Kingsbury. These benevolent men are devoted to the cause of these people: and their rules and regulations, their plan of instruction, Lancasterian; their agents intelligent and pious—all combine to promise the happiest result. However harmonious these pious bodies are, in revolving in their respective orbits, (nor can such noble designs clash—it is not in their nature to do so) and however beneficial they must prove, even in their separate results; yet the consequences could not but be more extensively beneficial, if a union of the whole could but take place. One in purpose, one in design, one in motive, the darkness would retire before such a body of light, and the end all have in view would be hastened.

Ever yours. T. L. M’KENNEY.

\*This is a distinct establishment from the Baptist of Foreign Missions.

\*Some give the length at 150 feet.



## The Holy Alliance.

FROM A LONDON PAPER.

No one transaction of modern times, prolific as they are in daring novelties, has excited more astonishment than the declaration of the ministers of the five allied powers, with regard to Lucien Bonaparte. That the ministers of despotic sovereigns should be instructed to exercise unlimited authority over the life, person and property of an individual, would have excited no surprize, because they consider all within the grasp of their power, as objects at their mercy—but that the minister of Great Britain should give the sanction of his country, and of his royal master, to the condemnation of a person not taken in arms against any government—not a prisoner—not tried and convicted of any crime—is as new to the history of British diplomacy, as it is contrary to British laws, and injurious to British honor. Not only also is the representative of his majesty committed by this transaction, but as if to implicate their country more deeply in the act, and to make it peculiarly the measure of Great Britain, the duke of Wellington is stated to be present at the conference of ministers, giving two voices for England while the other states had but one each.

In no one instance, not even the decision of the five powers upon the reference made to them by Spain in the case of the Portuguese aggressions, has the character of the congress at Vienna, and the true spirit of the Holy Alliance, been made more manifest, than by this declaration. By this, it appears, that every human being is henceforth to hold his personal freedom at the good pleasure of the five sovereigns whose word is to be law, and there is to be no habeas corpus in any part of the European possessions of the great and mighty allies. Europe is to be a military encampment, out of which no individual is to emigrate without a passport! Such is to be the result of the struggle for twenty-five years, in which we have expended seven hundred millions of money!

That the first public example made under this international law, should happen to be the brother of Bonaparte, makes no difference in the case. Lucien Bonaparte lived in England innocently and harmlessly at a period, when by the nearness of the great object of terror, he had it much more in his power to excite alarm than at present; unless, indeed, it is to be alleged against him that he abandoned his brother the moment that his brother abandoned the cause of liberty, and that he is dangerous in proportion to his integrity!

We hope that this outrage against the principles of the British fabric of society, will not be suffered to pass over without a formal protest in parliament; at least let it be known to the world that there are still men in England who respect the privileges of their own species, and who will avow their abhorrence of every departure from the pale of justice, freedom and humanity.

☞ The British parliament have outrages enough at home to protest against, without travelling to the continent for subjects.—ED.

## Longitude.

FOR THE NATIONAL INTELLIGENCER.

Messrs. Editors—The following is a copy of a letter to a gentleman in Savannah:—

“Ship Wallace, lat. 33, 50, long, 68, 22,  
“May 11, 1817.

“By calculation we have made 12 deg. 35 min. difference of longitude. The doctor's machine cor-

responds exactly—and I have not the least doubt of its accuracy, and it certainly is the long sought, for thing.

J. STICKNEY.”

☞ Doctor Hall, of Savannah, sailed in May last for England, with an instrument, to claim the *emoluments and honors* of a discovery of longitude; but, though he may obtain those, the merit of the discovery of the theory, is unquestionably due to doctor Joel Abbot, of Georgia, member elect of the 16th congress. For nearly twenty years the writer of this has occasionally corresponded with him on this very interesting discovery. I have now before me his memoir on the subject, printed in Philadelphia, in 1814, entitled “An *Essay on the central influence of Magnetism.*” The author conceives that he has discovered, in the laws of magnetism, a native principle, by which, with proper mechanical ingenuity, longitude may be discovered. This principle he has defined, in his theory of magnetism, which explains the laws of magnetic motion, impressed by nature—never explained nor conceived before. Perhaps further communications on this subject may be submitted to you. I will now only add that doctor Abbot believes that he originally conceived and explained a law of nature impressed on magnets, which fixes as permanently a *meridional* attractive government to magnetic bodies, as *polarity* itself; that when a magnet is formed and suspended so as to obey all its attractive powers of government, it will obey not only a *polar*, but a *meridional* influence, and accommodate itself to the infinite conceived *meridians* of the earth, as it accommodates itself to the *poles* of the earth. 7.

## A Great Discovery.

FROM THE AMERICAN DAILY ADVERTISER.

*Safe Steam boats.*—Citizens attend! Surely the sum of death and misery, occasioned by the explosion of the boilers of steam engines on board of boats, is now enough to arrest your attention, if you ever intend to travel in steam boats. This discovery has recently been so openly attacked that the inventor is compelled to defend it. Therefore, I announce that more than forty years ago, I discovered the principles and afterwards the means of applying the great and advantageous principle in nature of the rapid increase of the *elastic power of steam*, by geometrical progression, by the small increase of heat in the water, by arithmetical progression, and thereby to lessen the consumption of fuel, the size and weight of the steam engine to suit for steam boats. For double heat in the water produces 128 times the power, and double fuel consumed produces sixteen times the effect. And have since got into operation seventy or eighty steam engines constructed on the eternal and immutable principles and laws of nature. So combined and arranged that it is nearly beyond the art of man, either by neglect, design, ignorance, or malice to explode them the *elastic power of steam*. He can only make them yield to the irresistible power in a small degree, so as to let the power escape until the steam extinguishes the fire, and the danger ceases by the regular operation of the engine itself; no accident has ever happened with any of my engines to do injury.

On these principles steam boats may be made the more safe, as well as the most commodious vehicles of passage, and steam mills as cheap and safe as water mills to consume only half the fuel that other engines do, and cost much less.

I have made many efforts to communicate my dis-

coveries fully to the public, but without much success. I published in the year 1805 a laborous and difficult new work (produced by long intense study) on this new and abstruse subject, describing and demonstrating those principles, and directing their application to mills and also to boats, by means of the very paddle wheels since adopted, which mode of application I had conceived or understood well for about thirty years before. This book entitled

*The Young Steam Engineer's Guide*, I gave gratis to many, but sold very few; it contained also rules for calculating, and tables of the proper thickness of iron for boilers of various diameters, necessary to hold the power with safety, and of the proper diameter and length of the working cylinder for engines of the various powers, and directions for making them, to propel boats against the current of the river Mississippi, and the result of an experiment on the river Delaware with a steam engine in a flat, which was propelled by a paddle wheel, ascending the river against a head wind, leaving all the vessels then beating up behind it. This was in 1804. It contained every thing necessary for a steam engineer to know to enable him to construct a perfectly safe steam boat, on my principles, which book the public certainly had the full perusal of when the first successful steam boats were put in operation. To it I now refer; it is to be seen in the Philadelphia library. But I soon discovered that the force of habit and attachment to Watt and Bolton's inferior engine (it being afterwards adopted) would prevent my discovery from being used in boats until dire necessity should compel its adoption. This ponderous, feeble, and dangerous engine, prevailed in boats, while the light, simple and powerful engine, consuming only half the fuel, prevailed on the land; an absurdity scarcely credible.

I have since endeavored to divulge my principles and discoveries by many publications in newspapers, but these circulated no further than I paid. This country has been too long deprived of the benefits of my discovery. It has been doomed to work its way slowly by its own intrinsic merits, against the opinion of self interested persons, speaking loudly against it, without knowledge of the principle, for those who understand its principle and merits speak in its favor. Editors of newspapers should give currency to arguments and demonstrations in its favor, as well as unfounded assertions against, the use of the elastic power of steam, as an agent to produce mechanical effects, that a fair contrast may be laid before the public, that it may appear clear where the danger exists. When the danger will be found to rest entirely with what is now called the low pressure, Watt and Bolton's condensing steam engines; but which in fact, are now using a degree of high pressure dangerous to be used in their boilers constructed on wrong principles, in such a form as will not bear steam of any elasticity with safety, for they cannot prevent the steam from rising in two or three minutes to a degree of pressure that would explode their boilers, which may be seen verified every time the engine is stopped in its motion, to take in a passenger, or the boat comes to a wharf, the safety valve is that moment lifted by a string to let the steam escape; if this was to be neglected in three minutes an explosion must take place. The lives of the passengers are entrusted to the care of the valve lifter! a person, perhaps, to whose care not one of them would be willing to trust their lives a moment, if they knew it!! These are the engines so highly recommended by those who do not understand the subject.

#### DESCRIPTION OF BOILERS THAT CANNOT BE EXPLODED.

I construct my steam engines, in every part that holds the elastic steam, of a true circular form which form the elastic power has no tendency to change, the stress or pull being as fair as that of a weight suspended at the end of a walking stick, perpendicularly, to pull it endwise; this form will hold steam of more than one hundred times the elasticity that any other form will bear. For the whole elastic power, in a boiler of any other form tends to change it to a circular form just as certain as blowing a bladder brings it to a round form, and in this change to break it, and produces a great explosion, being on the weak principle of suspending a weight on the middle of a walking stick, laid horizontally, to bend it.

My cylindrical boilers, fifteen inches diameter, with the ends closed with half globes, will hold about 1300 pounds pressure to the inch area of its inner surface; if 20 inches diameter about 1000; if 30 inches 700 pounds, and if 60 inches diameter they will bear about 350 pounds, when constructed with wrought iron sheets, one quarter of an inch thick, strongly riveted together, and that with as much safety as any other form will bear ten pounds to the inch; double the diameters will hold but half the power. But further, in my cylindrical boilers the stress to make them yield is equal in every part, and because it is impossible for any workman to construct such a boiler to be equal in strength in all its parts, but that some part or rivet of a thousand will be weaker than the rest, and yield first by a small opening to let the power escape inside the furnace, and steam enough to extinguish the fire; thus the operation of the engine itself stops all danger. That this will be the case 999 times out of a 1000 instances where such boiler may be made to yield to the gradual, irresistible power, we can have but little doubt, as there have been hundreds of instances of such yielding already, with boilers which have been rusted or burnt out until they yield so often that they have been removed to give place to new ones. That we may safely conclude and say, that it has been proved in practice, that these boilers cannot be exploded to do any serious injury, not to such a degree as to force through the furnace walls of a mill, and much less to force through the sheet iron covering of the boiler in the steam boat *Ætna*, by the elastic power of steam, that always rises gradually, giving time for the weakest part to yield. If it instantaneously rose like gunpowder, the effect would be quite different. I defy contradiction, or any person to explode one of my boilers by steam.

Now cannot any steam engineer make a perfect safe steam-boat on these principles, so clearly explained even to the common sense of all, by adopting a cylindrical boiler that will hold 1300, 1000, 700 or even 350 pounds pressure to the inch area of its inner surface, and equipping it with two self acting safety valves (as I have done on board the *Ætna*) that one of them may be enclosed with a cover and locked, after it has been loaded and regulated to lift with certainty the instant the pressure rises to the greatest power he ever intends to use, say three pounds to the inch, if he chooses to work on the perfect Watt and Bolton's principle of condensing to form a vacuum to obtain his power; if he chooses to work with the elastic power of high pressure to any degree, since he is now informed and convinced, that as the pressure is raised the speed of his boat will be increased, and the consumption of fuel may be lessened to one half, he may load his safety valve to lift at 5, 7, 10, 12, 15, 20, 30, 50, 100, 150



pounds to the inch with safety, just as far as he wishes to put my principle in operation, to save expence, or lessen the weight, or the consumption of fuel! The less the pressure he uses the slower will be the speed of his boat, but the people will believe it is the safer; but with any other than a circular form of boiler he can obtain no safety, because he cannot prevent the steam from rising in two or three minutes to a pressure that will explode his boiler, in case the valve be not lifted to let the steam escape. But with my boiler, while he works a condensing engine *with three pounds*, he may still load his locked valve at 150 pounds, and then the fire will burn down after the engine stops, before the pressure will rise from 3 to 150 pounds to lift the valve, and he may hold his steam from evening to morning, and then start with great power, even before he has a spark of fire kindled in his furnace, and thus he may save his fuel, and never let his steam go. How striking is the contrast! A removal from the brink of destruction to perfect safety.

If the editors of newspapers will give currency to this one publication, every steam engineer who may read it, may know how to make steam-boats *more safe*, than any other mode of travelling, and at *much less expence* than he can make the *dangerous* engines now used. But I wish all to take notice, that I have expended the greater part of a long and laborious life, of arduous and intense study, to acquire the knowledge which I have communicated. To discover the principles, defray the expences of testing them and to secure my right by patent, and to establish extensive works to manufacture the steam engines, both at Philadelphia and Pittsburg, to supply the demand, that therefore by this publication I do not mean to relinquish or impair any of my vested and lawful rights, as a patentee, discoverer and inventor. To the good people I submit the case; they will judge whether it will promote their interest to support me.

Any editor of a newspaper who may be the first to publish this in *any city*, in the United States where steam-boats are used, and will send me a paper, I will enclose him five dollars, as a small compensation for the insertion, as often as he may deem the public interest requires it, hoping however, that all editors will give it one insertion for *public good*, for it may stop the useless expenditure of hundreds of thousands of dollars, and save many lives; but my patience has been long since exhausted in paying for publishing such information that was neither read or regarded, which, although it was to promote my own interest, it was intended to save the owner of each steam-boat, at least ten thousand dollars, and perhaps the life of the reader.

[*Phila. Aug. 16.*]

OLIVER EVANS.

### Excellent Cement.

*Experiments shewing the progress made in discovering the materials for a water cement, among our domestic resources, in a letter to Dr. Michill from David Meade Randolph, esq. of Virginia, dated Richmond, 26th June, 1817.*

DEAR SIR—Among the great variety of useful inventions connected with the arts, as it has been lately my object to pursue and to have observed in England, it was one of great importance in my mind, to discover in this country something that might answer an equally valuable purpose with the famous "*Dutch Terias*," or *Parker's "Roman Cement*," as it is now generally used in England and the West Indies for works under water and elsewhere situated.

In this pursuit it has been my good fortune to succeed so far as to indulge a confidence that upon the more satisfactory tests of *works upon a large scale*, and a reasonable term of time for experience, there can be nothing discovered of more importance to the construction of durable foundations either *under fresh waters* or those of the sea, than those certain minerals that I take the liberty of transmitting to you herewith. These will be found in two stone pots to your address—One of them contains a powder which I conceive to possess the properties of *Puzzolana*, or the cellular basalt of *Dr. Rees*; the other is a lime produced from certain concretions of lime, clay and other matters found on the banks of *York river*, near to the town of *Little York*. These jagged and very various irregular sized (apparently) rocks seem to have been formed a little below the adjacent land, and to have tumbled from them as the washings of the tides have worn them down; for many fragments or distinct masses are seen pendant from their beds. The quantity is very extensive; and, from some parts of the same banks, the vertebra and other bones of some huge land or sea animal are found to have been dislodged likewise. This lime rock, upon being calcined, falls to an impalpable powder. It does not slack like other limes; on the contrary by the application of water as in slacking other limes, the powder forms itself into a mass, and coagulates by lying; and when made into a paste, forming a plate of it, suspending it to dry, it assumes a stony or hard appearance, which being immersed in water before it is quite dry too, it does not dissolve like paste made of other lime.

One of those pots aforesaid (the other) contains a mixture of this lime powder and the powdered basalt, in the proportion of lime two, basalt three, which from my experiments seems to be the most perfect for *terias* mortar. They are to be reduced to a plastic state, by adding the smallest quantity of water possible, and that by little and little, to aid the beating in rendering it tough. Observe this rule—*the more beating and the less water, the firmer the mortar*. Hence you will perceive, sir, that my researches have been to the best chemical authorities, as far as my simple capacity has enabled me to understand from *Dr. Rees* and some others upon this subject. My acquirements and ability to investigate and to understand, are solely from exercising my *practical* knowledge and limited powers of mind; whilst I would most respectfully solicit your enlightened aid to mature my purpose, and to stamp a character upon my inventions.

Two bricks were cemented on the 1st of this month with a mortar far less perfect than the above and instantly (while the mortar was soft) they were placed in a basin of water, were they have remained ever since. The cement grows harder with time, as is very perceptible; and from the crust that is evidently forming on the surface, I am expecting a *crop of Sulactites*.

You will readily perceive, sir, that if the invention shall prove effectual, I am fairly entitled to a reasonable compensation, to be secured by a patent or otherwise, and that your kind assistance in the promotion of my object would be gratifying in an eminent degree. In conclusion, sir, I pray you would have the goodness to favor me with a reply; for my apprehensions of having trespassed too far on your benignity can only be relieved by your favorable reception of this appeal to your liberality, and by such orders for a supply of the crude materials as you shall be pleased to give your most respectful and humble servant. D. M. RANDOLPH.

## Wealth and resources of S. America.

*Extract of a letter from an English House in Manchester, dated June 4.*

"The interest excited by the advices from South America, as it naturally leads us to consider the influence the important events which are passing there are likely to produce in other countries, must render some accounts of the commercial resources of those vast regions acceptable. The following particulars, derived from official sources, will therefore not be found destitute of interest. Whether the period of their total emancipation be already arrived, or whether its accomplishment will require a more protracted struggle, is uncertain, but no doubt can any longer be entertained of the final success of the Insurgents; when the widest field ever presented to mercantile speculation will be found in an empire abounding with the most precious productions of the earth, intersected by the noblest rivers, and filled with harbors offering at once facilities and protection to navigation, yet where the comforts derived from Arts and Manufactures cannot be produced but from foreign parts. In such a country, whatever regulations prejudice or hostility might induce the rulers destined to sway its territory to enforce, or however uncertain and precarious its institutions might be, commerce will not fail to discover multiplied channels through which its wealth will flow and be distributed, when once freed from the control of the mother country through which its supplies were compelled to reach it.

"Although the commerce of the River Plate is capable of considerable extension and improvement, the subsisting relations with this country of late have acquainted us with the nature of its trade and taste of its inhabitants.—The Provinces or Viceroyalties of Chili and Peru, situated on the Pacific Ocean, by far the most important regions of the southern hemisphere, are not so well known here. Chili is between 15 and 1600 miles in length, and is 240 miles in breadth; its climate is one of the finest in all America, being temperate and salubrious; its soil fertile, and its sky always clear, except at the commencement of the spring, which is in September, when it is refreshed by copious rain. The port of Valparaiso is the principal medium of commerce for the whole province, and from thence more than 15,000 tons of wheat are annually exported to Lima. Saint Lago di Compostella is the capital, and contains about 30,000 souls. Peru is however the most important province, in a commercial point of view; its annual imports from Europe are 50,000 pieces of real small Britannias of all sorts, 6000 pieces broad ditto, 30,000 pieces imitation ditto, 25,000 platillas, 5000 pieces of fine Holland linen, 200 pieces Rouens, 200 pieces Silesia, 1500 pieces Flemish linen, 650 Caserillos, 16,000 gauzes, 3000 packets thread, 1000 dozen shirts, 900 dozen stockings, 400 pieces fine French damask, 100 pieces brown Flemish linen, 100 bales cambric, 80 bales printed cholets, 100 pieces fine Irish linen, 200 dozen fine hair nets, 6000 pieces superfine baize, 2000 pieces fine cloth, 600 superfine ditto, 2000 pieces camblets, chiefly cinnamon colour and black, 300 pieces glazed striped stuffs, 1000 pieces serges, 2000 dozen worsted stockings, 200 pieces burats, 200 ditto tammies, chiefly blue and black mixed; 500 pieces white calamancoes, 500 pieces checked ditto, 2000 hats, of which 1800 white, a variety of light silk stuffs, flowered taffetas, glazed atlases, gros de tours, single and double stuffs, some white but more black redesillas, velvet, part plain and part striped, dark green,

gray and fancy silk stockings, 6000 quintals of iron, 5000 ditto of block-tin, 1000 ditto iron bars, 3000 ditto cast iron, 500 ditto steel, 1500 iron hoops, 1500 spades, 100 hoes, 800 hatchets, 400 quintals of nails of all sorts from 3-4 inch to 6 inches, 200 ditto from 6 to 12 inches, 500 ploughshares, 80 chests of horse shoes, 500 ditto of all sorts of small hardware, 4000 dozen large and small knives, 2000 quintals of wax, 2000 reams of white paper, 1000 ditto coloured ditto, 250 pounds of carmine, Prussian blue and other fine colours, 350 pounds of stone blue, drugs and medicines to the amount of 10,000 piastres, 100 chests of liqueurs, 100 ditto of books, 150 ditto of glassware, and 200 ditto of cabinet wares. Total value of imports, taken at the European invoice prices, 52,307,453 dollars.—The manufactures of the country consists almost entirely of a few friezes, the use of which is in a manner confined to the Indians and Negroes.—There are besides an inconsiderable number of manufactories of hats, cotton cloths, drinking glasses, &c. which do not however occupy much space in the scale of the riches of Peru, of which the mines are the principal source, notwithstanding the little skill and industry which is employed in working them, and the small help which commerce affords to the miners, 534,000 marks of silver, and 6380 of gold were smelted and refined in 1790, in the Royal Mint at Lima; and 5,206,906 piastres, in both materials, were coined there. The exports consist of gold, silver, copper, Merino wool, cascarilla, China root, cotton, cocoa, and other valuable articles, to the annual amount of 31,486,000 dollars. Cotton is excellent and abundant, as well in the Sierras as the vallies. The spiders in Mayabomoa, Chachapoyas, and Jaen, yield a silk as fine as that of Valencia. Flax and hemp grow wild and in abundance, but no one dreams of cultivating them, though the latter might with little difficulty be made an important article of exportation. The Kermes berries are likewise found in profusion, and yet this precious drug is only employed by the Indians to die a few of their own coarse stuffs.

"Such is an imperfect sketch of the wealth and resources of those immense regions, about to become independent. The effects likely to be produced by such an event are incalculable; unknown empires are on the point of opening their vast stores for the encouragement of industry and commerce; new channels will be discovered for the excess of our manufactures, and the redundant population of Europe will, without doubt, flock in thousands to shores where the labor of the husbandman would be repaid with double harvests of many valuable productions. How worthy the attention of the statesman and the merchant is a state of things, calculated to confer the greatest benefits on mankind at the present critical period!"

## City of Venice.

*The following article is taken from a very late British periodical publication. It contains a lamentable picture of a once rich and flourishing commercial city.*

"Venice, it is well known, is built on a cluster of islets, situated among the shallows which occur near the head of the Adriatic Gulf. The houses and spires seem to spring from the water; canals are substituted for paved streets, and long narrow boats, or gondolas, for coaches. Some parts of the city are elegant, exhibiting fine specimens of the architecture of Palladio; but the splendid palace of St. Mark is no longer thronged by Venetian nobles; the cassinos are comparatively deserted; and the



famed Rialto bridge has ceased to be distinguished for its rich shops and their matchless brocades. The ancient brazen horses have returned from their travels to Paris; but Venice has not been suffered to resume its consequence as the capital of an independent state; the Bucentaur is rotten, and there is no longer any doge to wed the Adriatic.

"The great mole is situated about seventeen miles to the south of Venice. It was begun so long ago as the year 1751, and it was not completed when the French revolution broke out. On one part of the wall were inscribed these words:—"Ut sacra æstuaria, urbis et libertatis sedes, perpetuo conservetur, colossæas moles ex solido marmore contra mare posuere curatores aquarum." This truly colossal rampart passes through a morass, from l'Isle di Chiusa, on the west, along l'Isle di Murrassi, to Bocca del Porto on the east, being an extent nearly of three miles. Towards the land side, it is terminated by a wall about ten feet high and four feet broad. If one stands on the top of this wall, the whole is seen slanting on the other side till it majestically dips into the Adriatic; and the magnitude of the undertaking forcibly strikes the spectator's mind.—The slanting part of the work commences about two feet and a half below the top of the wall, and descends towards the water by two shelves or terraces. A great part of the embankment is of close stone work: this vast piece of solid masonry is about fifty feet broad, measuring from the top of the wall to the water's edge. The stones are squared masses of primitive limestone, or "solid marble;" they are very large and are connected by Puzzulana earth, brought from Mount Vesuvius. Beyond this pile of masonry many loose blocks of marble are placed, and extend a considerable way into the Adriatic. When very high tides occur, accompanied with wind, the waves break over the whole pier; and sometimes, on these occasions, part of the loose blocks are thrown up and lodged upon the level part of the rampart: it may be questioned, therefore, if this exterior range of loose masses of stone be not likely to prove rather detrimental than useful.—Near to this pier, on the side next the sea, there is water for vessels of considerable size. The great object of the work is to guard the Lagoon on its south and most assailable point, "contra mare," as the inscription bears; and but for it Venice it is thought, would by this time have been in ruins from the gradual encroachments of the sea. It is kept in good order, and seems lately, during the dominion of the French, to have received extensive repairs. This magnificent work is said to have excited even the admiration of Napoleon, which he has marked by this inscription:—"Ausu Romano, ære Veneto."

"It may be noticed, that the part of the rampart next to the entrance of the harbour, was the scene of many combats between the French troops and the English sailors, during the blockade of Venice by our navy. The rigour of this blockade is not generally known; so effectual did it prove, that numbers of the native inhabitants, particularly of the lower orders, such as gondoliers, absolutely perished through famine.

"On the Isle di Murassi, already mentioned, are a number of houses, of a pretty enough appearance at a distance, but miserable on a nearer view; they are inhabited by fishermen, who, with their wretched and squaled wives and children flock round a stranger, begging with deplorable looks and tones of penury and want. The great Laguna, or shallow lake, also already mentioned, varies in depth from half a foot to three and four feet and more. From the east,

ern termination of the pier at the Bona del Porta, the course of the deeper channel accessible to very large vessels to the port of Venice, is marked out by wooden stakes, or beacons, placed at short distances.

"The long continued blockade of the English annihilated the commerce of the port, and proved very disastrous to the Venetian vessels, many of which became ruinous, and have been found incapable of repair. For some days during Sept. last (1816,) only two vessels cleared at the custom house—one for Constantinople, and another for Corfu. About half a dozen of small craft, Swedish, Danish, Dutch, and Italian, were then lying at the birth, waiting for cargoes, but with little expectation of obtaining them. During the war, capital was wasted, and mercantile spirit extinguished; it is not surprising, therefore, to find the commerce of Venice at the lowest ebb.

The merchants are now endeavouring to obtain from the Austrian government some advantages at the expence of the rival ports of Leghorn and Trieste, but with slender hopes of success; and it is not perhaps without reason, that the Venetians have begun to despair of any signal revival of the commerce of this ancient and once celebrated emporium—to which Europe, it may be remarked, was indebted for the invention of public banks."

## Power of Painting on Brutes.

*From the American Monthly Magazine.*

Messrs Editors—If the following anecdote of the power of painting, in deceiving canine sagacity, strike you as forcibly as it did me, I am confident you will give it a place in your Miscellany. I confess I do not recollect to have heard of an analogous case.

In the year 1815, Doctor Buchanan, of the United States' navy, stationed at Sackett's Harbor, having sent his son to New-York for the purpose of taking passage for Europe, wrote to a friend in this city to select a portrait painter, and have the boy's likeness portrayed and sent to him. This was done, and some time after the friend received a letter expressing the father's approbation of the portrait, and relating a singular occurrence evincing the truth of the resemblance.

"My friend, capt. Heilman, has a fine pointer dog, named Pero. My dear James being an excellent shot, and fond of sporting, an intimacy was consequently formed between him and Mr. Pero—who would frequently call (as it were) for James to go a hunting. After James's absence he repeated his visit about once a week, as if seeking his former friend. The first visit he paid after the arrival of Dunlap's semblance of his sporting companion was truly affecting—The moment he came into the door the picture struck his eye,—he stood motionless, one leg raised and his tail wagging for a few moments—he then seemed to have identified the truth of his own sight; he rapidly approached it, whining and wagging his tail,—jumped upon the chair over which it stood, and placing his forepaws on the frame, licked the hands of his quondam young friend; and this visit he repeats frequently, standing, ere his departure, with his eyes fixed on the picture and his tail wagging adieu. I presume this fact has taken place a dozen times, and in the presence of a dozen people." Yours, &c. R. T.

We certainly do consider the circumstance narrated by our correspondent, both extraordinary and interesting. It is, however, not the only instance we have met with of the triumph of the

graphic art over brute instinct. Antiquity furnishes two remarkable incidents of the same class. Apelles had executed an equestrian painting of Alexander, with which the king was dissatisfied, but a horse passing at the instant, neighed at the steed represented in the picture. The story of the grapes, in the piece of Zeuxis, at which the birds pecked, is familiar,—though the artist confessed that had the figure of the man who carried them, been equally well drawn, it must have frightened them away. A very recent illustration of the effect of the illusions of the pencil upon birds, is found in an humorous anecdote in Northcote's Memoirs of sir Joshua Reynolds. Mr. Northcote thus introduces it:—

"Sir William Temple, in his memoirs, relates a surprising instance of sagacity in a macaw, one of the parrot genus of the largest kind, which occurred under his own observation. His relation is, indeed, a very wonderful one; but I am the more apt to give it credit from being myself a witness of the following instance of apparent intellect of a bird of this species, and therefore can vouch for its truth; at the same time I hope to be excused for giving what I consider merely as a curious circumstance, and not to incur the accusation of vanity, in this instance at least, by making a weak endeavour to extol my own poor work, for very poor it was.

"In the early part of the time that I passed with sir Joshua as his scholar, I had, for the sake of practice, painted the portrait of one of the female servants; but my performance had no other merit than that of being a strong likeness.

"Sir Joshua had a large macaw, which he often introduced into his pictures, as may be seen from several prints. This bird was a great favorite, and was always kept in the dining parlor, where he became a nuisance to this same house-maid, whose department it was to clean the room after him; of course they were not upon very good terms with each other.

"The portrait, when finished, was brought into the parlor, one day after dinner, to be shown to the family, that they might judge of the progress I had made. It was placed against a chair, while the macaw was in a distant part of the room, so that he did not immediately perceive the picture as he walked about the floor; but when he turned round and saw the features of his enemy, he quickly spread his wings, and in great fury ran to it, and stretched himself up to bite at the face. Finding, however, that it did not move, he then bit at the hand, but perceiving it to remain inanimate, he proceeded to examine the picture behind, and then, as if he had satisfied his curiosity, left it, and walked again to a distant part of the room, but whenever he turned about, and again saw the picture, he would, with the same action of rage, repeatedly attack it. The experiment was afterwards repeated, on various occasions, in the presence of Edmund Burke, Dr. Johnson, Dr. Goldsmith, and most of Sir Joshua's friends, and never failed of success; and what made it still more remarkable was, that when the bird was tried by any other portrait, he took no notice of it whatever."

E.

## Foreign Articles.

ENGLAND, &amp;c.

At Liverpool, July 9, American flour was at 62s. per barrel, and the grain harvest never more promising.

In London the price of bread is reduced three half pence in the quarter loaf.

A baker at Dublin has commenced selling bread

at less than the established assize price, and the bread is pronounced of an excellent quality.

There were imported at Liverpool, from July 1 to 7, from the United States, 35,871 bbls. of flour. Imported previously, this year, 294,958.—Total 330,829.

The prince regent, to relieve the people of England—of their money—has purchased an old castle in Hanover for the trifling sum of a million of dollars.

*Stocks*, July 7—consols. 75 7/8 to 76.

John Bull is a wonder-loving fellow; and we often laugh at the ardor with which he pursues his passion. *Joanna Southcoat*, and the messiah she was to bring forth being done, because the old hag could not bear a child, though she did all she could for it, he has found a new wonder in a certain young woman, of an unknown country, who suddenly appeared in England! She was of a fine and very interesting figure, elegant manners, and possessed of many accomplishments. But nobody could understand her language or read her writing; she wrote very fluently. Many learned men were interested in her case! Her languages and characters were pronounced neither to be Greek, Malay, Chinese, Shanscrit, Arabic or Persian. Some thought that she was a Chinese, others a Javanes, others a Circassian—however, it was gravely concluded that her father was a Chinese and her mother a Malay! She quizzed the *knowing ones* for a long time—neither the folks at the India House nor at the universities being able to make any thing of her manuscripts. She affected many singular manners, seemed to worship the sun, &c. But at last poor John Bull, to his still greater wonderment, found out that "this most interesting creature," and supposed "princess" was a certain Poll Baker, of Witherage, a village in Devonshire! She is said to have arrived at Philadelphia.

The prohibition of the exportation of cotton yarn, is now a favorite object of many in England, to encourage the weaving in that country. The subject is before parliament.

The makers of wrought nails in England, have petitioned parliament against the use of machinery.

The chamber of commerce of Glasgow have agreed to petition parliament to repeal the laws regulating the interest on money.

The editor of the London Sun says—"We do not believe there will be such a modification in the British edicts as to allow Americans, in their own vessels, a free unrestricted trade of the British West-Indies," on account of the great want of employment for the shipping of Britain, &c.

The right hon. G. Ponsonby has been attacked with a paralytic, while on the floor of commons, and it is feared he will lose the use of one side.

The frame breaking bill, by which death was inflicted on the offenders, but which was sometime since changed to transportation, has been re-enacted.

Lord George Cavendish is to be the new leader of the opposition.

Liverpool, Bristol, Lancaster and other great trading ports, are all in a bustle with shipping off merchandise for the Brazils.

Another prize-fighter has been murdered in England, to gratify civilized *John Bull*. There was "rare sport!"

An explosion took place in a mine in Durham, Eng. on the 1st of July, occasioned by an obstinate and imprudent use of a candle. About 35 persons lost their lives.

In the house of commons, July 3, Mr. M. A. Tay-



lor moved that a report on the state of Newfoundland should be taken into consideration. He proposed the removal of 5000 of the inhabitants, and a bounty of 2s. per quintal on fish. The house declined a consideration on the subject then; but it was intimated government would direct all the relief possible to be afforded.

Arrests for treasonable practices continue in England.

A challenge has been given in England by Miss W. to her niece, Miss N. and rejected, and the former arrested and committed to prison, because she refused to give bail. She is represented a fine woman, about 26 years of age. A gentleman of rank had offered her marriage, but suddenly changed his mind and addressed Miss N.

They had just received in England an account of the detention of American fishing vessels at Halifax.

In England 12,000 dollars have been recovered by lieut. Kent, of the army, of col. Sorrel, for crime.

A steam-boat from London to Margate, has been destroyed by fire. It being found impossible to extinguish the fire, soon after it commenced in the hold, the deck was made as tight as possible, and the element confined below. The engine was kept in operation, and the boat run on shore, and all on board (fifty persons) saved; but immediately after they landed the deck fell in.

The first vote the Duke of Wellington has given in the house of lords has been against the catholic claims.

The Morning Post says "the *accouchement* of the amiable princess of Cobourg is expected to take place in October next, an event that cannot fail to give the highest gratification to the nation."

*Prodigy in spinning.*—A hank of yarn has been laid before the Irish Linen Board, which was spun by a girl only fifteen years of age, of the name of Wood; it weighs only ten grains, of course, would require 700 hanks to weigh one pound (avoirdupois) which would make a thread 2,521,440 yards, or about 1432 miles in length: 17lbs. 6oz. 3½drms. of yarn, spun thus fine, would contain a thread that would measure 24,012 miles, which is equal to the circuit of the globe.

*Crimes and Education.*—According to returns to parliament, the commitment for crimes in an average of nine years in proportion to population, are as follows:—In Manchester, one in 140; in London, one in 800; in Ireland, one in 1600 and in Scotland, one in 20,000!

The quarter's account of the revenue, made up to Sunday, leaves, we understand, a deficiency, or an excess of charge beyond the income, of 3,800,000—from which, however, is to be deducted a sum of about 900,000, on account of the Irish payments on bills. (C *Courier*.)

London, July 3.—Last week, while some laborers were digging gravel on the side of a hill in the vicinity of Dingwall, they discovered, about eight feet from the surface, a human skeleton, of more than ordinary dimensions, inclosed in a stone coffin, which appears to have been built around it. A copper dagger was found buried in the skull, and within the coffin, alongside the skeleton, was found an earthen jar, of a singular form, which, from the rudeness of the workmanship, bears evident marks of great antiquity. The hill, in which these singular relics were found, has more the appearance of a work of art than of nature, which leads many to suppose that it must have been the monument of some hero of antiquity who fell in battle, and was

buried on the spot. The solution of this problem, however, remains with the antiquary; meantime, the occurrence has given rise to much speculation among the *cognoscenti* of Dingwall.

London, July 7.—*Stupendous undertaking.*—A wonderful experiment was tried on Monday se'nnight, at Plymouth. It had been some time in contemplation to pull up a line-of-battle-ship on one of the building slips, and the Kent of 74 guns, was fixed on for the experiment. Two frigates had been previously hauled up with facility. The various apparatus being fixed, preparatory to hauling, and every precaution taken to prevent accidents and to secure the ultimate object, at 20 minutes before six o'clock the signal was given to heave the purchases. This was obeyed with the utmost alacrity by "a long pull, a strong pull, and a pull altogether." The immense fabric began to advance on the plane about 8 or 10 inches at a time, as the purchases acted, and in the short period of forty one minutes from the time of first heaving, a body weighing upwards of one thousand nine hundred and sixty-four tons, notwithstanding all its *"vis inertia"* was conveyed, as if by magic, to its destined situation, without the slightest untoward event or failure, in a manner that amazes, while it delights the mind. In the mighty operation, we may clearly perceive what is possible to be done by the inclined plane, and wheel and axis, and the pulley, in unison with 1400 men and 14 capstans.

#### FINANCE.

The interest on the whole debt of France is little more than that on the unfunded debt of England.

In Paris, a general and another officer of high grade, have been arrested; and a lady of distinction, visiter to madame de Montholon.

It is said some of the European governments who loaned money to Bonaparte now call on Louis to pay it.

French funds July 2—5 per cents. 65 10—3d. 64 70.

The count de Croix has been restored to his rights as a French citizen, it appearing he refused to sit in Bonaparte's chamber of peers.

Marshal Savary, whose seizure at Trieste we noticed sometime ago, has been sent from thence as a *state prisoner*, and is confined in one of the castles of Hungary. Where is the law under which he is thus treated? *In the will of the allied kings.*

From Rheims we hear that the Prevotal court has tried the individuals taken up during the late troubles. Three have been condemned to 20 years in irons; two to 10 and three to 5. The other persons accused, ten in number, were acquitted.

The grain harvest, as well as the vintage, promises to be very abundant in France.

*French funds.*—The interest on the public debt of France is about 29,000,000 dollars; and the expenses of the army, navy, colonies, hospitals, pensions, government, &c. about 65,000,000 dollars. The extraordinary expenditures, (pay to the allies, &c.) 48,000,000.

Floating debt 60,000,000 dollars. The annual revenue is estimated at 128,000,000 dollars.

The French stock, at the present prices, is said to yield an interest of about 7½ per cent.

The dividends are promised to be paid with punctuality. English stockholders may have their dividends paid in England for one per cent. on the dividend.

#### BONAPARTE.

It is said in England that letters from St. Helena state that the "Corsican" is exceedingly enraged

at the publication of Warden's letters—protesting against their authenticity.

## SPAIN.

A steam boat had been launched at Seville, Spain. The king has decreed that all new invented instruments may be imported free of duty.

An amnesty in favor of all proscribed Spaniards is expected in Spain.

"Gibraltar, June 25.—There is a report to day, that there exists an insurrection in Spain—say, at *Seville*, headed by the priesthood, in consequence of a tax having been levied very recently on the church property. All the troops round Cadiz have been marched into the town to prevent the commotion extending." [In a contest between Ferdinand and his priests we wish the fate of the "Kilkenny cats," that eat each other up, except the very tips of their tails.]

## PORTUGAL.

The trials for high treason of the Portuguese conspirators, has commenced at Lisbon.

It is now said that the plot was skilfully planned. The machinery of it was in great order, and its design to expel the family of Braganza—themselves "usurpers" of the throne of Portugal. The establishment of a republican government was aimed at.

## ITALY.

A report was circulated at Leghorn that troubles have broken out at Malta, and that it is to this circumstance that is ascribed the unexpected departure of the English governor from Corfu, and of Admiral Penrose, for that Island.

## GERMANY.

The emperor of Austria has prohibited the importation of iron and steel, and manufacture thereof, into any part of his dominions. The British say that the regulation will affect their "iron-working districts."

## RUSSIA.

We noticed in our last REGISTER the port of *Odessa*, and Alexander's views in respect to his territories adjacent to the Black Sea. In consequence of his policy, he has declared *Odessa* a FREE PORT for thirty years; all foreign articles (except spirituous liquors) may be imported free of duty, declaration, and custom-house visit. The Quarantine laws to continue in force. Such articles as cannot lawfully be exported from other parts of Russia, cannot be exported from *Odessa*.

In furtherance of Alexander's views respecting *Odessa*, it is understood, that the Grand Signor intends to open the Dardanelles and the Bosphorus, to the ships of all nations, upon the payment of a duty similar to that paid at the Sound.

Count Romanzoff, a Russian nobleman, has at his own expence built four churches on his estates for different sects: has sent a vessel round the world on a voyage of discovery; and is now about to establish Lancastrian schools.

A new ship called the *Kamtschatka* is fitting out in Russia for a voyage of discovery.—She is commanded by Golownin, formerly a prisoner in Japan.

Some Scotch families have emigrated to Poland—some Wirtemberg families to the borders of the Black Sea.

## BARBARY POWERS.

The Diet of Germany have resolved to memorialize the different courts of Europe on the subject of Tunisian Corsairs appearing upon the coast. They compliment the British for their first interference.

It is intimated in a Bremen article that a Tunisian cruiser in the North Seas, has taken the captain's wife from an American vessel.

## WEST-INDIES.

The act of the British parliament requiring the several colonial legislatures to pass an act for the *registry of slaves*, has been waved, or refused, by that of the Bahamas. The attorney general was accused of writing a letter to a member "of that infamous society called the African Institution," at London, wherein he severely reflected upon the assembly. He denied the fact, but was ordered to be arrested and brought to the bar of the house; but he armed his negroes and resisted the authority. He was afterwards arrested and imprisoned, but released by a *habeas corpus*, and so the matter rests at present. The West-Indians are much alarmed and incensed at the late regulations of the mother country respecting their slaves, and seem to fear that a final emancipation is designed.

## FLORIDA.

The ship *Margaret*, lately detained at New York on suspicion of a design to proceed to the assistance of *McGregor*, has been released, and proceeded on her voyage. She was cleared out for *St. Mary's*.

The accounts from *Amelia* are bad for *McGregor* and his party. His force is reported to be reduced to 20 men, and he himself as prepared to leave the island. But another statement says he had 118 men, and was ready to repel an expected attack from the Spaniards and Indians.

The Savannah Republican says—A person who arrived in this place yesterday from *Amelia*, states that, an expedition sent by *McGregor* on the *St. John's* river was attacked by a party of Spaniards and negroes, on the 22d ult.—15 of the patriots were killed, their ears cut off, and carried to *St. Augustine*, for which the Spanish government gave fifty dollars a pair!!

The latest accounts say that *McGregor* had been reinforced by the *Buenos Ayrean* brig *Patriota*, com. Taylor, with 300 men, and expected 400 more by the *Morgiana* from New York, and yet intended to make a dash at *St. Augustine*, and that all were sanguine of success. He has probably received some supplies of men; but so great a number as is mentioned is—impossible.

## MEXICO.

We have some shreds of intelligence from *gen. Mina*. So far, he appears to have succeeded very well. The governor of *Vera Cruz*, it is said, had made up the sum of 150,000 to lend to him; but his purpose was discovered and he was obliged secretly to escape, which he did.

## "SPANISH" AMERICA.

It seems certain that the royalists have landed upon *Margaretta* in considerable force, under *Morillo*; but they have met with a most desperate resistance and have suffered so much that all the surgeons at *Laguira*, &c. have been sent for to take care of the wounded. A schooner under Danish colors had arrived at *Laguira* from *Cumana*, with male and female prisoners; among the latter was said to be a female, who was sentenced to have her arms amputated for being caught making a revolutionary flag.

The *Sabina* frigate has arrived at *Havana* from *Vera Cruz*, with between 3 and 4 millions of dollars in specie, with which it was probable she would proceed to Spain.

*Venezuela*.—We have received (says the *Boston Daily Advertiser*) the *Port-au-Prince Telegraph*, of June 29, which is filled with a variety of official papers of the government of the United States of *Venezuela*. The first of these is a proclamation of *Santiago Marino*, captain general and first chief of



the armies of the republic to the people of Venezuela, dated May 10, 1817, year 7.

The second is an act of the government, confirming Bolivar's decree proclaiming freedom to slaves, and enacting a penalty for its violation.

The third a commission to the honorable citizen Louis Brion, appointing him admiral of the Venezuelan squadron, and captain general of the armies by land and sea.

The fourth is a military law, passed May 13 of the year 7 of the liberties of the Venezuelians, declaring every individual from 14 to 60 years of age, soldiers of the republic, and requiring them to present themselves in 24 hours to the several military commanders, who are to enrol their names, ages, places of birth, &c. those who neglect are to be considered enemies of the republic, and punished according to its circumstances.

Next follows an act of the supreme executive power of the United States of Venezuela, passed May 17, of the year 7, which after a preamble expressing the desire of the republic to show its gratitude to Great Britain and the United States of North America, for the hospitality shown to emigrants of the republic, and for admitting her ships into their ports, and respecting her flag on the high seas, decrees that English or North American manufactures, or merchandise of any kind, imported into Venezuela under the flags of these two nations "shall pay but six per cent. and two per cent. to the admiralty, which the merchants of other nations pay."—All produce of the country to which the vessels belongs to pay no more duty than is exacted of citizens. All arms and military stores are free of duty, as well as the return cargoes purchased for them. This article is to extend during the war. English and North American vessels to proceed from port to port of the republic without being charged with duty.—Citizens and subjects of these two countries who may settle in Venezuela, will be specially favored.

Then follows a bulletin, dated May 12, giving an account of a battle fought by gen. Piar in Guiana, in which he claims to have routed the royalists, taken 586 prisoners, including in the number Ceruti, governor of Guiana, and 17 officers.

The next article is a decree of the executive government, in which it is declared that the style of the sovereign congress of Venezuela shall be *The Honorable Congress*, the title of the executive power shall be *The respectable*, that of the judiciary, *The Just*. The title of high officers is *honorable*, and these titles are to be given in all official correspondences. "Thus the respectable executive power had decreed."

The next article is as follows, "palace of the government, at Pampatar, May 12, 1817, year 7.

"Considering the distinguished services rendered by the inhabitants of this island, [Island of Margaritta] in the struggle which they have maintained for the destruction of the enemy and for the glory of the republic, this Island shall take the name of *New Sparta* on account of the resemblance of the heroism which they have exhibited to that of the ancient republic of that name in Greece. Thus communicated by the respectable executive power for publication. "CASIANO BAZARES, secretary.

The next and last article is a decree that the flag of the Venezuelan ships of war shall bear seven stars, representing the seven provinces, but merchant vessels shall carry only the tri-coloured flag.

BRAZIL.

It is reported that the king is preparing to leave Brazil and return to Lisbon.

## Honor to the brave.

PRESENTATION OF A SWORD TO GENERAL STRONG.

From the *Plattsburg Republican*, of July 5.

On Wednesday, 25th ult. hon. Ralph Hascal, col. M. Smith, majors Sanford and McNeil, the committee appointed by his excellency the lieutenant governor, John Taylor, met at McNeil's ferry, to wait on gen. Strong, to present him with the sword prepared for him in pursuance of a resolution of both houses of the legislature of this state. The committee left McNeil's about 10 o'clock, in an elegant carriage, and proceeded toward the city of Vergennes. At four miles from the city they were met by a committee of the citizens, the general's aid, and a number of gentlemen from Burlington, in their carriages, who, with an elegant troop of cavalry as an escort, accompanied the committee to Painter's hotel. On their entrance into the city they were saluted by the firing of cannon and the ringing of bells. A vast concourse of people had assembled to witness the ceremony. After the committee had been introduced to general Strong, he, accompanied by his chaplain, proceeded with his suite to the court house, which stands on an elevated piece of ground—and the committee, preceded by a band of music, and escorted by the cavalry dismounted, followed amidst the acclamations of the people. The sword was presented on the steps of the court house—the general standing in the entrance of the lobby, received the following address from colonel Smith:

"Sir—The legislature of the state of New-York have directed the governor to cause to be presented to you a sword, as a testimony of the high sense they entertain for your valor and public spirit, and for the services rendered by you during the invasion of Plattsburg by the British troops in September, 1814.

The lieutenant governor, acting as governor, has honored us with this commission.

In adverting to the events of that period, when a numerous, disciplined and well appointed army, under officers of experience and versed in the art of war, flushed with recent and astonishing victories, "the conquerors of the conqueror of Europe," boastful of their prowess and confident of success; when such a force retires before our newly raised and undisciplined troops, not one fourth their number, we have cause of gratitude to the "God of armies," who so manifested his "strength in our weakness."

We are not unmindful, that uninfluenced by party considerations; with no motive but love of country; no prospect of fame except at the sacrifice of your life; no interest but a sense of duty; and notwithstanding every discouragement, you, sir, volunteered in defence of a sister state. The act will be remembered by that people with gratitude.

Accept, sir, this sword; it is the gift of a free people to a free man: it bears on its hilt the device of an Herculean mountaineer crushing in his arms the British lion: It will be as a memento for your sons to imitate your example and to excite them to deeds of glory: It is given, not as a reward, but as a pledge which the state of New-York will redeem when occasion shall present itself.

We are directed to communicate to you the consideration of his excellency the lieutenant governor and of the representatives of the people.

We offer you our personal regard and respect."

To which the general made the following reply: "To be honored, gentlemen, for any service I may have rendered, with the approbation of a state



acknowledged to be the first in wealth, in commerce and population, and in no respect inferior to any state in the union, affords a satisfaction which I cannot undertake to express.

It is well known that the precipitate retreat of the British troops from Plattsburgh to their own territory, prevented the citizens and militia of the states of New-York and Vermont from coming to a close and severe conflict with the enemy: had it been otherwise, I am persuaded that the volunteers from Vermont, who felt no discouragement in flying to the relief your state when suddenly invaded, would have faithfully performed the duty which one member of the union always owes to another.

I accept the sword, gentlemen, and request you to communicate to the lieutenant governor and the legislature of the state of New-York, the high sense I entertain of the honor they have conferred—and you will permit me to say that the manner in which you, gentlemen, have executed your commission, has added much to my gratification. You will please to accept the assurance of my respect and esteem."

The hon. Ralph Hascal made some observations to the citizens, complimentary of the reception the committee had met with.

The sword presented was of exquisite workmanship; its hilt and scabbard of gold. On the scabbard was the following inscription:—"Presented by his excellency DANIEL D. TOMPKINS, governor of the state of New-York, pursuant to a resolution of the senate and assembly of the said state, to major-general SAMUEL STORON, of the Vermont volunteers, as a memorial of the sense entertained by the state of his services, and those of his brave mountaineers, at the battle of Plattsburgh."

After the presentation of the sword, the general and the Delegation from New-York, with the citizens, proceeded to Painter's inn, where they partook of a dinner provided for the occasion.

### Mr. Clay—Treaty of Ghent, &c.

*Vincennes, (Ind.) June 6.*—At a meeting of many of the citizens of Vincennes and its vicinity, held at Jones's hotel, on the 28th May, the honorable James Johnson was called to the chair.

It being announced to the meeting, that the object for which it was convened was to notice the arrival of their distinguished fellow-citizen Henry Clay, the following resolutions were submitted and unanimously adopted:

*Resolved*, That a committee of five be appointed by the chairman to wait on the hon. Henry Clay, and inform him that the citizens of this borough and its vicinity are highly gratified at having among them a person, whose talents and services have so frequently and so much conduced to the honor and welfare of his country.

*Resolved*, That they particularly invite him to partake of a dinner, to be given on the occasion, so soon as it may suit his convenience.

*Resolved*, That the same committee also invite our worthy representative, the hon. Waller Taylor, and the hon. Stephen Ormsby, to attend the entertainment given to their meritorious companion and friend.

On Mr. Clay's return from Fort Harrison, the 4th June, a dinner was accordingly prepared at the Vincennes hotel. At three o'clock most of the gentlemen sat down at an elegant collation, in the large ball room; many being excluded, on account of the impossibility of being accommodated.

Governor Posey officiated as president, and Judge Johnson as vice-president.

The cloth being removed, after many excellent toasts, the following were given:

The American commissioners at Ghent; the negotiators of an honorable peace; their talents have gained a reputation for themselves, a respect for their country abroad, and a proud recollection at home.

The memory of the lamented Bayard; the able statesman, virtuous patriot and amiable man.

Henry Clay; he now possesses, may he long enjoy, the respect of Europe, the honors of his country and the affections of the west.

Mr. Clay then rose, and there was a burst of applause—As well as can be recollected, with much impressiveness, he addressed the company as follows:

That he begged leave to offer to the president and gentlemen assembled, his thanks for the kind and polite hospitality with which they have had the goodness to receive him in Vincennes—a distinguished honor, as unexpected, as (they would allow him to say, with unfeigned sincerity,) it was unmerited. He placed a higher value upon it from the reflection that it was bestowed by one of the first towns established on the western waters, and, one, with whose name, patriotism and devotedness to the country, were always associated. He was happy to see so near him, yet preserved in the enjoyment of health, a venerable citizen of the place, [pointing to col. Vigo] who during the revolutionary war, in which you, Mr. President, bore a gallant part, when this post was wrested from the hand of the enemy gave, as he did on all other occasions, signal proofs of his attachment and devotedness to the American cause.

He had also for himself, and his late colleagues, to return his thanks for the flattering manner in which their names had been mentioned in relation to the negotiation at Ghent. The history of that negotiation is short. Great Britain having, in conjunction with her allies, overthrown the power of Bonaparte, was freed from any European enemy. At liberty to apply the immense force which she had accumulated to the prosecution of the American war, she sent her commissioners to Ghent, vainly expecting to dictate the conditions of a peace. The terms which she proposed were rejected, and after much useless consumption of time, others, in the outset substantially tendered by the American commissioners, were ultimately agreed to, which compromised the honor of neither party.—The rejection of her extravagant propositions was a duty so obvious that it was impossible for any one, partaking in the smallest degree of the American feelings, to pause in the discharge of it. No skill was requisite in the management of such a negotiation; and if its final result was so widely different from what was indicated in its earlier stages, that the result must be attributed to the knowledge which the enemy had acquired of the determined spirit of the people of this country and to the conviction which had been forced upon him, that they were not prepared tamely to assent to the violation of the integrity of their territory, nor to the surrender of one single national right.

Since he had been gratified with a view of the delightful country traversed by the Wabash, he had been more than ever satisfied with the rejection of the conditions proposed by the British commissioners which was to subject to barbarism, and to put out of the pale of civilization and cultivation, one of the finest portions of the globe—a country to which nature has been profuse in her choicest bounties, and in which she has left nothing

ing for the industry of man but immediately to strike the plough into the richest of soils, and to scatter the seeds and gather the fruits of agriculture.

If here you have occasionally to drain, and to place under salutary restraints, the superabundant waters of the land, you are more than compensated by the entire relief from the labors of the axe which your beautiful prairies afford.

With respect to the undeserved compliment paid to him in the toast just drank, he felt himself entirely unable to find language to do justice to his grateful feelings. He would not, therefore, attempt it, but, with the permission of the president, would content himself with offering a sentiment, with which the growth and welfare of Vincennes were intimately allied. He proposed,

Prosperity to the country of the Wabash.

**Statistical items, scraps, &c.**

*The white wild Sheep of the Rocky Mountains.*

The beautiful skin, presented by John Jacob Astor, esq. to Dr. Mitchell, turns out to be one of the rarest productions in North America. It belongs to a species of Sheep, or possibly to an animal connecting the Sheep, Goat and Antelope, running wild on the Rocky Mountains. The present specimen is the only one ever seen in New-York, and was brought with other furs, by the way of lake Superior, from the region beyond the sources of the Missouri.

It is covered outwardly with a sort of shaggy hair, and within the hair with a fine wool equaling the most delicate merino.—The whole is as white as milk.

It appears to resemble almost exactly the fleece brought by captain Lewis from the Columbia river, and described by George Ord, esq. in the Journal of the Academy of natural sciences in Philadelphia.

The specimen of this highly interesting quadruped was exhibited to the Lyceum at a late meeting; and has been since deposited in the Cabinet of Natural History, at the New-York Institution.

**COTTON.**—Account of cotton imported into Liverpool during the first 5 months of 1816 and 1817. From the United States—  
Savannah, Charleston, &c. 74901 55135  
New-Orleans 11501 8601

	86402	63736
Brazil and Portugal	37520	23242
Surinam	542	
Demarara and Berbice	11190	5090
Barbadoes	686	291
Other West India Islands	3003	2184
France, Spain and Holland	527	145
Ireland	349	12
East Indies	4040	3662
All other parts		998
	<hr/>	<hr/>
	144259	99360
	<hr/>	<hr/>
	99360	

Decrease first 5 months 1817. 44899 bags.

**Tailoring.**—By a statement from a "journeyman tailor," in Boston, it appears that there are 25,243 stitches in a coat, viz. basting, 732 stitches—in the edges of the coat 5,500 do.—felling the edges, faces, &c. 7,114 do.—out of sight in the pockets, &c. 1982 do.—in the collar alone 3,056 do.—seams 5,359—holes, &c. 1,450 do. The coat he says was made in two days journeymen's hours.

*Merckimer, (N. Y.) July 24*—Mr. Henry S. Whiting of this village, has in his possession the following remarkable record of *Thomas Taylor*, one of his ancestors, who was descended from the celebrated Bishop Jeremy Taylor, of England:

"Marble may tell posterity that Mr. Thomas Taylor, a first settler in Danbury, 1676, died January 1736, aged 92 years.

Had 10 children by one wife,	
Thomas, aged	90
Joseph	90
John	70
Daniel	94
Timothy	56
Nathaniel	100
Theophilus	90
Deborah	80
Rebecca	99
Eunice	99

TOTAL 951 years.

Perhaps the annals of latter times do not record a more singular instance of longevity than the one before us—The united ages of the father and his ten children, by one wife, amounting to almost *one thousand years!* When compared to the ordinary duration of human life at the present day, the balance against us must give rise to the most alarming reflections. To what cause can this difference be attributed? To change of climate? If our climate has undergone any change, it has certainly been for the better—The air of every new country is rendered more pure by the cultivation of the earth. Has medicine lost its wonted power over the diseases incident to the human frame? Has the science of medicine declined among us? Neither the one nor the other—Every encouragement has been given to the healing art, and its improvement has amply repaid its encouragement. But still the physician, with his pestle and his mortar, has not been able to blunt the *sharpening* edge, or retard the *quickenning* swing of the scythe of death—Does life then in the aggregate naturally and unavoidably diminish in duration as the world grows old? We have no reason to suppose it does. But to what cause, then, must it be attributed? Among many causes which might be enumerated, *Intemperance* stands foremost in the ranks of death—This is the wide spreading evil which is destroying life; and not only life, but virtue, happiness and character. The sneer has already been cast upon us, "of being a nation of drunkards" And unless some means are speedily adopted to check the contagious evil, we shall too soon merit the imputation of what we may yet hope is a calumny.

*Lancaster, August 6th.*

The following is a list of Arks and Rafts which were observed to pass by the Blue Rock\* down the river Susquehanna, this season, viz:

Arks	543
Rafts	989
Total	1332

Making a grand total of 1332, from the first of April 1817, to the 5th of July 1817. All that passed previous to the first of April, are not taken account of. Five Arks, and ten or twelve Rafts passed by since the above was drawn off.

We have no doubt of the general accuracy of the above statement, and feel thankful to the gentleman who communicated it.

\* The Blue Rock is about three miles below Columbia.



## CHRONICLE.

*Freshets.* From the east, north and south we have distressing accounts of freshets. Cape Fear river, North Carolina, rose 50 feet, in 18 hours, and 70 feet in two days.

Mr. *Russell*, our minister to Sweden, with his family, sailed from Boston on Thursday last, in the ship *Persia*, for Amsterdam. Mr. *Edvard Wier*, American Consul at Hamburg, is also a passenger in the *Persia*.

The governor of New York has issued his proclamation to enforce the act to provide against the introduction of infectious diseases, in respect to the arrival of persons from Charleston and Savannah; who are not permitted to enter the city and county of New York in less than twenty days absence from those places.

*Episcopal Clergy*—The following is given in the Christian Messenger, as a correct statement of the Episcopal Clergy in the different states of the Union. In New-Hampshire 4; Massachusetts 13; Vermont 4; Connecticut 35; New-York 67; New-Jersey 11; Pennsylvania 25; Delaware 3; Maryland 36; Virginia 33; North Carolina 3; South Carolina 17.—Total 225.

*EMIGRATION.* The two weeks ending yesterday gave us accounts of the arrival of 21 vessels, with emigrants from Europe—viz.

From England, Ireland and Scotland	557
Holland, Germans and Swiss	365
France	25
	947

Of these one hundred and seventy-one reached the United States via *Hat'fax*, though great inducements are held out to settlers there. As for instance, a Dutch ship which arrived at Philadelphia, put into that port for provisions, when the governor offered to the passengers 10,000 acres of land, gratis, in fee simple, and farming utensils, if they would stay there; but they refused it. Many settlers, as they are called, arrive in Canada, from whence hundreds of them pass up the river, &c. and cross into New York and Ohio. It seems to be discovered that it is more convenient to reach our country through the British colonies than to come on direct. Facilities are afforded for the former which are denied to the latter.

*Washington, August, 28th.*

An unusual number of our most esteemed officers have been lately drawn to this city, and are now here, on public business. Amongst them, we observe, of the army, Col. Lawrence; and of the navy, Captains Stewart, Jones, Sinclair, Warrington, Angus, Elliot, Henley, Ballard, Carter and Kennedy.

We understand that the Navy Court Martial, which was convened in this city, for the trial of Lieut. Col. *Wharton*, of the Marine Corps, on certain charges exhibited against him by Major Henderson, of that corps, has determined that it has not the proper jurisdiction; and that, on application from the Navy Department, a court has been detailed from the army, to meet in this city on the 10th of September next.

*LAW CASE*—*Richmond Aug. 22*—A case of some interest has been started under a law of Virginia, and the constitution of the United States. An act of assembly forbids the free people of color from other states settling in this state, and points out the method by which an intruder may be removed. Some persons of this description, who had settled in Matthews, were about to be removed under the

provisions of this statute; when, on advice of an attorney at law, a petition was laid before a circuit court judge, praying for a writ of *habeas corpus*, upon this ground—that the petitioner was a citizen of the state of Rhode-Island, had been enrolled in her militia, &c. and that by the 2d sec. 4th art. constitution of the United States "The citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states;" which, it was contended, was a sufficient guarantee of the right of the citizen of one state to move into and settle in another; of course, that the statute of Virginia, was unconstitutional. The *habeas corpus* was awarded, returnable to the next circuit court of Matthews county; when, of course this question will be discussed. The provision in the constitution of the United States ought to be interpreted: for several state laws have been impeached, (lately one from the state of Louisiana,) as contravening this very provision.

*Milledgeville, Aug. 5.*—The Indians have agreed to cede to the United States for the use of Georgia (if the compensation offered be acceptable,) the tract of land lying between the Ocmulgee river and the line run under Jackson's treaty, and east of a creek emptying into said river, called by the Indians Al-cas-ac-ah-kee, beginning at the mouth of said creek and running up the same by the most southern branch to the head thereof, and thence a line due south to the line of Jackson's treaty. This creek it is understood falls into the Ocmulgee between Hartford and Blackshear's road, leading to Traders-Hill on St. Mary's.—The tract of country that will be acquired by this cession is about 60 miles in length, and from 12 to 15 wide, bordering on the Ocmulgee and Altamaha rivers.

*Sales of Alabama lands*—The public lands now selling here have brought, so far good prices. Prime river low ground averages from 40 to 50 dollars. A fraction of 170 acres, part of the *Big Bend* of the Alabama, sold as high as *seventy dollars* the acre. Other parcels adjoining were bid off above 40 dollars and 50. A large fraction containing several hundred acres of high land, on the *Ten mile Bluff* which lies opposite the Big Bend, and is said to be an excellent site for a town, sold for 50 dollars an acre. In that township (no. 16 in range 17) purchasers it is believed were found for every section.

Those best acquainted with the choice Alabama low-grounds, assert, that its fertility is inexhaustible, and that it will produce for almost an indefinite term of years, in constant cultivation, 100 bushels to the acre! This assertion is repeated by so many respectable persons who know the land, that great as the product may appear, we cannot suppose there is any exaggeration.

*Banks of New Hampshire.*—From the returns of the state of the banks in the state of New-Hampshire, made in May last, it appears that the whole amount of the capital stock of the ten banks is 999,356 dollars; the amount of bills in circulation and deposits was \$867,101; the specie on hand was \$272,451, including 82,525, belonging to the Coos and Cheshire banks, deposited in Boston; the amount of debts due the banks is 1,403,561 dollars; the amount of bills of other banks, on hand, about 160,000 dollars; and the amount of real estate about 46,000 dollars.

Our readers will hardly complain of a want of variety in the present number. Accidental circumstances compelled us to resort to matter in type (often postponed,) to make out the paper in season.



# NILES' WEEKLY REGISTER.

NEW SERIES. No. 2.—VOL. I.] BALTIMORE, SEPTEMBER 6, 1817. [No. 2.—VOL. XIII. WHOLE No. 314

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The terms of the WEEKLY REGISTER are five dollars per annum, payable in advance, by every subscriber.

Notice that a payment is expected, will hereafter be given by the use of a slip of blue paper, (instead of white, as customary,) for the direction of the REGISTER to individuals. But there is no necessity for it at present—as every subscriber was informed of the apparent state of his account, on the 9th ult.—to which attention is respectfully invited.

Gentlemen desirous of obtaining the GENERAL INDEX and volume of REVOLUTIONARY SPEECHES, or either of them, will please to forward the cost thereof, (3\$ each) with their advance for the present year.

The Index for the last volume will be sent out with the next number of the Register.

☞ The editor would again respectfully caution gentlemen as to the receipt of paper passing for money. During the present week he has been compelled to return counterfeits, and paper of the bank of Somerset, Md. and Merchants' Bank of Alexandria, to the amount of \$100. The last "shut up shop" a long while ago, and the other is about 30 per cent. dis. Indeed, there are no purchasers at that rate, that he could hear of. The editor is content to receive the best bills circulating at the residence of subscribers. The ruinous multiplication of banks has opened a door to frauds unparalleled.

☞ The present is a very proper and convenient period for new subscribers to commence, as we have just entered upon a new series—which will give them a complete work so long as they please to receive it: and the editor respectfully solicits his friends to take a step out of their way to serve him, on this occasion.

The complete files are going off very rapidly; they may yet be had on the following terms:

For 6 years, or 12 vols. to Sept. 1817, 30  
The extra supplements to vols. 5, 7, 8 & 9, 4

If desired bound— 34  
Binding 12 vols. at 87½ cents, 10 50  
\$44 50

The sheets of this work are folded, gathered, and collated, and may be sent, unbound, to any part of the United States by mail, at 1½ cents per sheet; which, for the whole 12 vols. costs only about 54\$. But they will be sent bound, or in sheets, to many of the sea-ports of the United States, free of cost to the purchaser, as directed, the price therefor being paid. The work is disposed of only for cash.

The editor of the WEEKLY REGISTER has been charged by some, to whom it seemed easier to find fault with his way of expressing himself than to controvert his opinions, as being vain and full of self-confidence—such persons do not know him, or he, after "heaving the lead of self-examination," does not know himself: but, really, the events of the week are enough to make him feel proud—the kind, affectionate and generous manner in which many gentlemen of the highest standing have at-

ready come forward to support him in the new arrangement as to the terms of this paper, has deeply affected him, and made him firmly resolve to increase his diligence, if it be possible, to make this, as a NATIONAL WORK, more worthy of the public patronage. And this he can say, without saying any more than he feels confident of performing, that if the arrangement is generally supported, he will be enabled to devote, at least, one third more of time to his proper business as editor, than heretofore. He has also to thank many that have acted as agents, for a determination manifested to make an immediate close and settlement of their accounts; which, being small in themselves, they have not considered the importance of, in their aggregate. In these little things the remark of Mr. Jefferson, in a letter to the editor, has much point.—"The good rule," says he "is never to put off till to-morrow what you can do to-day; but the practice too often is, to put off till to-morrow what you might do to-day." Nothing is so apt to be left undone as that which a person can do at any time.

## Ancestry and Heraldry.

Laying my hand upon a volume of biography the other day, the first words I noticed were, "he was descended from an ancient family." Really, this is what might vulgarly be called "pedlar's news." From the time of Adam until the present day, we have not heard of any, save One, that came into this world without a mortal father and mother; ergo, every man must be of an "ancient family"—this is a species of nobility common to the chimney-sweeper and the king, and as much belongs to one as to the other. There is some use in saying "he was descended from honest parents," for it prepares a hope that the person spoken of may be honest himself, through the force of example and by education. The word "ancient" conveys no distinct idea—I saw a pig this morning who, if he could have spoken, might have boasted that his ancestors inhabited the garden of Eden; which, I am told, is as far as the most of the Welsh genealogies go!

Then again we have—"he was descended from a noble family." This gives us an idea; and we expect to find a weak and imbecile creature, or a wicked and depraved man.—Titles have sometimes been conferred for great and good actions; but ninety-times in an hundred are the result of accident, or bestowed for deeds worthy of exaltation in another way.—The history of the nobility of every country, justifies this remark. Catharine, of Russia, made princes of her male prostitutes, though they were the meanest of mankind; and so it has been every where else. In England, perhaps, there are as many great men among the



nobility as in any other country—but, it is admitted by all, that the house of lords—"the hospital of incurables," has less of talent, and less of honor and integrity, than any other legislative body in the world. And we may further observe of this body, that, with a very few exceptions, perhaps not more than five or six, if so many, it is only the newly-made lords—the creatures of yesterday, that exhibit any talents at all. The fact is—that the nobility, so called, of every country, are a *degenerated race*. And this is the result of a very natural cause—they put their rank in society in the place of endeavors to *deserve* distinction.

A custom is growing up in the United States that I regret to observe has received the sanction of president *Monroe*. I am perfectly aware of my want of weight of character to oppose any thing supported by such a man as he is, his personal influence being superadded to that of his dignified office, and that I may subject myself to ridicule for attempting it. But this is of no consideration, if I feel that I am right in what I have to say. I have lately observed, "great effects may flow from little causes"—and I believe it is a fact yet susceptible of proof, that the independence of the United States was first *seriously* projected at an accidental meeting, over a bowl of punch. I allude to the introduction of coats of arms, on carriages, plate, dishes, cups, &c. Every body knows that any one that will pay for it can get a coat of arms at the herald's office in London;—the price of this "honorable distinction" is somewhere from two to five guineas, according to the *finish* desired. I know a person that once was an oysterman, in the Delaware bay, now rich, who has his coat of arms—the herald has properly given him a sail for his crest, as he since was a captain of a merchant vessel. The original of my name was *Nile*—the s has been added to it within the last hundred years; the person who first bore it probably had visited Egypt, and I am very certain, that if I were to apply for arms of *my* family, I should find a pyramid, a crocodile, or a sphynx, to make a part of it. And again, every one of the same name is entitled to the same arms—at a distance from the "legitimate" possessor, if they are genuine. In the highlands of Scotland are many thousand men of the name of *Campbell*—whole regiments of that name, (and of the *McGregors*, &c.) have been in the British service at a time. Every one of these, in the United States, might assume the arms and claim a kindred with the duke of *Argyle*. &c. and possibly prove themselves of royal blood! So the *Stuarts* might at once seize upon those of the Scottish line of kings. I never see one of these things without recollecting *Brennan's* laughable poem about a quarrel for *precedence* in dancing, between two young ladies at a ball, in a certain state. The dispute was sharp, and a

committee was appointed to settle it. The parties preferred their claims; one told of the wealth of her *pa*, and the other

— "for cousins,  
"Counted congressmen by dozens."

When they retired, the referees after serious enquiries, came into the room and made a grave report—

"While all the wondering misses cried out "goodite!"  
"That *Mimney's* grandfather had been transported six weeks  
before *Miss Judy's*."

And, if the circumstances of the noblest families in Europe were as closely searched into, we should find among them murderers, assassins and robbers enough to have consigned their race to infamy to the end of time, if the crimes of fathers ought to be visited on the heads of sons, from generation to generation.

"An honest man's the noblest work of GOD;"—

and the only real nobles that there are, are the honest men. Now, is Mr. *Monroe*—one of God's own nobleman, beloved by a great nation of freemen, elevated to the most dignified office in the world, and every where receiving the homage of the heart, due to his private virtues and public services, to obtain lustre from a thing, which (though it may really belong to his family-name) any one, the greatest villains as well as the best of men, may buy the like of, for a couple of guineas, at the *wholesale ware-house in London*. It is "dog cheap"—too cheap to have any value; and is not fitted to the genius of our country or its institutions;—which disavow it.

### Agricultural Statistics.

It is an undoubted fact that the crops of grain, grass and other vegetables, for the use of man and beast, have been, and promise to be, exceedingly abundant in almost every part of the United States, the present year. Honored with the transient company of gentlemen from many sections of the union, who are polite enough to answer the many queries that I commonly put to them, as to the state of agriculture, manufactures, &c. in their several neighborhoods—a belief seems justified that the present year's crop of vegetable food, "take it all in all," may be considered as about *one-third* greater than a general average.\* Some intelligent and observing men have given an opinion that (from the larger quantity of land cultivated and from its common productiveness) the excess may amount to an half more than usual. But let us suppose it a *third*; and, by the help of a few figures, attempt to bring out something to interest and amuse the curious enquirer.

The present population of the United States. I have assumed at rather more than nine millions; and have ventured the opinion, founded on the result of my own experience and consi-

\* Whether it is so or not, does not affect the design of this essay.

derable enquiry, that each person, one with another, consumes or wastes, *1lb.* of vegetable, and *3lb.* of animal food, *per day.*

VEGETABLE FOOD.		lbs.
9,000,000 at <i>1lb.</i> per day, for 365 days		3285,000,000
Grain for the support of our horses— 90 millions of bushels, at <i>40lb.</i>	†	3650,000,000
Grain consumed in the distilleries and breweries—16 millions of bushels, at <i>50lb.</i>		800,000,000
Grain, flour, and other vegetable food exported, equal to about 1,500,000 barrels of flour,		294,000,000

*Annual consumption and export* lbs. 8029,000,000  
The grain used by animals reared for our own food, not estimated, being included in the following:

ANIMAL FOOD.		lbs.
9,000,000 at <i>3lb.</i> per day, for 365 days		2463,000,000
Beef and pork in barrels, hams, butter, cheese, lard, live cattle, sheep and hogs, exported, equal to about		†10,000,000
		2473,000,000
Deduction—for fish consumed (estimated in the aggregate of animal food) at <i>2 per cent.</i>		49,000,000

*Annual consumption and export* lbs. 2424,000,000

These amounts are so enormous as to make us doubt the accuracy of the facts assumed. But when we *examine* them carefully the doubt seems removed: by “vegetable food” we mean all vegetable products consumed or used by the people, in any way whatsoever; and in the “animal food” is included butter, cheese, lard, tallow, &c. and perhaps, we ought to add *milk*, as well as all sorts of flesh, consumed or used, as above. Those products of animals as fairly come into the calculation, as the food that they themselves afford us in meats.

Now, admitting that the crops of *vegetable food*, for man and beast, are one-third greater in the present year than the general average of our country, we shall have raised 10,310 millions of *lbs.* of grain, potatoes, &c. &c. to feed man and supply him with drinks, and support his horses, independent of the grass or hay consumed by the last. But, as I incline to the belief that the allowance of grain for our horses is too large, for the sake of round numbers, I shall suppose the aggregate to be only 9000 millions. And, at the same ratio, we have the *capacity* to feed as many horned cattle, sheep and hogs, and other animals used for our meats, as might afford us 3232 millions of pounds of flesh.

If these propositions are admitted, we have the following results:

VEGETABLE FOOD.		lbs.
Regular annual consumption—		
For the food of the people,		3285,000,000
To supply them with drinks,		800,000,000
Grain for their horses, after the deduction above,		2340,000,000
		6425,000,000
Add—for increase of population, <i>5 per cent.</i>		321,000,000
extra use and waste from superabundance, the same,		321,000,000

For domestic supply, 1817-8, lbs. 7067,000,000  
Leaving to us 2000 millions of *lbs.* of vegetable food for export, or a surplus of that amount, instead of 300 millions, the accustomed excess.\* And the surplus would bear a proportion to the consumption as 2 is to 9. In common years it stands as 3 is to 75 a 80.

ANIMAL FOOD.		lbs.
Regular annual consumption, (except fish)		2424,000,000
Add—for increase of population, <i>5 per cent.</i>		120,000,000
extra use and waste, from superabundance, 10 per cent.		240,000,000

For domestic supply, 1817-8, lbs. 2784,000,000

Leaving as for export, a surplus of 458 millions of pounds, instead of the usual surplus of *ten*; which, if it were in beef and pork, would give us upwards of two millions of barrels!—This surplus would bear a proportion to the consumption of about as 2 is to 15—in common years it is as 1 is to 240. But it is not to be expected that this *supposed capacity* to rear animals for the food of men would be applied for that purpose to such an extent; indeed, it could not be done in one year, if the people were ever so much disposed to it. A great deal of the *capacity* to feed them must pass into the common mass of commodities that men subsist upon; and the surplus of vegetables, for export or distillation, would be increased, of course.

The people of the United States, such is their happy condition are more sensibly affected by a year of *plenty* than by a year of *scarcity*; the reverse of whatever exists every where else. The cause of this is very simple and conclusive, to my own mind.—Nineteen twentieths of the population, at least, and perhaps a greater proportion, are accustomed to eat as much as they *can*, rather than as much as they *want*. If they would only eat as much as their appetite requires, or exert a little more economy and frugality in their household, a retrenchment may be instantly effected that would cause any scarcity that we have felt to pass over lightly. The truth is, we generally live very *extravagantly*; and, as men *can*

\*But this “accustomed excess” should be estimated as of a greater amount, because it is chiefly composed of the product of *wheat*, the most valuable vegetable food.

†2,000,000 horses; at *5lbs.* per day, average. I suspect this is too great an allowance. A deduction is made hereafter.

‡This small amount will surprise many—but I believe it is more than we have exported.



do more than he can," if wheat were at *one cent per bushel*, the portion that would eat more of it than they now do, is not *very* considerable: more would be *wasted*, but much more would not be consumed. I speak comparatively.

Without any tenacity in my opinion, as to the extra amount of the present crops above the common average, it may, at least, be agreed, that there is a large surplus quantity. We see that our usual exports of *vegetable food* have stood only as 3 to 75 a 80 of the amount raised, and of *animal food* as 1 to 240. Now, although foreign commerce, according to the facts here developed, seems so unimportant, it is the *hinge on which the price of the whole chiefly turns*. As, for an instance—if it were an accepted fact among the butchers who supply *Baltimore* market, that they had a *tenth* part only, more meat than the people are accustomed to consume—and which, from the heat of the weather, or other cause, they could not lay by for another day;—this excess *tenth* might easily reduce the value of the whole stock a *fourth*, to induce the people to purchase more than they intended: for there is nothing so grievous to a person as to see the commodity that he has to sell *perishing* on his hands, without use to any one. Hence, any surplus has effect to reduce the value of a *whole*, more than the whole value of that surplus itself might be—simply because "*enough is enough*," and some *must* sacrifice their goods if they cannot get a fair price from them, which *compels* others to reduce their prices also, to retain their customers. I am very far from wishing misery to *Europe* that we might profit by it—but if it had so happened that the present, as well as the last year, had been a year of scarcity, how vast might have been our export, and how great our profit! If flour in *England* would maintain its present price, (say 11\$ per barrel,) it would do very well; but this cannot be expected—it will fall much lower: not on account of the quantity that we could supply her with, but by reason of her own good harvests. Of the crop of last year we exported, perhaps, 500,000 *bbls.* to Great Britain and Ireland—as, from the 1st of January last to the 7th of July, there were 520,829 barrels received at *Liverpool*. For the sake of round numbers, we may consider this quantity as equal to 100,000,000 lbs.—and, enormous as it appears, it would feed the people of England, Ireland and Scotland, only about *ten days*, allowing to each person no more than *half a pound of flour per day*. Yet, by the same sort of operation as in the case of a surplus at home, the want of this supply from abroad, might have raised the price of the commodity much higher than it was.

I am well aware that a great part of this essay is matter of mere *speculation*—to amuse rather than *instruct* any one. But it may serve to shew us—1st, the extent and importance of

the home market; and 2ndly, the worth of an *extra*, or *foreign demand*, to fix the value in that market. Thus—admitting that the crops are really greater by one third, as has been supposed, we shall raise *vegetable food* to the amount of 9000 millions, and possess a *capacity* to feed animals to supply us with 3232 millions of lbs. of meat. The surplus of the former is about 2000, and of the latter, 458 millions of pounds. For the sake of easier calculation, and more clearness in the statement, let us consider these two as one and add them together, and the whole product of vegetable and animal food will be 12,232 millions; the united surplus 2458 millions; being a general surplus of *one-fifth*.

Again, to illustrate the matter, let us admit that 300lbs. of this food, (which includes all sorts of grain, roots, pulse and *meats*,) is equal to a barrel of flour, (and it may be so esteemed,) the entire product will be equivalent to about 41 millions of barrels, 8 of which we shall have to spare.

If there is a *foreign demand* for these *eight* millions, so as to keep the price of flour in the United States at \$10, for an average, the gross amount of value produced would be equal to 410 millions of dollars. But if, through the want of such an *extra demand*, the surplus thrown into the market should reduce it only to \$8 per barrel, as it certainly would do, the gross amount of value then being 328 millions, exhibits a *difference* of 82 millions, equal to the whole value of the said surplus, at its highest price. This "*difference*" would not be *lost* to the United States by the want of the foreign demand, but be *gained* by the people at large, if such demand existed. This distinction grows out of the difference there is between the price of a commodity being raised by a *foreign demand*, or as consequent to a *domestic deficiency*. The first may be said to cheapen money, by the life and activity that it gives, and by the higher prices paid for labor, the best standard of value;—in the other, the operation is directly the reverse, and every thing drags on heavily.

There appears to me to be some novelty and, perhaps, some use in the preceeding remarks. If I have succeeded in making my views of their subjects intelligible to the reader.

### Harmony, Indiana.

"The wilderness shall blossom as the rose."

In the 6th vol. of the WEEKLY REGISTER, page 208, there is some account of the settlement at *Harmony*, Pen. by Mr. Rapp and his associates, exhibiting the fruits of the perseverance and industry of the *Harmony* society. The land held by them in Pennsylvania, from the increase of their numbers, being too small for them, they purchased a large and beautiful tract on the Wabash, in the new state of Indiana; and removed to it just about *three*



years ago. It was then in a state of nature. They already have many good houses, large work shops and extensive barns—one of them, 100 feet by 45, another 200 feet long and 45 wide; a steam mill, driving two pairs of stones; a very large brick house in the shape of an L, for Mr. Rapp, with an excellent and highly ornamented garden, inferior to few in the United States; they have 1500 merino sheep, whose wool they manufacture into excellent broad-cloths, with a large stock of cattle, hogs, &c. and carry on almost every trade and manufacture, as well for their own use as to make things for sale—among them are tin-workers, shoemakers, saddlers, joiners, carpenters, hatters, stocking and other weavers, tanners, wheelwrights, blacksmiths, &c. &c. They have many acres planted with the vine, 200 in wheat, 40 in rye, 20 in barley, 30 in oats, 50 with meadow grass, and 500 enclosed in pasture fields. All these things have been done in three years. This society is numerous; amounting, we believe to nearly 300 families, who have all things in common; are among the most industrious and economical people in the world, and very harmless and inoffensive. The first body of them, emigrating from Germany, settled in Pennsylvania in 1803—4. They then consisted of 160 families, and were soon after joined by 90 families more.

### Mr. Wooller and the Black Dwarf.

In page 344 of the last volume of the WEEKLY REGISTER, we briefly noticed the trials of Mr. Wooller, editor of the "BLACK DWARF," for a pretended libel on lord Castlereagh. We have thought it due to a history of the times and to their own peculiar point and interest, to give them a place, at length, in this work, as inserted below.

Mr. Wooller is a very extraordinary man—it is useless to say to those who read his trials that he has a strong mind and great courage. The Black Dwarf was first published after Cobbett left England, and in one of its early numbers that distinguished writer is severely lashed for abandoning his country in the time and manner that he did. There is a force and energy, fire and spirit, in Wooller's remarks, that never was surpassed; though not so much of argument, as there might be. He is a printer by profession, and composes his pieces as he places the types, without any copy before him. Of the first number of the "Black Dwarf," 400 copies were sold—of the second 7000, of the subsequent numbers, 12 or 13,000 weekly—and it is now said to have advanced to between 20 and 30,000!—It is well observed of him that he has attacked corruption, "with an iron pen and brazen front, and bearded the ministry to their very face on his trials." The case of the verdict being recorded in the absence of part of the jury, in the first trial, and of his acquit-

tal being received with acclamations in the court, are new things to us. Three of the jury wished to attach the following to their verdict—"as truth is declared by the law of the land to be a libel, we three are compelled to find the defendant guilty." However, they cast him into the king's bench prison, from whence letters to one of his friends in the United States have arrived, by which he does not appear the least intimidated, saying "that when he threw down the gauntlet to the enemies of freedom he determined to stand the contest, let who would take it up." &c. The work still goes on, with increased popularity.

FROM THE LONDON COURIER OF JUNE 6.

Court of King's Bench, Guildhall, Thursday, June 5. Sittings after term, before Mr. Justice Abbot, and special juries.

### LIBEL.

*The king vs. Thomas Jonathan Wooller.*

This was an information filed against the defendant by his majesty's attorney general for a libel published in a work called *The Black Dwarf*, of which the defendant was the author. The information, which consisted of two counts charged, first, that the defendant, intending to excite discontent and disaffection in the minds of the subjects of our lord the king, had published a certain scandalous and malicious libel, reflecting on the king's administration of government; and 2d, that, intending to excite discontent and disaffection in the minds of the subjects of our lord the king against the present administration of public affairs, the defendant had published another scandalous and malicious libel, reflecting on the character of lord viscount Castlereagh, and the right honorable George Canning.—The libels, which will be stated in the course of the trial, were set forth at length in the information.

The attorney general, in stating the case, observed, that amongst other blessings which the free constitution of England guaranteed to the people, was the liberty of the press!! But this, like other blessings, might be abused—it might degenerate into licentiousness—and, therefore, it must be confined within certain bounds and limits. It was impossible for any man, who desired the real welfare of society, if he had an honest mind, and a correct understanding, not to perceive, that without bounds and limits were assigned to it, the liberty of the press would degenerate into licentiousness, and would at length destroy every blessing which subjects enjoyed under this or any other constitution. He stated this boldly—it was his firm belief, after much consideration on the subject, and he conceived it was a principle that could not be controverted. What were the proper bounds of the liberty of the press became another question—and whether those bounds had been exceeded, was a subject matter of inquiry for the jury, under the direction of the learned judge? To discuss fairly, freely, strongly and boldly, the measures that had been taken by the administration of the country, or which that administration were pursuing, was an exercise of the liberty of the press which he would be one of the last men to trench upon. But under any form of government, whether monarchical, democratic or any other description, to impute to those who had the administration of government, wicked and corrupt motives, either of a pecuniary nature or of another and worse sort, namely, that of corruption which originates a desire to destroy the constitution of the country—this, he



would state, without hazard of contradiction, was a libel against the government and against the ministers employed in that government. This was not a new doctrine; it had been laid down by the most enlightened judges that ever sat in that court, at a period too when the constitution was supposed to stand on its fairest and firmest basis—he meant at the time of the revolution. It was then stated, by chief justice Holt, that “to impute corruption to the ministers of the government was at all times, and is still a crime—which if it were not prevented, must endanger the existence of any state.” If the present publication only reasoned on the general system of government, or on the system which it was found necessary to pursue for several years, in prosecution of the war with France, he would have overlooked it. He was perfectly willing to admit that if a man were fairly and conscientiously discussing all the measures that have been resorted to, and if in the violence of his argument, he went a little beyond those bounds which the law set up for the liberty of the press—an excuse might be made for the warmth of his feelings. He was one of those men, who, in such case, would not dwell on those aberrations from the strict line of argument; he would not in consequence of them, charge the individual with inflammatory and seditious views. But, when the whole sum and substance of a statement, charged the government of the country with corruption, with treachery, with a determination, persisted in for years, to destroy the liberties of the people, it was no longer a fair argument on general affairs, it became a malicious libel, imputing to those who were employed in carrying into effect the measures of the government, the most wicked and impure motives. If individuals had a right to do this to any administration, they had a right to do it to all. If they had a right to do it under one form of government they had a right to do it under all; and, therefore, he stated it as a decided principle, that it was impossible for any government to exist under such circumstances.—The defendant, in the libel complained of, not only accused government with acting corruptly, in the administration of the domestic affairs of this country, but asserted that they were equally corrupt, with reference to the relations they had formed with foreign states. If, speaking of the justice or wisdom of a war, the defendant is pleased to state, as he had done, that the king's ministers had entered it for the sole purpose of destroying the liberties of their own country.—If he declared, from first to last, that they had been guilty of corruption and treachery, was not this bringing them into hatred and contempt among the king's subjects? was not this exciting a spirit of disaffection among the people. This was the nature of the libel that was charged.—and, he asked, whether such a statement could be considered as a fair argument on the wisdom or policy of the measures adopted by government? Was it consistent with the fair liberty of the press? or was it not charging those who were thus attacked with acts, which, if permitted to go on, must be destructive of the constitution and laws of the country.

Here, he wished to observe, as there were some persons who supposed that those who stood in the situation in which he was placed, being, as it was called, servants of the crown, were also the servants of the ministers of the crown, and prosecuted just as they pleased to direct—that the present prosecution was entirely his own act. The idea to which he had alluded, was most fallacious. The law officers of the crown, before they were placed in their situations, called God to witness, that they would,

according to the best of their judgment, advise the crown as to any legal measures which it might be necessary to adopt—they swore that they would honestly and conscientiously perform their duty, without favor or affection; and he begged to state, that if any error belonged to the present information, it ought to be visited on his head, for it was entirely his act, perfected without any information being given to his majesty's ministers. He found himself called upon to act as he had done in the fair exercise of his duty—and he felt that he should have neglected that duty, if he had not filed the information. The information charged the defendant with having imputed corruption, and a determination to destroy the liberties of the country, to his majesty's ministers.—He should now proceed to read the publication—and if any man doubted that it imputed those base motives to the minister, he should feel great surprise indeed. Certain parts of the publication were selected as libellous—but, if the defendant, by referring to the context—by reading the whole of the article—could explain away that which was charged as exciting hatred against the government, in the name of heaven let him do it. If the defendant could show that he (the attorney general) had put a wrong construction on the publication, he must of course be acquitted; but he would assert, that let the defendant take what part he pleased of the article, it would be found to be a direct confirmation of the charge of wickedness and corruption, which he had alleged against the ministers, employed in conducting the affairs of the country.—[The learned attorney here proceeded to read the publication. It was entitled, *The Past, the Present and the Future*. It charged ministers with infamous duplicity and treachery, and with the most scandalous corruption.—Ministers (it set forth) had told the people that they were fighting the battles of the country, while they were only fighting their own. They have been induced to fight the battles of legitimate governments abroad, while ministers were destroying at home that constitution which they ought to have defended. That constitution which France could not assail, and never wished to injure, perished ignobly, and without a struggle, amidst the representatives of the people and the guardians of the public purse. Were ministers contented with this—or must the people bleed, to appease their hatred of the cause of freedom and reform? If we must bleed, we have only to request of them, in the words of Ajax, “let us perish in the face of heaven,” breathing our appeal to the god of freedom against the agents of tyranny and degradation. We embarked in the last war to conquer France, and we have conquered ourselves. After attempting to overthrow freedom abroad, ministers had turned their attention to the destruction of freedom at home.] The learned attorney commented on these passages with much severity. He denied that any attempt had been made against freedom abroad. This country had been forced into a war to check the aggressions of the revolutionary government of France. They had been called upon to defend their own liberty from a foreign yoke—and they were obliged to support the nations on the continent which had been singled as the objects of French ambition, because through their medium the French government supposed the vital interests of England could be most successfully assailed. Every act of aggression, throughout the late war—the invasion of Spain, the attack upon Russia, &c. could be traced to this source. The libel went to observe, “That every man who perished in consequence of the existing state of things, was virtually murdered—and



though the law might not reach the authors of his death, yet the all seeing eye of heaven was fixed upon them, and vengeance would ultimately overtake them. Ministers had so deeply injured the people of this country, that they could not be forgiven. Nothing operated so strongly on the feelings of the murderer as the spectre of him whom he had destroyed—the wounds he had given were constantly present to his view—no eye was turned on him, that he did not consider glistening with vengeance—he heard no voice that did not sound terrible to his ear. It was thus with ministers and the constitution. It lay mangled at their feet—they gave it the mortal blow—and now they looked around, dreading the hour of vengeance." The constitution of England observed the learned attorney was dear to every Englishman—and, because it was dear to him, he charged the present defendant as a libeller, who, by the publication he had read, endeavored, to excite a spirit of dissatisfaction amongst the people, by which the constitution would be evidently endangered.

The second count of information charged the defendant, with a libel on Lord Castlereagh and the right hon. Geo. Canning. This libel stated "that the appetite of the ministers, for plunder, seemed to increase, as the finances of the country diminished. When such men as Castlereagh bribed such men as Canning, to become members of the administration, the state of the country was deplorable indeed. Such was the unblushing impudence of Canning's brazen features that dared to sit in an assembly from which he ought to be dismissed with execration. Every petty wretch who committed an offence through distress was punished for it—but the statesman who took advantage of the confidence of a nation, and preyed, like a vulture, on its life-blood, was suffered to escape. When the gibbet was prepared for one, the scaffold ought to be got ready for the other. The wretch who proceeds to acts of violence, for want of food, might be pardoned, without any great extension of charity—but the villain, from choice, ought to receive condemnation without pity, and death without remorse." The learned attorney commented a length on this part of the publication. He admitted that, in the abstract, some of the general propositions were true; but they became libellous when applied to particular individuals, as was the case here. But it was an artifice practised by those who wished to agitate the public mind, to state roughly, certain propositions with which, in the abstract, none could quarrel, for the purpose of allying them to the detriment of the character of individuals. If they had arrived at that state of civility, in which all this was to be allowed, with impunity—if peace of mind were to be assailed, without fear—if there were not safeguards for the perversion of character—then let the jury pronounce that this was no libel, and let the court and the country lament, that no man was longer safe in the performance of public duties. But he anticipated very different result. The publication should be read—and unless the defendant could explain away, he was convinced that it must be pronounced a most libellous production.

The libel was then read—of a person, of the name of Benjamin Steed, proving that he had received 1,000 numbers of it, from the defendant for publication.

Mr. Groome deposed, that right hon. Robert Stewart, commonly called Count Castlereagh, was a knight of the garter, that the right hon. George Canning was a privy councillor. He had

seen the libel, and believed it related to his majesty's ministers in the administration of government. The word "we" at the commencement of the libel, he understood related to the people of England. Wherever the word "ministers" occurred, he believed it related to his majesty's ministers. The expression "when such men as Castlereagh bribe such a man as Canning," applied, in his opinion, to Lord Castlereagh and Mr. Canning.

*Cross examined by the defendant.*

Why do you suppose the passages in question apply to his majesty's ministers?—Because I think there are no other persons to whom they can apply.

Defendant—Do you think, then, there are no persons in the country who are base and treacherous, except his majesty's ministers? (*This question occasioned a loud laugh in the court.*)

Mr Justice Abbott desired the defendant to put his question in a decorous manner.

Defendant—I merely want to know on what ground the deponent has formed his opinion. I shall however, only ask him another question.—Pray, what is your profession?—A conveyancer.

The case for the prosecution closed here.

The defendant then addressed the court at great length. He stated that if he were conscious of having deserved the observations which the attorney-general applied to him, he would not stand before the court with the indifference which he then did. He only exercised the fair privilege of a public writer, in using the arguments which he had laid before the public, and he was by no means ashamed of them. The present mode of proceeding differed much from that of the good old times to which the attorney-general had referred. At the periods to which he alluded, he would have been obliged to come forward and make his charge before a grand jury, to whom he would have been compelled to show sufficient reason for dragging a defendant from his connections, and shutting him up in prison, prior to any other proceeding—instead of having recourse to the present illegal and unconstitutional mode of prosecution.

Mr. Justice Abbott interrupted the defendant.—He could not allow him to call the proceeding by information illegal and unconstitutional; it was, in fact, as old as any other part of the law.

The defendant continued.—The proceeding was oppressive and unjust—and would not be pursued by any person who was anxious only for the fair administration of justice. Any act contrary to *magna charta* or the bill of rights, was not law, and could not be made law, by any legislator under heaven. Feeling this, he conceived that he was not proceeded against according to law. He did not stand there to answer for his principles, but to avow them.—Whatever they were, they were his own and nothing which he had heard from the attorney-general would occasion him to alter them. The principles he espoused, so far from being calculated to create disorder and rebellion, would, he conceived, prevent them. It was not because the attorney general came and said, that this country had been engaged in a war for the benefit of mankind, that he was to take it for granted. His opinion differed in this point from that of the learned gentlemen, and until he had studied politics as much as he (the defendant) had done, he would not take *ipse dixit* of the learned gentlemen, whose inquiries were entirely of a legal nature on this subject.—It was said if he had given bail, he would not have been kept more than an hour or two from his business. But, when he felt himself oppressed, he never would bow to his oppressors; it was because men had been



weak enough to do so, that abuses had not been fully examined, and properly remedied. He had five weeks been imprisoned on a judge's warrant. He had suffered that imprisonment, because he wished to expose the injustice of a law, that ought to be met with the execrations of the people. He had been refused copies of the informations filed against him—he was therefore, to gather the charges alleged from what had fallen from the attorney-general.—Fortunately he had received a little advice on this occasion, otherwise, perhaps, he would not had any thing to say in his defence. Suppose this case had been just the reverse of what it was—supposing, instead of being a single man, caring for few, and of whom few cared, he had been a tradesman with a large family—suppose he had been in ill health and requiring all the attention persons in such a state demanded—what then would have been his situation, in this boasted land of liberty, when hurried to a prison, because he dared to express his opinions? The defendant then observed, that he was charged first, with a libel on the king's administration of government—and next with a libel on the administration itself. The first charge was fallacious—for it was a constitutional maxim that the king could do no wrong—and, therefore, he could not be said to administer the government. If it were asserted that he did administer the government, then the maxim was futile—for, in the administration of government he, like others, was liable to error.

The defendant then proceeded to argue, that his statement with respect to the administration itself, was well founded. When warfare was commenced for the purpose of putting down the principles of the French revolution, they were told, that all their hopes of happiness in Heaven and of blessings upon earth, depended upon resistance to those principles. They all knew the promises made by the minister of the day—and they all knew the result of those promises—they were all fallacious. Every thing except legitimate monarchy had been lost.—And here he wished to know, whether, by the triumph of legitimate monarchy, the learned gentleman meant the triumph of those accursed and detestable principles which were recognized by the ministerial writers of the day? If he did, then had England fought to establish the most pestilential principles that ever were adopted—principles which Englishmen had always resisted, and which freemen would always be ready to oppose. If a system founded on such principles were to be adopted, he would rather be its victim than its slave—the learned gentleman might exchange his brief for a dagger, and write his epitaph in his blood. They were told that the liberty of the press must have its bounds and limits. If it must have those limits, he hoped Englishmen would not suffer an attorney general to prescribe them. They loved that liberty too much to trust it in such hands—and if the orphans were too weak to walk alone, they would not he was sure, entrust the leading-strings to that individual who stood directly between the government, and the people. The defendant then went on to animadvert on the whole of the publication in which the alleged libel was contained, contending, with much energy, that, as a public writer, he was justified in descanting on the conduct of public men—who, the moment they became public men, merged their private in their public character. He would assert, that ministers not only felt a desire to destroy the constitution of the country, but he would go further, and declare that they had accomplished their desire, and he

conceived that he was perfectly justified in charging them with any motives which might be fairly inferred from their conduct. At the time he wrote the article in question, ministers had subverted the constitution. They stated, that it was insufficient to guard the nation against treason which existed only in their mind—against plots of which the people knew nothing, against conspiracies, of which they themselves were the only depositaries.

When, in consequence of such statement, the constitution was suspended, and the liberty of the subject was placed under the mercy of the secretary of state, he had a right to contend that he was only making use of that legitimate condemnation of those who planned such measures, which, as a public writer he was authorised to do, in the production of the publication exhibited against them. The defendant next adverted to the present law of libel, which he observed, was borrowed from the proceedings of the star chamber, and might be traced ultimately to the Justinian code, that which was intended to put down the last spark of freedom in Constantinople, (such was our commercial enterprise) had been imported here, but it was not naturalized, and he trusted the jury would look at it with a most suspicious eye; and that, by their verdict this day, they would declare, that no character in a public situation, should hereafter be exempted from inquiry, nor from accusation, when accusation was deserved. The defendant, after a great variety of remarks on the speech of the attorney-general, proceeded to state, that he believed the present prosecution was commenced in consequence of his having remonstrated with the late attorney-general, on the conduct pursued by the rev. Mr. Powis, a magistrate in Staffordshire who caused a person to be apprehended while selling *The Black Dwarf*. The defendant called on the late attorney-general to prosecute the author of it, in London, and to put an end to the proceedings against those who retailed it in the country. Soon after this communication two informations were filed against him—which he attributed to his circumstance. The defendant then adverted to the strongest points in the alleged libel, which he strenuously defended. He admitted that they were strongly written—and he intended that they should be so, in order, if possible, to awaken the people to a just sense of their situation.

The attorney-general replied at great length. He defended the course of proceeding which had been adopted, with respect to the defendant, as strictly legal.

Mr. Justice Abbot charged the jury. It was, he observed, open to every subject, to discuss the measures of the government, provided he did so reasonably, fairly and calmy—but if, instead of so discussing measures, a person choose to utter and issue forth to the world and calumny against the government or individuals composing it, he was guilty of a libel—There was a point where reasoning ceased, and calumny and slander began; and it was for the jury to consider whether the paper in question was point of law, a free, fair, and candid discussion or whether it did not go beyond that line of argument which ought to be preserved. His opinion was, that it was a scandalous, malicious and seditious libel.

The jury retired, after deliberating an hour and a half, the fore, with some of his fellows, appeared in the court the remainder of the jury, from the structure of the court could not be seen.



The foreman, as we understand, stated that a part of the jury wished to return a conditional verdict.

Mr. Justice Abbott said, he would receive any verdict from the whole of the jury, but he could not receive any thing offered by a part of them.

The usual question was then put—whether, the jury found the defendant guilty or not guilty? To which the foreman answered *Guilty*—and the verdict was recorded.

At a late hour in the day, Mr. Chitty said, he was instructed to tell his lordship that the verdict was not legal—three of the jury having dissented from it at the time. One of them he understood wished to present to his lordship on behalf of himself and two of his fellows, a paper relating to the verdict, when they came into court, but he had not an opportunity of delivering it.

Mr. Justice Abbott said that no objection was made at the time, the question was put, and the answer of *Guilty* was given in a tone that must have been heard throughout the court. No paper had been tendered to him—and in answer to a question from the foreman, he stated that he could only receive a verdict from the whole of the jury, he could receive no communication from a part of them.

The defendant said, as an Englishman, he would protest against the verdict, as illegal—But four of the jury appeared in court—and, if a mistake had been made, his cause ought not to be prejudiced by it.

Mr Justice Abbott said his cause would sustain no prejudice; but that this was not the place for discussing the question.

*The King v. Thomas Jonathan Wooller.*

This was a second information against the defendant, for printing and publishing a libel in the "Black Dwarf," No. 3, of February the 12th: it was charged on the record to be a scandalous, malicious and seditious libel, of and concerning the right of petition, of and concerning King John, Charles I. James II. William III. &c.

The Attorney General stated the nature of the libel: he admitted that it was ludicrous in its form, but it was, perhaps, the more injurious and dangerous on that account. He censured in strong terms the endeavors here made to draw down contempt upon one of the most valuable rights of Englishmen, settled at what he should ever call the glorious Revolution of 1688, and he went through the various paragraphs, pointing out such parts as in his opinion were peculiarly offensive. He took occasion to inform the jury that the defendant had a singular facility of composition; for, being a printer, he frequently had no need of manuscript, but printed from the dictation of his mind as he proceeded.

The defendant, as in the former case, admitted the facts of authorship, printing and publishing; and Mr. Steil proved that he sold about 750 copies of this number of the Black Dwarf.

The libel was then read in the following terms:—  
RIGHT OF PETITION.

"The people of this country have heard a great deal about the right of petition; notwithstanding a thousand proofs of its inefficacy, they seem as fond of it as ever. But some tub must be thrown out to the whale. There must be found some way or other to dissipate the well grounded discontent that so universally prevails; and, like a breakwater, the right of petitioning is thrust forward to stop the current of popular dissatisfaction. All this is very well: but what purpose will it answer? Like

all other delusions, it will be found out at last, and then good bye to petitioning. In the literal acceptance of the term, nothing is or can be so ridiculous. The right of petitioning! Bravo! John Bull, bravo! You have the right of petitioning, have you? And your ancestors obtained it for you, did they? And Hampden bled for the right of petitioning, did he? And Sydney was beheaded, and Russell, for the right of petitioning. And your ancestors sent Charles to the block, and drove James to—, for the right of petitioning, did they? And you possess the right, Johnny, do you? And are charged sixty millions a year for it, are you? Well, you may call it one of your dearest rights, for you have paid dear enough for it, in all conscience. But you are a good sort of a fellow: and being no judge, of the value of diamonds, it is the same to you whether you have glass or French paste. It must glisten a little to please your imagination; and you are pleased as the poor Indian who gives his gold or his treasure for a bauble. But the savage is the better off of the two; for though he gets but a bauble, it is something at least; but you, John, have got nothing for your liberty, you have had every pocket picked into the bargain.

"But you have the right of petitioning, you say. Yes, you have indeed; and you petition away with a vengeance. You see those whom you petition have a voracious appetite for such kind of food. They swallow them as fast as the serpent of Moses swallowed all the other serpents. Only you have fed them a little too fast, and having to pick out of so many, they are now become a little nice. They would have the politest epithets bestowed upon them; and if you will flatter their vanity, and rely upon their wisdom, faith, you may use your right of petitioning as frequently as you please. You will assist trade by it. Lawyers will find parchment dearer, and the tailors will get it cheaper to make measures with.

"But in reality, Master Bull, you estimate all this boasted right a little too highly. Are you not aware that you only have it in common with the free burgesses of the Mogul, and the independent slaves of the Dey of Algiers? They say they are very sorry too; and that your petition ought to lay on the table for consideration; and that a proper time ought to be taken for such consideration. But then they, poor souls! are so busied for your good, throughout the session, that the proper time never comes, and your grievances are never redressed. It is sometimes hinted, that they are only temporary, and will cure themselves: and there is no doubt of that: only be patient for half a century, and if the grievances do not die away, why you will; and that is the same thing. Now you see, that while you possess the right of petitioning, and they possess the right of neglecting your petitions, it is just the same thing as if you had no right at all.

"This is the best side of the question. This is the view of the case when your petitions are deemed to be fit to be received; for you see that your right of petitioning is confined to a peculiar mode of expression. If your pockets are picked, you must not pray the house of commons to hang a minister—you must civilly ask them to be so kind as not to let him do it again. If your valuable constitution is injured, or totally destroyed, you must only ask for its renovation in the most mild and gentlemanly terms. The house must not be insulted! Oh no! the house must not be insulted. Although every body knows that the house of commons, collectively taken, speaks neither the voice of the people, nor attends to the wishes of the peo-



ple; although every body knows that a majority of the house are—what it would not be prudent to say; although the experience of ages has proved it the ready servant of the existing minister; and that, therefore, it is neither rationally nor constitutionally the representative of the public; yet all this is to be veiled in silence. We may petition the house for reform, if in the same breath we will admit that it wants no reform; we may entreat it to restore us the blessings of our constitution, and give us back our rights, if we will confess that our rights have not been infringed upon, and that the blessings of the constitution have never been impaired. Such is now the state of the right of petition. We must suppress the remonstrance of truth, and the firm tone of justice, and then our complaints may be heard—and despised.

“The terms imply this—the right of petition is the only privilege of slaves.—Freemen would blush to hear it boasted of in its modern acceptation.

“But were our ancestors fools, then, and slaves? No, neither. They were men, but not scholars. They approached their monarchs with petitions, it is true, but then they carried arms in their hands to support them,” &c.

Mr. Wooller, in his defence, stated, that when he wrote the above production, he had not the slightest expectation that it would be a source of serious enquiry in a court of justice.—He did not imagine that the ministerial jealousy of the freedom of the press would be quite so contemptible as to notice it. It was meant merely as a joke, and must be considered as the farce to the tragedy of the last information. In the sentiments, however, he heartily concurred, and if urged seriously, he should have supported them seriously. He went over the various parts of the libel that were considered particularly objectionable, arguing that the whole was grounded upon historical and incontrovertible facts. As to the passage regarding “enforcing” the redress of grievances, and, indeed, the whole of that portion of the letter, he insisted that it meant nothing more than the moral force which sound doctrines must ever enjoy: that, though in the time of King John or Charles I. the force of arms might be necessary; in the present day, when all men were comparatively so well educated and enlightened, the force of reason was much stronger and more satisfactory. Such was the fair meaning to be put upon the whole libel, which was dictated on the spur of the moment, at a time when the house of commons was rejecting an immense number of petitions, in favor of parliamentary reform.

The attorney general replied; after which Mr. Justice Abbott summed up, going minutely over nearly every paragraph of the publication, and declaring it as his decided opinion that it was libellous; that however, was a question, the decision of which by law rested with the jury only.

The jury retired for an hour, and then returned to the box, from whence the foreman delivered the verdict not guilty.—As soon as the verdict was declared, the court rang with acclamations, which continued several minutes. The sheriffs at length interfered, and put an end to the disturbance.

The two trials occupied the court from half past nine in the morning until past six in the evening.

## Foreign Articles.

ENGLAND, &c.

The British funds suffered a depression on the 6th of July, in consequence of a report of a deficiency in the revenue. The report was true, according to the following exhibit:

Income of, and charge upon the consolidated fund, in the quarters ending 5th July, 1816 and 1817, for Great Britain.

INCOME.		CHARGE.		DEFICIENCY.	
1816.	1817.	1816.	1817.	1816.	1817.
£10,064,992	£9,339,499.	£13,233,814	£13,120,000.		
In the quarter of 1815				£3,168,622	
Ditto 1817					3,780,501
Ireland is not yet ascertained.					

But on the 18th of July, 3 per cent consols were at 83 1-8!

American 6 per cents in London, July 16, 104.

On the 7th of July the prince regent signed the bill for continuing the suspension of the habeas corpus act.

American flour in England, July 13, 55s per bbl. and dull sale.

Mr. *Ponsonby* died on the 8th of July. He was for several years one of the heads of the opposition; but, as well in his private as in his public capacity, his loss will be severely felt in England.

Mad. *Lavallette* was recently been in London, *in-cog.* to sell the stocks that she held in the British funds.

A fever of the most malignant description prevails amongst the inhabitants of the city of Cork. A number of houses for the reception of the sick had been opened in various parts of the city.

A serious riot or insurrection appears to have existed at Huddersfield.

A number of Scots have emigrated to Poland. By a decree of *Alexander* they are exempt from military conscription.

Much lamentation is made in England about the neglect and ruin of churches. The fault is in their ecclesiastical system, forcing that which ought to be a free-will offering.

Parliament was prorogued, after an address to the prince regent, and a speech from him on Saturday the 12th of July.

The duke of Northumberland has left a revenue to his eldest son of 80,000 pounds per annum, and to each of the younger children he has bequeathed 100,000 pounds in cash.

Certain jewellers in London were lately robbed of property valued at 30,000. Among the articles was a diamond necklace valued at 10,280l.

In the court of king's bench, Mr. Cook, an American merchant, formerly residing about 90 miles from Sierra Leone, in Africa, obtained a verdict of 19,000 pounds damages against col. Maxwell, late governor of Sierra Leone, for destroying his factory by fire, and carrying off his moveable property, under the pretence of the plaintiff being engaged in the slave trade. The plaintiff also obtained a verdict of £1000 damages for false imprisonment.

A letter from the younger *Watson* to his father, is extensively published in England, as coming from the United States, and it is probably a fabrication. The London papers say it is so—“to compliment America, and delude our credulous countrymen into emigration.”

The Gazette of last night (says a London paper of July 17) contains a proclamation, ordering that the calling out of the militia in Great Britain, for the purpose of being trained and exercised in the present year, be suspended; and consequently no training or exercising of such militia is to take place this. [There is meaning in this].

Count *Flahault*, one of Napoleon's aids in the bat-

tle of Waterloo, has married a daughter of lord Keith. We notice the marriage of a Miss F. Bowman who was long detained as a prisoner in the seraglio of the dey of Algiers, from which she lately escaped.

A fellow in England, for a considerable wager, had commenced a walk of 500 miles backwards, to be performed in 20 days. He performed 2½ miles in the first hour.

*The British parliament.*

Was prorogued on the 12th of July, on which occasion the prince regent "read the following speech from the throne."—

"*My lords and gentlemen—*

"I cannot close this session of parliament without renewing my expressions of deep regret at the continuance of his majesty's lamented indisposition. The diligence with which you have applied yourselves to the consideration of the different subjects which I recommended to your attention at the commencement of the session, demands my warmest acknowledgments; and I have no doubt that the favorable change which has happily taken place in our internal situation, is to be mainly ascribed to the salutary measures which you have adopted for preserving the public tranquility, and to your steady adherence to those principles by which the constitution, resources, and credit of the country have been too successfully exerted in some parts of the country to alienate the affections of his majesty's subjects, and stimulate them to acts of violence and insurrection, I have had the satisfaction of receiving the most decisive proofs of the loyalty and public spirit of the great body of the people; and the patience with which they have sustained the most severe temporary distress cannot be too highly commended. I am fully sensible of the confidence which you have manifested towards me by the extraordinary powers which you have placed in my hands; the necessity which has called for them is to me a matter of deep regret; and you may rely on my making a temperate, but effectual use of them, for the protection and security of his majesty's loyal subjects.

*Gentlemen of the house of commons.*

"I thank you for the supplies which you have granted to me, and for the laborious investigation which, at my recommendation, you have made into the state of the income and expenditures of the country. It has given me sincere pleasure to find that you have been enabled to provide for every branch of the public service without any addition to the burdens of the people. The state of public credit affords a decisive proof of the wisdom and expediency, under all the present circumstances, of those financial arrangements which you have adopted. I have every reason to believe that the deficiency in the revenue is, in a great degree, to be ascribed to the unfavorable state of the last season; and I look forward with sanguine expectation to its gradual improvement.

"*My lords and gentlemen,*

"The measures which were in progress at the commencement of the session for the issue of a new silver coinage have been carried into execution in the manner which has given universal satisfaction; and to complete the system which has been sanctioned by parliament, a gold coinage of a new denomination has been provided for the convenience of the public. I continue to receive from foreign powers the strongest assurance of their friendly disposition towards this country, and of their desire to preserve the general tranquility. The prospect of an abundant harvest throughout a considerable part of the continent is in the highest degree satisfac-

tory. This happy dispensation of Providence cannot fail to mitigate, if not wholly to remove the pressure under which so many of the nations of Europe have been suffering in the course of the last year; and I trust that we may look forward in consequence to an improvement in the commercial relations of this and of all other countries. I cannot allow you to separate without recommending to you, that upon your return to your several countries, you should use your utmost endeavors to defeat all attempts to corrupt and mislead the lower classes of the community, and that you should lose no opportunity of inculcating amongst them that spirit of concord and obedience to the laws, which is not less essential to their happiness as individuals than it is indispensable to the general welfare and prosperity of the kingdom."

The lord chancellor then read the commissions for proroguing the parliament to the 25th of August next.

*Crim. con. cases* make a great display in the London papers, happening among the "*nobility, gentry and clergy*"—precious sets of people.

*Criminal offenders*—By the statement of criminal offenders in England and Wales, lately published, it appears that 47,522 persons have been committed to goal for criminal offences during the last 7 years, of whom 4,120 received sentence of death (536 of whom were executed)—257 transported for life; 533 for 14 years; 4,543 for 7 years; imprisoned for 5 years, 4; do 4 years, 2; do 3 years, 54; do 2 years and above 1 year, 1,574; 1 year and above 6 months, and under, 13,518; whipped and fined, 1,154.

FRANCE.

The most important item of intelligence from France is, that the crops were so flattering as to have reduced the price of corn one half, in some of the departments.

The archbishops' sees are to be restored in France—some additional bishopricks are to be established—and archbishops, if not bishops are to be placed in the chamber of peers.

Gens. Damage and Belair; and the marchioness Lavalette, have been arrested in France.

The population of Paris, by a late census, amounts to 715,595, independent of the garrison. There are 27,371 houses, and 217,352 families.

On the anniversary of Louis XVIII's return to the capital, his majesty reviewed 13 legions of the Parisian national guard upon the Boulevard Chumartin. The streets through which he passed were lined with military, and the white flag and other appropriate emblems were displayed from their windows. The number of men under arms were estimated at 35,000. The city was illuminated at night.

It is said in the Paris papers that the French emigrants that have reached the United States "do not amount to a less number than 30,000." People do not think what *thirty thousand* is. I have a right to know something of this matter; and venture an opinion that three thousand have not arrived here, in *ships and vessels*, since the first return of Louis; nor do I believe that any have crossed the ocean in *balloons*. Vessels from France very seldom have more than 10 to 20 passengers—I am certain that they have not averaged 20: this would give us *fifteen hundred vessels* from France in the period stated!!! More on this subject hereafter.

A *steam boat*, on a principle that makes explosion impossible, is said to have been invented in France.

Several arrests were recently made at Bordeaux. 5 per cent. consuls 66 1-10, July 12.



France is said not only to have solicited the withdrawal of the allied troops, but to have requested England to pay them, being unable to do it herself!

*The great occasion*—No less than ten new theatrical pieces are in readiness to appear on the several stages in Paris, great and small, immediately after the accouchement of the duchess de Berri. One of them is called *Is't a girl or a boy?* [What a job it would be, if the expected baby should be still born! But, I suppose it would be *high treason*, in France, to *imagine* it.]

The dutchess of Berri and the queen of Spain are running a race to have a young Bourbon. The papers say it is doubtful which of them will be the first in the straw.

*French Hospitals.*—From a report made to the governor general of hospitals in Paris, on the state of those establishments, from 1803 to 1814, it appears that these hospitals are divided into two classes, called *hopitaux* and *hospices*; the former ten in number, being for the sick; and the latter of which there are nine, affording provision for infants, and incurables, who are destitute. The hotel Dieu, the most ancient hospital, contains 1200 beds. In the hospice de l'Accouchement, in 1814, were delivered 27,000 females, of whom 24,000 confessed they were unmarried. From 1804 to 1814, were admitted into the hospice de l'Aliaitement or foundling hospital, 23,458 boys and 22,463 girls, total 45,921 children, of whom only 4130 were legitimate. During the ten years 355,000 sick were admitted into the *Hopitaux*, and 59,000 poor persons into the *hospices*. Of the maniacs there are more women than men.—Among the younger females, love has been the most common cause of insanity; and among the others, jealousy, or domestic discord. Among the younger males, it is the too speedy development of their passions; and among the older, the derangement of their affairs, that has crazed them. The calamities of the revolution have been another cause of madness, and it is observed that the men were mad with aristocracy and the women with democracy; excessive grief occasioning lunacy in the former, and ideas of independence and equality in the latter!—*London paper.*

## SPAIN.

The editor of a London paper says, that from certain American papers he had received, a war between the United States and Spain appeared probable. This is a mistake that he might easily fall into for a cursory view of our gazettes—but the editor strangely observes, "if it be true that the United States are really attached to the cause of freedom they will be more inclined to aid than to attack Spain." *Freedom and Spain! Ferdinand and "moderation and forbearance"* in the same paragraph!

Gen. Lucey is removed to Majorca; it being thought unsafe to keep him at Barcelona, for fear of the people. His fate is sealed.

By accounts from Spain, it appears that the grand finance plan, projected by the minister Garay, is not to be carried into execution till January 1818. This delay originates in the opposition of the nobles and high churchmen, who will be most affected by its being put into execution; and in the mean time, it is expected the minister himself will lose his place.

## RUSSIA.

The emperor has sent to England four young Russians for the purpose of being instructed in the new method of teaching, that they may be placed at the head of seminaries.

The emperor of Russia, on the 7th of May, by decree, established at St. Petersburg, an Imperial Commercial Bank:

1. Thirty millions of roubles, of the capital of the crown, are placed at the disposal of the bank.
2. The bank is allowed to take money—1st, on interest—2d, in deposit.
3. The bank gives loans on Russian goods, according to the principles of the discount office, and accepts bills, taking the per centage according to the course of commercial operations.
4. Half the directors to consist of public officers, and half merchants.
5. The bank to be opened on the 1st of January, 1818.

The integrity of the loans intrusted to the bank are guaranteed by the imperial word.

Several ships of war were launched on the 20th and 25th of May at Casan, a city on the Wolga, which empties into the *Caspian* sea.

We have a rumor that a war was expected between Russia and Sweden; and that the Russian troops about to leave France would be landed in Sweden.

## TURKEY.

*Constantinople, June 10.*—On the 2d of this month the ceremony peculiar to the East took place of shaving, for the first time, the hair of the head of the crown prince Schehzade Abdulbamiel, who is four years of age, after which he was invested with a turban. A part of the hair was sent as an offering to the *Kia ble* (the holy house at Mecca.)

A few days ago, several large transports arrived from Egypt with rice, coffee, and other productions of that country, which have dispelled the apprehensions of scarcity that were entertained by the inhabitants of this capital.

## AFRICA.

An African chief near *Sierra Leone*, who has long been in the pay of the British to assist them in suppressing the slave trade, has lately protected two vessels engaged in it, and compelled a British brig, in self-defence, to fire upon his town; by which many of his people were killed. It is feared that in revenge for this Captain Campbell and his party, on an expedition into the interior, will be cut off.

## WEST INDIES.

The deaths at Havana, principally of malignant fevers, from the 19th to the 31st of July, inclusive, were 215, or 15 a day!—in a population of 80,000.

*Christophe*, king of Hayti, has adopted the Lancasterian system of education in his dominions, and has established schools deriving their support from government, and promulgating instruction in the rudiments of primary education without expence to individuals.

A decree has been passed for the sale of the estates which have become the property of the public. They are to be disposed of free of all incumbrances, and the ancient names are to be changed, that "the remembrance of their tyrants may cease."

## FLORIDA.

We have two proclamations from Amelia. One addressed by "citizen Gregor McGregor," to his soldiers, thanking them for their exemplary conduct and good discipline, and holding out the hope of soon planting the "green cross of Florida, on the proud walls of St. Augustine."

The other headed "Gregor McGregor, General," &c. declares the whole of Florida in a state of blockade, beginning at the south side of the island of *Amelia* and extending to the *Perdido*. His proclamation shall be preserved for further reference.



Many rumors are put afloat about the United States negotiating for the Floridas. We know nothing of its certainty. The transfer of this country is a matter to be expected, and much to be desired by us, for the settlements adjacent, &c.

All was quiet at Amelia. Com. Taylor had sailed on a cruise. A French brig detained had been liberated, after the condemnation of a part of her cargo. There was a report that the Gov. of St. Augustine was advancing against Amelia at the head of 5 or 600 men. It is also said that Com. Aury, with 4 sail, had sailed from Matagorda to assist McGregor.

## MEXICO.

*Mina* appears to stand his ground and gather much strength. We may probably have a *dashing* account of him. He is as cautious as he is brave.

## "SPANISH" AMERICA, &amp;c.

Three Portuguese Indiamen are said to be captured off Lisbon, by Buenos Ayrean privateers.

An agent for *Venezuela* is said to be in London, where he offers very liberal terms for officers and men to assist in establishing the independence of his country, and is said to be very successful in obtaining them.

Morillo, who commands for Ferdinand in *Venezuela*, is spoken of at London by those who served with him in Spain, as a brute. There is no doubt but that he is a savage.

It is reported that a fleet of merchantmen from Havana, for Cadiz, having separated from their convoy, have been captured by a squadron of independent privateers.

We have some news from *Mangaretta*; the fate of the island is not yet determined. In the first battle, Morillo, by superior force kept the field, and finished the terrible conflict by murdering all the wounded patriots. In New Grenada it seems as though it were his standing order, to put to death every patriot that falls into his hands who can read and write. These are deadly sins, in the royal catholicism.

## National Character.

FROM THE NATIONAL INTELLIGENCER.

Washington, August 30, 1817.

MESSRS. GALES and SEATON:—Observing in your paper of the 29th,\* an account of the hauling up a British 74 to repair, and it having excited great astonishment in the minds of many, that so enormous a weight could have been taken out of the water by a combination of the pulley, lever and inclined plane, but more particularly because this is claimed as an English discovery, I consider it a duty I owe to my country to claim it as a genuine American invention. In the year 1809, the ketch *Vesuvius* was run on shore on the Bahama Bank, and injured her bottom very much. The peculiar construction of this vessel made it impossible to heave her out, as the great quantity and weight of materials in her would have sunk her in the operation; it, therefore, became necessary to haul her up or condemn her. The experiment was made and succeeded; it was repeated on the *Adams* frigate, at the navy-yard here, and was equally successful. In the first instance, only sixty men and one capstern were employed; and in the other, only the means and the men belonging to the yard, which did not exceed 150, and which were at the time deemed sufficient to have hauled up a ship of the line. I consider our ingenuity as a national property; I consider our naval reputation equally so; efforts have repeatedly

been made to filch from us the merits of both; it becomes, therefore, the duty of every American, who has the honor and interest of his country at heart, to watch over them with the most scrupulous care.

I have searched the files of the navy office, and I have obtained a copy of a communication made to the Secretary of the Navy on this subject, near nine years since, which is another lesson to us to examine our own pretensions to the merits of discovery, before we yield them to other nations, however "*stupendous*," they may at first sight appear. I send it to you for publication, with the hope, that the editors of papers who have published the English account, will also publish this.

It will be well to be on our guard lest our invention of steam boats and steam batteries should share the fate of Godfrey's quadrant and the chain cable,

AN AMERICAN.

NAVY YARD, NEW YORK,

28th July, 1808

Sir—The bomb ketch *Vesuvius* was yesterday hove up on ways, and although not without some difficulty, (owing to the preparations, &c. not being of sufficient magnitude for so large a vessel) the experiment has nevertheless convinced me, that our largest frigates, or indeed even ships of the line, might be taken out of the water on a similar principle, to be coppered, or receive any other repairs, at less than a fourth the expence of heaving down, with proportionate facility, and without any risk whatever.

I consider that permanent ways may be constructed here, that will, if properly executed, last fifty years, to take up a 74 gun ship, for four or not exceeding five thousand dollars; and I am so convinced of the correctness of the principle of this machine, as well as its great utility, that I am now getting a model executed, which I intend forwarding to you for your consideration.

With great respect, I have the honor to be, sir, your obedient humble servant, JOHN RODGERS;  
*The Hon. Robert Smith, Secretary of the Navy.*

## CHRONICLE.

The *President*, while at Fort *Niagara* was waited upon by a deputation from the British officers at Fort George, saying that if it would concur with his wishes they would do themselves the honor to wait upon him. To this he replied, that anxious to finish his tour of observation, he could not accept of their courtesy. He remained only an hour at *Niagara*. When he approached *Malden*, the British were prepared to salute him, but on reaching the river he landed at the Spring Wells, and was escorted into the city by the citizens *en masse*, which was illuminated in the evening, &c. He was to leave *Detroit* on the 15th, and would be accompanied by Gen. Brown and Gov. Cass as far as *Chillicothe*. He expected to reach *Washington* by the 18th September. There is something pleasant in the attentions of our late enemy.

Gen. *Scott*, with his lady, has just visited the falls of *Niagara*, the battle ground adjacent, &c. He had arrived at *Sacket's Harbor*, where he was saluted, and was about to proceed to *Montreal*.

*Facility of travelling*—A party of gentlemen from *Boston* lodged in this town on Friday night last, having performed the following tour, viz: From *Boston*, via *Albany*, to *Saratoga Springs*, thence by land to *Buffalo*, thence down the river and the whole length of lake *Ontario*, stopping at *Oswego*, *Sackett's Harbor*, &c. thence down the *St. Lawrence*, stopping at *Ogdensburg* and *Montreal* to *Quebec*.

\*See last No. of the WEEKLY REGISTER, page 11



thence over land through the province of Lower Canada, part of Vermont and New-Hampshire, by Concord, to Boston. This route, which was by stages and steam-boats, and made nearly 1700 miles in 30 days, with stops of one day in several places and two days at Quebec, and without any apparent fatigue, displays the astonishing facility of carriage travelling over the country, a great portion of which twenty years ago was a "howling wilderness."

#### Concord Pat.

The navigation act passed at the last session of congress, will take effect on the first day of October next. It enacts, that coasting vessels passing from one state to another, (unless it be an adjoining state, or on a navigable river or lake, or from Long Island to Rhode Island) shall each pay a duty of fifty cents per ton, unless at least three fourths of her crew are American citizens; in which case the duty will be reduced to six cents per ton. It also enacts, that every American vessel entering from a foreign port shall pay a duty of fifty cents per ton, unless her officers and at least two thirds of her crew are American citizens; but this provision does not extend to vessels which departed from home prior to the first of May last, until after they return to some port of the United States.

It has been remarked that "the season of insects is a season of plenty"—and so it is the present year. All the crops of grain, grass, &c &c. are very abundant—we have had the locust in great numbers, and never saw the caterpillars so plentiful as now, and other insects equally abound.

Hay was 20 dollars per ton in the field, at Buffalo, last year. It is now only 8 dollars delivered in the village.

I. Q. Adams, has been sumptuously entertained at a public dinner at Boston, Mr. Gray presiding; Messrs. Otis, Blake and Mason, vice presidents. Among the invited guests was his father. The toasts were American. The following are proper for record—a new language is used at Boston:

The United States.—May our public officers abroad and at home continue to be distinguished for integrity, talents and patriotism.

#### Hail Columbia.

The President of the U. States.—The firm consistent and unassuming statesman, whose public and private virtues secure to him the unanimous approbation of his fellow citizens.

#### President Monroe's March.

Thomas Jefferson—James Madison—In their retirement from the cares of public life, may the evening of their days be long, tranquil and happy.

#### Jefferson and Madison's March.

American Manufactures—A sure and necessary object for the security of American Independence.

#### Ode to Independence.

The Commissioners at Ghent.—The negotiations for Peace have been declared in the British House of Lords, to wear the stamp of American superiority.

#### Yankee Doodle.

The Army, and our distinguished Military Officers.—Their conduct has supplied an example of exact discipline, determined valour, and generous feeling, that veterans might be proud to imitate.

#### Wreaths for the Chieftain.

United States Bank. It is understood that Mr. Sergeant who went to England on business of the United States' bank, had perfectly succeeded in and completed the desired arrangements.

The Mediterranean Squadron.—The London Times of the 14th July, states that the "American squadron, commanded by Com. Chauncey, which had been in the harbor of Marseilles, arrived off Leghorn the

21st ult. It consists of the Washington of 86 guns and 780 men, and two frigates, the United States of 44 guns and 440 men, and the Constellation of 36 guns and 330 men."

Washington August 29—The following is a copy of the order detailing the Army Court which has been summoned by the War Department to meet in this city on the 10th proximo.

Adjutant and Inspector General's office, Aug. 27, 1817.  
General Order,

A General Court Martial will assemble at Davis' Hotel, in the City of Washington, on Wednesday the 10th of Sept. next, for the trial of such prisoners as may be brought before it. The Court will be composed as follows:

Colonel William King, 4th Inf. President.

#### MEMBERS.

Col. G. E. Mitchell, Corps Art.

Lieut. Col. J. V. Ball, 1st Inf.

Lieut. Col. W. Lawrence, 8th Inf.

Lieut. Col. W. K. Armistead, Engineers.

Lieut. Col. G. Armistead, Corps Art.

Lieut. Col. R. Jones, Corps Art.

#### SUPERNUMERARIES.

Major J. W. Davis, Staff.

Major W. M. Donald, Staff.

A Judge Advocate will be appointed, and further instruction will be given through the President of the Court in after orders.

By order.—D. Parker, Adj. and Insp. Gen.

This Court, as we stated yesterday, has been detailed by the War Department, at the request of the Navy, for the trial of Lieut. Col. Wharton of the Marines; who, as a marine officer, is only subject to the articles of war while serving on shore.

This court is most respectable for the rank, talents, and military services, of its members.

The French emigrants.—By a respectable Indian agent, now at the seat of government we learn, that in coming up the Ohio, he met upwards of a hundred Frenchmen, at different times, directing their course towards the new settlement on the Tombigbee.

General count Clausel and general Lefebvre Desnouettes have sailed from Philadelphia with a shipload of passengers bound to the Mobile. Marshal Grouchy, the two generals Lallemand, Generals Vandamme, Lakanal, Penniers, Garnier de Saintes, count Real, &c. are at the head of this enterprise. All these distinguished men have the means of doing much good. Never was a project set on foot under better auspices, or entered into, as we learn, with more ardour and fuller determination to make a fair experiment, to show what Frenchmen can do. "I am astonished," said a capitalist of Philadelphia, to generals Clausel and Desnouettes, that such men as you, who have money at command, should undertake such a don Quixote expedition, when, by taking your stand in the exchange, you would get 20 per cent. for your money without trouble." "We have been accustomed (replied general Clausel) to labor for the glory and happiness of our country, not to prey upon their's, or other people's necessities"—A reply which remarks a noble mind.

#### Nat. Int.

Miss "Caraboo," or Poll Baker, mentioned in our last, quizzing certain persons in England, see page 10—has arrived at Philadelphia. She is said to be a very handsome wench; but is not of the sort of emigrants that we want.

The great sea serpent seems yet to be on the eastern coast. Many efforts are made to catch him.

without success. We expect a more particular account of him.

*United States Bank.*—There has been a great rise in the price of the stock of the bank of the United States, and the influence of this institution, we are not without our fears, will pass to the "other side of the water." The stock is at 155 a 160, for 100\$ paid! The rise is said to be caused by orders from England to purchase it up at such advanced prices.

*Exports from the port of New Orleans, the two last Quarters from the 1st January to the 1st July, 1817.*

Bales of Cotton	- - - - -	48000
Hogsheads of Sugar	- - - - -	8000
Barrels of Flour	- - - - -	85000
Barrels of Pork	- - - - -	10400
Bushels of Wheat	- - - - -	69000
Bushels of Corn	- - - - -	91000
Hogsheads of Tobacco	- - - - -	18000
<i>Export of Tobacco from New Orleans to Europe.</i>		
April 12. Missouri, Gibraltar	- - - - -	248 hlds.
April 23. Patriot	do - - - - -	306 "
May 1. Albert	do - - - - -	240 "
May 6. Jno. Deckman	do - - - - -	325 "
June 22. William	do - - - - -	320 "
June 22. Laura	do - - - - -	394 "
		1833 hlds.

April 22. Lucies, Falmouth	- - - - -	100 hlds.
May 12. Watson, London	- - - - -	15 "
May 12. Elizabeth, Liverpool	- - - - -	87 "
June 14. Good Return	do - - - - -	200 "
June 14. Asia, Greenock	- - - - -	43 "
June 15. Recovery, Liverpool	- - - - -	19 "
June 20. Palmyre, do	- - - - -	262 "
July 16. Charlotte	do - - - - -	170 "

		901 hlds.
July 20. Freedom, for Cowes		310 "
		1211 hlds.

*New Orleans, 2d August, 1817.*

*The compensation law.*—It is stated that not more than one of the old members of Congress will be returned by Tennessee, on account of the compensation law. Gov. M'Minn is re-elected by an overwhelming majority.

Died, recently at New York, *John Rodney*, of the U. S. Navy, eldest surviving son of Cæsar A Rodney, esq. of Delaware. He was attached to the Ontario, and his funeral attended by the officers of the ship, the seamen bearing his body to the tomb. He was about 19 years of age.

*South Carolina* mourns the loss of another revolutionary patriot—the good, the great and venerable gen. PICKENS, died suddenly on the 11th ult.

*Military Academy, West Point.*—There has been a disturbance among the cadets at this post. The government, it seems has thought proper to place Major Thayer in command at West Point; the boys wished Capt. Partridge; and, it appears, they refused obedience to Major T. We shall, probably, have a regular statement of the affair, if it deserves it, for our next.

*Charleston.*—Deaths for the week ending August 24th—49; of which 3 were by bilious fever, 1 by country fever, 6 worm fever, and 22 yellow fever.

*The Blind Restored.*—The following account is from a Bengal paper.—A very interesting case has just occurred, of a person born blind, being restored to sight by the means of a surgical operation: A native of Burdwoin, of the age of 18, was lately sent by his family to Dr. Lushmore, whose success

in the removal of the cataract, they had heard by public report—The operation was performed on the 26th, and in six days he began to see and distinguish objects. He confirmed, with readiness, the conclusion so obvious, from the feelings of Dr. Cheselden's patients that our common judgment of figure, quantity and distance, is not an inherent faculty in the mind, but a practical result, from the ever repeated experiment of comparing the perspective with the actual figure, bulk or distance—For a cricket ball was put in one hand, and a cake of soap in the other, and he was desired to describe their shape—he was unable to do it by his newly acquired and inexperienced vision, and was obliged to have constant recourse to the more practised sense of feeling. When any object is presented to him, although he can without hesitation declare its color, he is wholly unable to decide on its quality until he is allowed to handle it.

*MANGEL WURZEL.*—From the *Long Island Star.*—A root of the Mangel Wurzel, of large sugar beet, is now growing in the garden of Mr. James Engle, on Brooklyn Heights, which measured on Thursday last fourteen and a half inches in circumference. It was measured several inches above ground.—Major Phillips, of Smith town, has a very promising patch of the Mangel Wurzel, and last year proved them to be very excellent for milch cows, and hogs.

*Ptolemy Philadelphus*, succeeded his father Lagos on the throne of Egypt, about 285 years before the Christian era. During the whole of his reign he was employed in exciting industry, creating employments, and in encouraging the liberal arts and useful knowledge among his subjects. Ptolemy could boast of reigning over 33,339 well peopled cities! He gave every possible encouragement to commerce, and by keeping two powerful fleets, one in the Mediterranean, and the other in the Red sea, he made Egypt the free and secure part of the world. His army consisted of 200,000 foot, 40,000 horse, besides 500 elephants, and 2000 armed chariots. With justice he has been called the richest of all the princes and monarchs of his age—at his death he left in his treasury 750,000 Egyptian talents, a sum equivalent to two hundred millions sterling! His palace was the asylum of learned men, whom he admired and patronised. He paid particular attention to all the Sciences, to Letters and to Poetry, in Euclid, Theocritus, Callimachus, and Lycophron; by increasing the library which his father had founded, he shewed his love of learning, and his wish to encourage genius. This celebrated library, at his death contained 200,000 volumes of the choicest books; it was afterwards increased to 700,000 volumes. We are indebted to him for the Greek translation of the *Scriptures*, Septuagint, because translated by the labors of seventy learned persons.—*London paper.*

*Oswego New-York July 23.*—The waters of the Oswego lake and its outlet, passing through this village, have been singularly affected during the last week; the water naturally very clear and pure, became very thick, of a greenish hue, emitting a most nauseous smell. Many fishes were seen floating down, some dead, others nearly exhausted. Various causes have been assigned for these phenomena, such as, the heat of the weather, the calmness of the atmosphere, and consequent decomposition of a portion of the water. The waters have now nearly acquired their original sweetness and purity. We are informed that the neighboring lake, the Skaneateles, has not been affected in a similar manner—we see no reason why the like causes should not produce the like effects in both



instances. Exaggerated accounts may have gone abroad respecting this affair, we state, for the information of the public, that no evil consequence has arisen to the health of the inhabitants, nor do we think any are to be anticipated.

*Natural Curiosity*.—Seven miles from Canandaigua, is a spring of pure and very cold water, which boils up in the centre, and from which issue flashes of blue flame. On one side of the spring is a cavern, in the side of a rock; on creeping into which, and applying a lighted segar to some of its orifices, the air takes fire, and fills the whole cavern so suddenly as hardly to give time for escape. *Catskill Recorder*.

*Travelling*.—A new line of stages is shortly to run from Petersburg to Georgetown, S. C. by way of Belfield, Halifax, Tarborough, Greenville, Washington, Newbern and Wilmington.

*Longevity*.—Died, on the 17th of May last, at Middlesex, (Stamford) Connecticut, Mr. ELISEPH WHITNEY, aged one hundred and three years three months and three days! He left seven children, 51 grandchildren, 121 great grandchildren, and 15 great-great grandchildren.

*Negro traders*.—We have seen letters from Louisiana, which put it beyond a doubt that many African negroes are smuggled into that state, by way of the coast beyond the Mississippi—too long the scene of piracy and smuggling. We cannot but express a hope, now that we can do it so easily, that these things may be put an end to immediately. A few light vessels would finish it, and they could not be better employed.

*Domestic manufactures*.—It is intimated in a New York paper, that British goods, labelled as American, are sold as such in that city, especially shirtings, of a very inferior quality.

*Flour*.—On the 25th ult. 200 barrels of flour, were sold on the wharf at Charleston, for eighteen dollars per barrel.

A steam saw mill is in operation at Charleston. The engine is of 24 horse power and designed also to grind grain, pound rice &c.

## Falls of Salmon River.

FROM THE ALBANY GAZETTE

Salmon river rises among the elevated wilds of Jefferson, Lewis and Oswego, (formerly a part of Oneida) counties. The several branches of this stream unite in the town of Redfield, now in the county of Oswego, about thirty-six miles north of Rome. This river, from its sources to its confluence with lake Ontario, runs in all its windings, about sixty or seventy miles; but a direct line from the source of the western branch, to the lake, would probably not exceed half that distance.—About sixteen miles from the lake, near the eastern extremity of the town of Richland, are situate the falls, which are the subject of this article, and which affords one of the most sublime spectacles of nature.

Having a few years since resided several months in what is termed "the Black River Country," the editor had frequent opportunities of visiting and examining this wonderful cataract. The river at and from the cataract, runs nearly south west; so that the most advantageous position for a clear and distinct view, is on the brink of the precipice, a few rods west of the fall, which is one hundred and ten feet, perpendicular descent. At the time we visited this tremendous cataract, the country for several miles round, was without an inhabitant. The

face of it is uneven, the woods thick, and rendered dark and gloomy by quantities of hemlock and spruce. This circumstance adds much to the "delicious gloom and terror" of the traveller, as he approaches the cataract, and as the thundering sound of the waters, rushing into their foaming bed, increase upon his fears. Upon the site abovementioned, the spectator has a full view of the fall, and of the river for near a mile above, in which distance the water descends upon a smooth inclined plain of rock, probably twenty-five or thirty feet. Adding this to the perpendicular fall of 110 feet, makes the whole fall about 140 feet. The prospect to the south extends about one fourth of a mile where, from a sudden turn farther south, the channel apparently buries itself in the gloom of a dark and dismal forest. The greater part of this distance the spectator has a faint view of the stream, as it rushes with great violence against the rocks and crags at the bottom of the deep and narrow crater. At the main fall, the water rushes perpendicularly down without obstruction, until near the bottom where it dashes with tremendous force against the projecting crags of the rock, from whence the foam continually rises like a thick cloud, chilling the surrounding atmosphere for some distance. The gloominess of the forest, and, in clear weather, the rainbows, livid and brilliant, playing upon the spray, added to the deafening thundering of the appalling cataract, present to the beholder a scene of wonder, terror and dismay, which set description at defiance.

The river at the fall is about 15 or 20 rods in width, and continues about the same for a mile and an half below. The banks of the crater or gulph continue at the lofty height of from one hundred and fifteen to one hundred and twenty feet, nearly the same distance. They are generally perpendicular, but frequent shelves over 10, 15 and 20 feet.—About twenty rods below the cataract is a place where with great difficulty and danger, the gulph can be descended. Below the cataract is a tremendous whirlpool which renders it extremely dangerous for boats to approach within many rods of the fall. Salmon are caught at this place in great abundance.

In the winter, in clear weather, the beauty and brilliancy is much brightened by the sparkling crystalline appearance of the trees, occasioned by the spray that falls upon them and congeals. We have there witnessed icicles hanging from the shelving rocks, which we should judge to be six or eight feet in diameter, and sixty or eighty feet in length. When rays of the sun strike upon these, which can only be between the hours of 11 and 2, the eye gazes in transport upon a thousand varying hues, causing it to appear more like enchantment than reality. But it would be impossible for the finest fancy to make a faithful representation of the scene; "at once to clothe it in its rugged horrors of sublimity, and in all its charms of exquisite beauty."

*FUR TRADE*. *St. Louis, June 14*. Manual Lisaesq. arrived here yesterday from fort Lisa, 45 miles above the mouth of the river Platt, on the Missouri, with a valuable cargo of furs and peltries, said to be worth 35,000 dollars. We learn that the Indians generally are at war with one another. No accident happened to Mr. L's party except in one instance. A party of Sioux (thought to be a war party) met a few of the laborers three miles from the fort, and shot through the body with an arrow, Pedro Antonio, a Spaniard. The Indians might have cut off the whole party if they were inclined to do farther mischief.

# NILES' WEEKLY REGISTER.

NEW SERIES. No 3--Vol. I ] BALTIMORE, SEPT. 13, 1817. [No. 3--Vol. XIII Whole No. 315

THE PAST--THE PRESENT--FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Many letters remain unanswered—many accounts remain unforwarded. At this period, so much is to do that much has not be done. In the course of the next week the editor hopes to get through with the things connected with the *business* of the establishment, that ought to have been attended to three weeks ago.

The extra-labor required to prepare and publish the index for the last volume—the military parade yesterday, in honor of the anniversary of the battle of *North Point*, with the time lost in repairing one of our presses, will cause the present number to reach many of our subscribers a day or two later than usual.

To Mr. William Cobbett,

North Hampstead, Long Island, N. Y.

SIR—My attention was accidentally drawn to your Register of the 7th ultimo, containing a letter to *major Cartwright*, the venerable leader of reform," in which, defending yourself against a charge preferred by Mr. *Wooler*, of having formerly written against the government of the United States, and their "infant liberties" you say—

"Instead of *crawling* to the Americans, and *re-vealing* any thing that I had said before, I plainly told them, that I did not ask them to "forget and forgive," but, that I wished them to remember, that, "if my writings had done them harm in Europe (and that I did not know that they had not done them harm) it was fairly to be ascribed to the unjust and tyrannical treatment which I experienced in America. This was published at New York last year, long before I had any thoughts of coming to America. But here I am now. This Register, that I am now writing, will be published at New-York before it will reach England; and here I repeat my former words, with this addition, that, being accidentally here upon the spot, I will yet have justice done me for that tyrannical treatment. Or, in case of refusal of justice, I will make known to every corner of the world what that treatment was. I am no flatterer of any body."

I have copied the preceding, letter and point, and marked its *italics* as in your "Register" before me—and frankly declare to you that I am displeas'd with its manner as well as its matter. The first brings to recollection some anecdotes of "farmer *Parkinson*,"\* of book-making notoriety, who always began an argument (no matter what was the subject) with "Hies be a free born Englishman." The second, presents a serious charge, and makes a terrible threat against my country; a charge that you are hereby called upon to substantiate. If you do substantiate it—so much do I love justice and hate tyranny, that I will cheerfully

\*He was for some time in the neighborhood of Baltimore, and is well known here.

lend you the aid of this paper to give it circulation. I will send it for you into every state and territory of the union, and, partially, into Canada, the West Indies and South America—but to the rest of the "corners of the world," in *Kamscharka* for instance, (where the people are exceedingly interested about this matter) you must send it for yourself.

To be serious—I have always believed (for I have the first seventeen volumes of your Register, and some of your tracts) that you had much to ask as to "forgive and forget," if you expected, or desired, to have a share in our affections. We have rather admired some of your writings than respected their author—been tickled with your satire, instead of convinced by your reasoning. We were well pleased with your essays as "light summer reading," and often had occasion to be gratified with the wit and pungency, and, sometimes, with the great strength of your remarks; and here ended every affinity between you and us. You are prodigiously mistaken, indeed, if you have believed that the extensive circulation of some of your essays through the United States, gained for you either the love, or the confidence, of our people. You never possessed either. In a later number you tell us about a pressure of the people into the ship to see you, the moment it was known you had arrived in New-York—it was mere Yankee curiosity, sir; they of Philadelphia would have been equally anxious to have seen Miss *Carraboo*, or *Polly Baker*, if they had known of her emigration in season for it. We have no belief that you are a republican, enamored of our constitution, and truly zealous for our success—we feel and know that you are an Englishman, and have imputed your favorable remarks about us more to a thorough opposition to the measures of your own government, than to any love that you had for us. At home, you may stand as a republican amongst monarchists; but you are only a monarchist among republicans. I tell you this "plainly," for I am not more apt to "flatter any one" than you are. Nor can I see how your abuse of us heretofore, I say ABUSE, Mr. Cobbett, is to be FAIRLY ascribed to the unjust and tyrannical treatment" which, you say, you experienced in America. In the military character of your country, and in the general management of your government, there certainly is as much, if not more, cool, deliberate and calculating cruelty; than is to be found in any other people—one of your king's brave grenadiers charged bayonet on my mother, just before I was born, to kill, as he gallantly said,



"two rebels at once," and very nearly effected it. But it was not on that circumstance that I formed my opinions and have expressed them so freely—my *individual* case, and in respect to an act attempted by an *individual*, had no right to pass for a *general* account, and cannot be "fairly" brought into it. If the *government* of a country, or the *people* at large, had deliberately acted upon it, the case would have been different. I lived in Philadelphia in the days of the "black-cockade," which I always gave you the credit of getting up; and, though then young, and an apprentice, was not a careless observer of things. I had many good opportunities of knowing your conduct to others, and the conduct of others to you—and never before heard, except it may have been so said by yourself, that you were treated with so much "injustice and tyranny," as to subject us, at this late day, to your *vengeance*. And, if you were so treated, it was the act of *individuals*, exasperated by your uncouth denunciations of the best men in America. Come to the point, sir: let us hear your grievances—if we, as a body, have wronged you, so as to *justify* you in what you have said of us, I shall, indeed, be sorry to hear it, but will confess my country's sin, and ask you to "forget and forgive it." I hold it more honest, and more honorable, to acknowledge an error than persist in one; and, as I always have said, and *seriously believed*, that you were not treated according to the full amount of your *undeservings*, I shall feel it a duty to say that I had "*erroneous views of things*," as is declared of your king in the bulletins about him—the moment that I am convinced of it. I have supposed that you may allude to the sainted *Rush's* prosecution against you, for defamation in *Porcupine's Gazette*. Who was Dr. *Rush*? A man whose name will be familiar, when even the *crimes* committed in the reign of George III. are faintly remembered. You called the practice of that super-eminent physician into question!—you would have ruined him in his profession!—you would have beggared the family of that angel of beneficence. Why?—because he had signed the *declaration of independence*, and refused his sanction to the mad doings of your day. That prosecution, with the returning good sense of the people, drove you, and your principles, "home;" where *Windham* said that you deserved a "statue of gold" for your service here. I was among those who were well pleased with the departure of *both*: the scheme was to ruin this republic by driving it into an alliance with England—and I then thought and still believe, and will teach it to my children, that it was, and is, and always must be, safer and better for the United States to be at war with than allied to your country, under its present system of government. The great purpose, and you, the high-priest of the intended sacrifice, failed; yet I would repent even that

failure, if it were proved to have resulted on such rank injustice and tyranny as you speak of. I love *justice* more than my country, and hate *tyranny* as much as I deprecate your admiral *Cockburn*, who kindly promised himself the pleasure of setting fire to my office with his own hands—when he got to *Baltimore*. You have made a weighty charge, proudly stepping out of your way to make it, and on it pompously bottomed a justification of your former conduct towards us. I flatly deny the right or justice of that charge—and totally reject the pretended justification. The *proof* of it, in right and reason, naturally lies with you, for you are in the affirmative. If you are ingenious enough to make out the case, and correct me of error, (and I know that your ingenuity is very great) you shall have my thanks for it: but, be pleased to observe, that I am curious about *days* and *dates*, and the like, and must have the *facts*, naked and bare, to judge of, for myself—not your speculations on things assumed as such. An investigation of this affair may bring forward some "modern antiquities" of a very amusing, if not of an instructive character.

Do not consider this as an attack upon you—it is *defensive only*. You have wantonly attacked us—you have attempted to slap us in the face at the moment you sat down at our table, and found an asylum with us. We had treated you courteously; and, as we did not send for you, the least we can expect of you is, that you will behave decorously. As to myself, I have felt much reluctance at the prospect of engaging in a "*wordy war*" with you, a colossus in your way of writing; feeling that, in every thing *ad captandum*, you are vastly my superior. But a stone from the brook, in the hand of a stripling, brought down *Goliath*; and I am supported with an internal evidence that I have truth and justice on my side. Yet the question that chiefly perplexed me was this—whether, according to the line that I have marked out for myself within which to conduct this work, I ought to notice your accusation and threat, or not. But, considering that you had written a public letter to me, and that I had written a public letter to you, and further, been an instrument to give an extensive circulation to many of your essays—I inclined to the belief that it became me to demand of you an explanation and amplification of your charges against us. I made up my mind upon this while I was drinking my coffee this very evening; and, leaving the supper table, have written the preceding, *currente calamo*.\* The watchman has just gone by crying "past ten," and I bid you good night. H. NILES.

*Baltimore, Monday Evening, Sept. 8, 1817.*

\*I may further observe, that "*noli me tangere lacerat impune*," a truly Scotch motto, is mine, when my country is assailed. I repeat it, you have wantonly assailed it, and on several occasions. I am, and will be, as proud as you are, in a case like this.

**Emigration Statistics.**

We mentioned in our last paper an idle tale circulated at Paris saying, that the French emigrants who had reached the United States did not amount to a less number than *thirty thousand*; which we laughed at, and shewed the impossibility of. It brought to recollection another story that was seriously told by "grave and reverend gentlemen" in *Maryland*, and intruded into every cottage, a few years ago, setting forth, that *Bonaparte*, about to take possession of the United States, according to contract, was preparing for it by the introduction of some *forty thousand* (I believe it was) of his veterans amongst us, in the shape of *barbers* and *dancing-masters*! At the time that this tale was pressed upon the people, I called to mind an anecdote I had heard of the credulity of a certain particular part of the population of France: a fellow, to play on that credulity, reported to his country neighbors that a tree had suddenly grown so large in the city of *Toulouse* as to shove down many houses, and that it was feared the whole city would be laid in ruins by its yet increasing size!—The tale was eagerly swallowed, and repeated, with so many additional circumstances, that *he who made it* went to *Toulouse* to satisfy himself whether it was so, yea or nay. For it really appeared, as if those who got up the story about the "barbers" and "dancing-masters;" on the occasion alluded to, at last, partly believed it themselves; as "every body said that it was true!"

We have for several weeks designed a statistical article on *emigration*, as generally connected with *POLITICAL ECONOMY*; which, while it might serve to eradicate vulgar errors respecting it, would also serve to shew its whole force and utility. It is very certain that our population is not materially affected by it—still, the accession to our numbers by it is important; and forms one of the tens of thousands of items of national wealth and national strength.

The average number of foreigners emigrating to the United States for the last twenty years is not greater, if so great as, ten thousand a year. But, from the result of the facts that have been collected, an opinion may be entertained that, for the present year, they may possibly amount to 30,000.\* In our "Agricultural statistics," last week, this number was counted upon—by the addition of 5 per cent. to our population to consume the crop of the year 1817, which is greater than our usual increase by at least a 1/2 of 1 per cent. Our population increases geometrically—i. e. the increase, itself, produces an increase, continually. The *whole increase* of the present year will be upwards of 400,000, at a very moderate calculation, on a population of *nine millions*;

of which *increase*, 30,000 may be by emigration. As "a drop in the bucket," when viewed in relation to the whole body of the people. Not missed in the countries they came from, nor felt here; except in certain small circles of the community.

The English charge us with boasting of what we *shall be*—they, themselves, boast of what they *are*. Now, these are very natural things: we are like a young man just entered upon a great and extensive business, which he sees must and will, with common prudence and care, make him *independent*—they may be compared to an old man that has acquired an immense fortune, and with it all the influence and power belonging to the command of money; which, however, gives him excessive trouble, and is continually involving him in *suits at law*. But as, like the young man in business, we are anxious to get forward as fast as we can, by an honest use of all measures possessed for it, we are pleased with any thing that honorably conduces to it. The emigration of *laboring* foreigners is an item in our means—just as the grocer, who sells a hogshhead of sugar, retails a cent's worth of "fig-blue."

The *National Intelligencer*, in a late brief notice of emigration, very properly refutes the

\* Table of emigrants from Europe arriving, in the U. States, for EIGHT WEEKS, from July 18 to Sept. 12, 1817—collected from the news-papers and shipping lists received at the office of the WEEKLY REGISTER, by the editor.

FROM	July 18 to Aug. 1....	Aug. 1 to Aug. 15...	Aug. 15 to Aug. 30..	Aug. 30 to Sept. 12...	Total
England . . . . .	649	} 519	} 537	} 1442	} 2518
Ireland . . . . .	581				
Scotland . . . . .	134				
Wales . . . . .	51				
Germans and Swiss	826	1826	363	509	3696
France . . . . .	31	97	25	120	271
Total . . . . .					6485

A large majority of the above, from the British dominions, were from England—nearly one third of the whole reached the United States by way of Halifax, St. Johns', &c.

The preceding table is not given as a perfect thing. It is impossible, from the nature of the materials afforded, that it should be so, though much time and patience have been spent upon it. The emigration, for the last eight weeks, has rather exceeded *one thousand* per week; which, however, will shew that, in allowing 30,000 for the year, we have gone to its greatest possible extent; the pressure always being in the summer and fall months.

From the opening of the navigation to the 28th of August, it is said that 4143 "settlers" had arrived in Canada. A half of these will probably settle in the United States.

\* See note next column. ☞



false assertions of European writers, that we secretly reward masters of vessels for bringing passengers to the United States. These assertions are wantonly false or stupidly ignorant; we have neither droits of admiralty nor secret service money—and the report of the secretary of the treasury, made in each year, shews every item of disbursement. It is true, we have a "contingent fund," as it is called—a small sum of about \$100,000 generally, at the disposal of the president, by his own discretion; and this is all the money that can be disposed of, except through appropriations by law. The whole amount of disbursements from this fund has not been \$100,000 since the organization of the government, a period of nearly 30 years. Where then do these "secret rewards" come from? Individuals may, possibly, entice or encourage other individuals, whose services they particularly desire to have. It is in the very nature of things that this should be so; and the English are, or have been, extensively in the practice of it—not as individuals only, but in their national capacity: they have openly proffered bounties and peculiar privileges to certain descriptions of emigrants,\* and may not we also do it, if we please? But we offer nothing to emigrants except that, after a season of probation, they may become citizens of the United States, if they please—or let it be alone, as they like; leaving them at all times as free to depart from the country as they were to come to it.

To return to our subject. Admit that the emigrants to the United States for the present year will amount to 30,000. The average number, in ships and vessels from France, is less than 20; from the British dominions, about 50; from Holland, Germans and Swiss, about 300. The proportion of the 30,000 will be about as follows: 2000 French; 20,000 English, Irish and Scotch; 8000 Germans and Swiss. The first requiring 100 vessels; the second 400; and the last 27. These suppositions are not adopted by chance, but are the result of experience derived from some months examination of the shipping lists of the chief ports in the United States; and, though these lists are incompetent to exhibit the whole fact desired, they may serve to give a general idea of it, which I, perhaps, have a better right to be acquainted with than any other private individual in the country, from my attention paid to it. This shews the absurdity of the Paris story about the 30,000 Frenchmen having arrived, &c.

In these 30,000 persons it may be calculated that there is a capability to perform 12,000 day's daily labor. One laborer from abroad is worth more than an hundred shop-keepers. The first produces something, which, at com-

pound interest, is continually increasing the national wealth; the latter only turns over the capital thus produced, subsisting upon the product of its profits, without adding a cent to its value. We have had very few of the latter, but receive the "first quality" of the former, which is a subject of congratulation. Their labor may be estimated as giving a new value of \$1 each per day, for 300 days in the year—and of \$3,600,000 per annum. They will make a "home market" for bread-stuffs and meats (at 1lb. of vegetable food, and  $\frac{1}{2}$  lb. of animal, for each, per day) of the value of \$753,900, and the balance, of nearly three millions, will pass into the common stock of wealth, in one way or another, assisting and extending the commerce of the country in general, at home and abroad. The capital thus raised may be fairly estimated to double itself every ten years, and is a clear gain.

It is thus that I view emigration—and make it out to be a pretty little item of Political Economy; though it does not materially affect our aggregate of population and resources.

### Our Fishermen.

AN ORIGINAL ANECDOTE.

It will be recollected that admiral Coffin, of the British navy, visited the United States a year or two since. While at Gadsby's hotel, in Baltimore, he related the following anecdote—

Being in the South seas, he fell in with a Nantucket whale-ship, and, desirous of seeing the whole ceremony and operation of catching a whale, in true yankee style, he asked liberty to go out in one of the boats for the purpose. This was readily agreed to, provided he would take a station, and promise obedience to orders—no unnecessary person being permitted in them. He consented, and took his seat as an oarsman. After a while, they encountered a whale and struck him *secundum artem*, and away he went dragging the boat after him with such lightning-like rapidity as to make so deep a trough in the sea, that it appeared, and perhaps really was, several inches higher than the uppermost part, or gun-wale, of the boat! The man, whose place it was, stood ready with the axe, to cut the line when necessary. The admiral, much terrified at so novel a danger, looked at the axe-man who, perfectly collected and intent on his duty, was as calm as if he had been reposing on a bed of roses—and called out, with great vehemence and agitation, "Cut the rope, you \_\_\_\_\_." "Not yet," said the fisherman, very deliberately, and keeping his eye on his object—"we can't afford to lose the yarn!" Nor did they—for they caught the whale, without loss or damage. The admiral declared that so great was his terror on the occasion, that he would rather be grappled in a frigate to a French 74, than assist in taking another whale.

\*England has not only done this, but forced the services of tens of thousands of acknowledged foreigners, to man her navy.

## General Washington.

[Communicated for the Charleston Courier.]

The following is the copy of a letter from Gen. Washington, to Dr. Cochran, director general of the military hospitals, during our revolutionary war. It was obtained from the son of Dr. Cochran, and its authenticity can be vouched for. It will serve to remove the reproach that has been sometimes cast upon the general, of his possessing a cold and unsocial temper. The style of the letter is playful and lively, and exhibits great goodness and sincerity of disposition.

West-Point, August 16, 1779.

Dear Doctor.—I have asked Mrs. Cochran and Mrs. Livingston to dine with me to-morrow; but ought I not to apprise them of their fare? As I hate deception, even where the imagination only is concerned, I will.

It is needless to premise that my table is large enough to hold the ladies—of this they had ocular proof yesterday. To say how it is usually covered is rather more essential, and this shall be the purport of my letter.

Since my arrival at this happy spot, we have had a ham, sometimes a shoulder of bacon, to grace the head of the table—a piece of roast beef adorns the foot, and a small dish of greens or beans (almost imperceptible) decorates the centre. When the cook has a mind to cut a figure, (and this I presume, he will attempt to do to-morrow) we have two beef-steak pies or dishes of crabs in addition, one on each side of the centre dish, dividing the space, and reducing the distance between dish and dish to about 6 feet, which, without them, would be nearly 12 a part. Of late he has had the surprising luck to discover that apples will make pies; and it's a question, if amidst the violence of his efforts, we do not get one of apples, instead of having both of beef.

If the ladies can put up with such entertainment, and submit to partake of it on plates once tin, but now iron, (not become so by the labor of scouring) I shall be happy to see them.

I am, dear sir, your most obedient servant,

GEO. WASHINGTON.

To Dr. John Cochran.

## Section of Bounty Lands.

WAR-DEPARTMENT, September 6th, 1817.

Extract of letter to \_\_\_\_\_, explanatory of the principles upon which certain official documents from local authorities in the several states are required in support of posthumous claims to military bounty land, or its legal equivalent.

SIR—Several applications for "five years half pay" in lieu of bounty land, transmitted to the war department through your intervention, have recently been examined. After so much information on this subject as has been disseminated by the medium of newspapers, as well as by the many hundreds of hand bills which have been distributed through the hands of members of congress and other gentlemen who have visited the city of Washington, it gives me pain to find that a very great portion of the documents transmitted to the offices of government to support applications of this class, is so very deficient as to defeat one of the principal views of a sage and paternal legislature—that of conveying prompt and effective succor to a numerous class of the community whose present sufferings have, in a great degree, arisen from services rendered the country:

No new, or difficult proofs, or unreasonable authentication of documents, have been required from claimants, under the beneficent laws in question: but as the files of this office have a special bearing upon what is technically styled "*real estate*," and may be subjected to legal scrutiny many years hence, when no person who now has any share in the administration of the existing laws may be present to explain the "why" and the "wherefore" such or such documents were deemed admissible—so it is thought highly expedient that *each separate file of vouchers* which records an alienation of public property should be *complete in itself*, and not require a reference to any other file or document whatever, to attest the correctness of its admission to the archives of the war department.

It is this general principle (which appears not to be generally understood) which has necessitated a regulation that many individuals appear disposed to quarrel with, and that many others neglect through inadvertence, because, perhaps, the *local laws* of the state where they respectively reside, do not render its observance necessary in ordinary cases. For example: in every state of the American union, there are justices of the peace, or other magistrates, authorised, by the constitution and laws of each state, to administer oaths, to legalize depositions and affidavits, and to attest acknowledgments of all legal instruments of writing. In one individual state there are several hundred justices of the peace: in another where this class of civil officers is likewise very numerous, there are also *four* other descriptions of magistrates, who occasionally perform the same services for their fellow-citizens; and as the appointment of such magistrates is not permanent, the succession in a few years may become almost innumerable. Their respective qualities and signatures may possibly be so well known to the residents within a county, or perhaps throughout the state, as not to need any further authentication for local purposes; but is it supposable that the respective signatures of all the magistrates of those several descriptions throughout our widely extended union, can be known in this office? If by hazard such signature should be known to some one at the seat of government, that knowledge, however satisfactory it might be considered at the moment to *one individual*, might not appear to be a sufficient sanction for the disposal of a portion of the public domain or its equivalent, to a collection of public men who might be specially authorised to examine the records of this office some twenty years hence. Upon these considerations, it has long been deemed proper that one general rule should be applied to all such cases: that is, that the *quality* (and the *signature* where it can be done) of the numerous classes of magistrates alluded to above, should be *officially* certified by a public officer who has, or ought to have, custody of a general or partial authentic record of the appointment of all such magistrates, and who is authorised to sanction his certificate by a *public seal*, to counterfeit which is deemed a *capital crime*. The highest authority required in this case, is the *secretary of the state*; but the "*county clerk*," or in those states where no civil officer is generally known by that *appellation*, the officer whose functions are equivalent thereto, is fixed upon as the certifying officer; because it is believed that, in most of the states, a record of the justices in commission in *each county* is there kept: and, although the officer, who has charge of that record should not in every instance be able to attest the *signature* of every acting magistrate within his district, yet



he can safely ascertain his *quality*, and sanction it by the proper *seal of office*, provided such a seal exists: if *not*, his certificate should state *that fact*. This circumstance sometimes occurs in the new States and territories; but it is presumable that an instance of it cannot be found in the Atlantic states. In some sections of the United States, the same individual is sometimes authorised to act in the quality of both "*county clerk*" and "*notary public*;" but he is, or ought to be aware of the importance of keeping the records of his transactions in each capacity separate and distinct, having a public seal appropriate to each of those offices; and yet I have more than once had occasion to notice mistakes between them, which vitiated important documents transmitted to this office.

A *Notarial certificate* is declaredly *conclusive* here, in certain cases;—but *not* as to ascertaining the *quality of other magistrates*; for although the government of the commonwealth to which he belongs may have deemed it useful and proper to communicate to him, as a *notary public*, the names of the justices in commission, yet it is not among his attributes in quality of *notary public* that he is charged with the *official record* of other acting magistrates; therefore, the certificate of a *notary public* to the quality of any other magistrate is *not recognized* at this office as *valid*.—Nor can his mere adding "*notary public*," to his signature be allowed any weight more than a "*justice of the peace*" without affixing his *official seal*, even in cases where *that quality* would be competent.

I must take this opportunity, likewise, to make a similar observation relative to *another document* which ought always to have its *appropriate seal* affixed to it, *if one there be*, in the office;—or bear a proper attestation that there is *no official seal*—if such be the fact: I mean the copy of a letter of GUARDIANSHIP meant to be received here as *official*;—often bearing a signature totally unknown at *this office*, with the designation "*register*" annexed to it.

It is readily acknowledged that much is due to the meritorious services of those individuals in whose right these Posthumous claims are instituted, and that all possible despatch ought to be made to relieve the sufferings of their numerous representatives:—but surely it is *not blamable* in any individual, however humble a share he may have in carrying the benevolent intentions of government into effect, to be vigilant that the public interests receive no injury through his indifference or neglect;—nay, I am so old-fashioned in my civic-sentiments as to think that such is his indispensable duty.

## Views of Louisiana.

### To the Planters of Maryland and Virginia.

FROM THE NATIONAL INTELLIGENCE B.

[Copied at the particular request of the author.]

Attakapas, (Lou.) Aug. 6.

I have received several letters during the last year from gentlemen in your states, requesting me to give them some information relative to Louisiana, and particularly of the counties of Attakapas and Opelousas. It appears that this beautiful and interesting section of the United States is but little known. As there are many of you, who have determined to leave your native state and to seek your fortunes in a distant land, I do not think that I can render you a greater service, than by directing you to Attakapas or Opelousas, in Louisiana,

and by shewing you the decided advantages which these two counties have over any other part of the United States. In doing it, I will not rely upon *assertions*, but prove it by *facts*; and for this purpose I ask you to read and to reflect upon the statements and observations which I am about to make. I address this publication to you, because the emigrants from your states are generally the owners of negroes; and of all kinds of property the negroes are the most valuable in Louisiana. My observations will be confined solely to Attakapas and Opelousas.

*Soil and Products*.—The lands are generally *prairie*, and a very small portion of woodland for cultivation. The *prairies* are mostly level, but sometimes waving. Nothing can surpass the soft beauty of these prairies. In places for many miles, they are as level as if they had passed under the roller, and as even as if they had been cut by the shears; then again they undulate, resembling the gentle but lofty rolling of the sea, after a storm has subsided. Such is the appearance of that part of the Attakapas situated upon the bayou Fortue, and the river Vermillion, which has been called by a French traveller in his history "*le Paradise du Monde*." These prairies resemble natural meadows, covered with eternal verdure; they are interspersed here and there with clumps of trees and groves of timber. The banks of the bayous and rivers which flow in every direction, are covered with woods, filled with the sweetest songsters of the groves! It is in these prairies, some of which are 150 miles in length, the large flocks of horses and horned cattle range. The soil is very rich and produces beyond any that has yet been tried, some fields having been in cultivation for forty years in succession, without any diminution of their strength; this is owing not only to the soil but to the levelness of the country, which precludes all washing. The earth is very soft and easily worked. There are no stones or pebbles in the country. The soil of Attakapas is black or of a dark brown, that of the Opelousas is of a lighter color and not as durable as that of Attakapas. It is in these prairies that the planter establishes himself, and nature has done here what it takes art and hard labor years to accomplish elsewhere. The fields are already cleared for cultivation, there are no forests to cut down before the crop can be made, no chopping, no grubbing. The planter has nothing to do, but to build his house, inclose his field and commence ploughing. Once that the crop is sown, with moderate industry, the excellent quality of the land will furnish abundant crops of sugar, rice, indigo, cotton, corn, potatoes, oats, &c. all of which are made in Attakapas in great abundance. The staples of Opelousas are cotton, corn, and oats. Sugar succeeds also very well in Opelousas, but the lands of Attakapas yield much more sugar than those of Opelousas, and are far superior to those upon the banks of the Mississippi, and immediately in the neighborhood of New-Orleans. On the Mississippi an hogshead of sugar per acre is considered as a common crop, but in Attakapas a hogshead and a half and two hogsheads to an acre are the common crops. Our sugar lands can be purchased at present for one third of the price, they are selling for on the Mississippi; and the water carriage to market at New-Orleans, is at the door of the planter. I will annex a list of the crops made by some of our planters, which will convey a more correct idea of the advantages of this country, than any written description can give.

<i>Joseph Theall</i> —1816.	
18 bales cotton as per acct. sales	\$1585 17
100 barrels corn sold	125 00
	<hr/>
	1716 17
3 hands only—\$370 per hand, besides provisions in abundance for the next year.	
<i>Nicholas Lorsselle</i> —1816.	
40 bales of cotton } 1 barrel of indigo } acct. of sales	4150
	<hr/>
	4150
7 hands only—\$593 per hand, besides provisions in abundance for the next year.	
<i>Peter Roberts</i> —1816.	
5484 lbs. of cotton 28 cts.	1525
20,000 lbs. sugar \$13	2600
200 barrels corn sold \$1 25	250
	<hr/>
	4375
7 hands only—620 dollars per hand, besides provisions, &c.	
<i>Joseph Berwick</i> —1816.	
10 hlds. of sugar 130 dollars	1300
2 hands only—650 dollars per hand, besides provisions, &c.	
<i>Michael Gordy</i> —1816.	
25 hlds. of sugar 130 dollars	3250
4 hands only—812 dollars per hand, besides provisions, &c.	
<i>James Saunders</i> —1816.	
13 bales of cotton 28 cts.	1260
3 hands—420 dollars per hand, besides provisions, &c.	
<i>George Singleton</i> —1816	
24 bales of cotton	2520
4 hands—630 dollars per hand, besides provisions, &c.	
<i>Samuel Rice</i> —1816	
18 hlds. sugar, each 110 dollars	\$1980
700 gallons molasses, at 33 1-3 cents	267
	<hr/>
	2247
3 hands only—\$749 per hand, besides provisions, &c.	
<i>John Theall</i> —1816.	
12 hlds. sugar, 110 dollars	1320 00
400 galls. molasses, at 33 1-3 cents	133 33
	<hr/>
	1453 33
3 hands only—\$484 44 per hand, besides provisions, &c.	
His sugar mill and kettles cost him only 120 dollars.	
<i>Jackson and Caffery</i> —1816.	
54 acres of cane, 72 hlds. sugar, 1100 lbs. each	9360
10 bales cotton, 26 cents	965
3000 galls. molasses, 33 1-3 cents	1009
1000 barrels corn, sold at \$1 25	1250
	<hr/>
	12,575
27 hands—\$465 per hand, besides provisions, &c.	
<i>Jett and James Thomas</i> —1816	
84 hds. sugar sold for	14,000
5000 galls. molasses, sold for	1,000
	<hr/>
	15,000
36 hands—\$417 per hand, besides provisions, &c.	
<i>Peter Regnier</i> —1816.	
105,000 lbs. cotton, at 28 cents	2940
	<hr/>
8 hands—\$37 per hand, besides provisions, &c.	

<i>John M. Watson</i> —1816.	
70 hlds. sugar, 1100 lbs. each, at 130 dollars	9100
13 bales cotton, 28 cents	1250
3000 galls. molasses, at 33 1-3 cents	1000
700 barrels corn, sold at \$1 25	875
	<hr/>
	12,225

35 hands—\$350 per hand, besides provisions, &c. I could name the products of many other plantations, but I think these will suffice to shew the great advantage this country has over the other parts of the United States; and after knowing these things, can you prefer any other part of the union? or will you prefer the rocky lands of the west or north, to the beautiful picturesque meadows of Louisiana, whose prolific soil more than amply repays the laborer for his toils; where nature smiles upon every thing, and where industry and enterprise never fail to ensure wealth and comfort in a very few years? I leave these things to your reflections.

This is one of the finest countries in the world for vegetables; they grow during the whole year; and our gardens are as green in the winter as in the spring. I have seen the rose in full bloom, in all our gardens, in the month of January.

We have the best fruit trees. The orange, the fig, the pomegranate, the peach, plumbs of every description, pears, &c. flourish in the greatest perfection, as well as all the vine fruits, such as the grape, melons, &c.

There are many inhabitants here who raise horned cattle, and the stocks of some are almost innumerable. Many of our citizens brand from 500 to 1000 calves every year, and some of them 2000 and 3000 calves. Amongst the largest stock owners are William Wikoff, of Opelousas, Joseph Sorrel, Jean Mouton and his sons, the family of Guidorys, of Attakapas, and Ciretiens (freres) of Opelousas. The stocks of these gentlemen are so numerous, that they can form no idea themselves of their number. It is a beautiful sight to see these large herds of cattle feeding and ranging in the large prairies. In the time of gathering these cattle, I have seen at least 12,000 in one gang, where the owners had assembled them for the purpose of facilitating the branding, as the law requires every man to have a particular brand, which is recorded. The breeds of these cattle are very fine; they keep fat in the prairies and cost the owners nothing, except men to guard them: the largest of these stocks not requiring more than six horsemen in the time of gathering, and the half that number at other times.

*Rivers.*—The Teche and Vermillion, in Attakapas, and the Mermentau, in Opelousas, are the only rivers which flow through these countries. The Vermillion and Teche take their rise in Opelousas, and flow entirely through Attakapas from north to south, when they empty themselves into the sea. These two rivers are connected by the Bayou Fusilier. Both the Teche and Vermillion are navigable for large boats and vessels, drawing not more than eight feet, at all times, for one hundred miles from their mouth—the Teche particularly so. It is generally slow and sluggish in its course, but at times very rapid from freshes. It is never liable to overflowings, like the Mississippi; is generally very deep, and as high up as the town of St. Martinsville, 100 miles from its mouth, is ten feet deep at all times. Besides these rivers, there are many smaller ones, called bayous here, such as Ne pique, Plaquemine Brule, Boeuf, Cortabian, &c. in Opelousas and Caron Croix, Tortue, Salle, Cypre mort, Petitanee, &c. in Attak-



apas; added to these, are two large and beautiful lakes in Attakapas, from which the finest fish are caught. These and the water courses communicating with the Mississippi by the Bayous Plaquemine and La Fourche, are the only rivers, Bayous, &c. worth mentioning, and form at all times a safe and good conveyance to market.

*Towns.*—The most important town in these two counties is that of St. Martinsville, which has been lately incorporated. It contains about 40 dwelling houses, besides out-houses; it has one Roman catholic church and residence for a priest, one court house and a public jail, one academy, a small market house, for meat only, three taverns, three blacksmiths' shops, two hatters' shops, three tailors' shops, one saddler's shop, two boot and shoemakers' shops, one joiner's shop, one silversmith's shop, two bakers' shops, one tinner's shop and ten stores. It is the seat of justice for the county of Attakapas.—In this town there reside four attorneys at law and three physicians. Its inhabitants are industrious and enterprising, and amongst them several very respectable families. The inhabitants are generally decent in their deportment and friendly amongst themselves. They are chiefly French and Americans, and some Irish and Scotch. It is beautifully situated upon the bank of the Teche, which is about fifty yards wide opposite to it, and about fifteen feet deep. It is destined one day to become a very respectable inland town, being in the centre of a rich and populous country.

Nova Iberia is the port of entry for the district of Teche, and is beautifully situated upon the Teche, in Attakapas, about ten miles from St. Martinsville.

Franklin, in the parish of St. Mary, in Attakapas, has been lately laid off, and will become a place of much business, as it is not far from the mouth of the Teche, and upon the right bank of that river.—It is in the centre of that part of Attakapas where the largest sugar establishments are made. At present its buildings are not numerous, consisting of a public jail, a school house, two taverns, two stores, two saddler's shops and three or four dwelling houses.

The only town in Opelousas, is called 'Opelousas church.' It is handsomely situated upon the east side of a point of woods jutting into the prairie.—It began to flourish before the war, but during its existence, it went to decay. Since peace has been established, it looks up again, and there can be no doubt but in a few years it will rapidly increase.—Its buildings are a Roman catholic church, an academy, a court house and public jail. There are four taverns, five stores, one saddler's shop, one tanner's shop, one tailor's shop, two boot and shoemakers' shops, one silversmith's shop, and about twenty-five dwelling houses, besides out-houses. It is built six miles from any navigable stream, which is one of the causes why the growth of the town has been impeded.

There is another town about being laid off, ten miles from Opelousas church, at the place where Mr. Charles Smith, a rich and respectable planter of Opelousas, is erecting an elegant large Roman catholic church and an academy, which he intends as a present to the public. It is by acts like these, that an essential and lasting service is rendered to the public, and such men deserve the thanks of their country, and are an example worthy of imitation.

*Climate.*—An idea has gone forth that this country is sickly—it is the reverse. I have resided in Virginia and Maryland, in which last state I was born, and I prefer this climate to any that I have

experienced. I believe the Attakapas and Opelousas countries are as healthy as any part of the United States, and much more so than either Virginia or Maryland, or any of the southern Atlantic states. After a residence of several years here, both myself and my family, white and black, have enjoyed better health than we ever did in Maryland. We have not as many fevers here as in the other parts of the union. That fatal species of the dysentery which rages with such violence in your states is unknown here. Those violent putrid and malignant fevers which too often make their appearance amongst you, have never yet reached our happy climate. Those epidemics which prevail almost annually with you, never exist here. The only fever which this climate, or rather Opelousas and Attakapas, are subject to, is the common bilious fever of the country, which is slow in its approach, and easily cured if taken in time; fatal only when neglected. This constitutes the only fever of the country. To be sure, upon the Mississippi, at New-Orleans, and in those parts of Louisiana which are covered with woods, more violent and dangerous fevers exist, and and there are causes for some complaints; but this is a very different country—our wide, open and extensive prairies, the continual current of air which sweeps over them and the sea breezes continually blowing during the sickly and warm months, prevent those dangerous consequences, as to disease, which follow those establishments made in the midst of the woods, and removed from the influence of the sea. Attakapas and Opelousas are washed by the sea upon their southern boundaries. The pure air of the ocean passes over their entire surface, without meeting any swamps of wood or putrefaction in its course. It reaches them as unadulterated as when it first left old Neptune's domain, and gives a softness, elasticity and freshness to the atmosphere, which is truly agreeable and pleasant to the feelings. During the three last years the thermometer of Fahrenheit has seldom been higher than 86° in the summer, and only five times as high as 93°. As far as I can ascertain from my observations during the last three years, the average mean heat of Attakapas and Opelousas, has been about 78° in the months of July, August and September. That close, suffocating heat so often felt to the northward, and so injurious to health, is seldom experienced here. The nights during the summer, are very pleasant, always fanned by the sea breezes, and generally cool enough to cover with a sheet, and often with a counterpane. The dews here are far from being unhealthy, so great is the influence of the salt particles wafted in the sea air. It is impossible for me in this address, to enter into a train of reasoning to prove to you the salubrity of our climate; all I can do is to state the facts such as they are—and so I have done.

If any of you determine to emigrate, I will ask you, after the exhibits I have given you of the produce of our soil, and the description of our climate and country, to what more advantageous section of the union can you go, than to the two counties I have described? Is not this the country for the slave holder? Do not the climate, the soil and productions of this country furnish allurements to the application of your negroes on our lands? In your states a planter, with ten negroes, with difficulty supports a family genteelly; here, well managed, they would be a fortune to him. With you the seasons are so irregular, your crops often fail; here the crops are certain, and want of the necessaries of life, never for a moment causes the heart to ache—abundance spreads the table of the poor man, and



content smiles on every countenance. Perhaps you will scarcely believe me, but I declare to you I have not seen one beggar in Attakapas or Opelousas, nor do I know an object of charity from want. Oh! that at this moment as much could be said for the whole world!

I shall make no further remarks at present; and, should any person who reads this publication, wish to obtain further information relative to this country, the editor who publishes this will furnish them with my name and address, and I will most cheerfully give them every information in my power.

*An emigrant from Maryland.*

### The Barbary Pirates.

*Frankfort June 22.*—On the 16th instant, being the 35th meeting of the diet, was presented the following representation respecting the piracies of the Barbary corsairs:—

The free cities of Lubeck, Frankfort, Bremen and Hamburg—The minister of the said free cities has received orders from the senates of the Hanse Towns to submit the following memorial to the diet:—

“The senate of the Hanse Towns of Lubeck, Bremen and Hamburg, feel themselves bound to call the attention of the diet to an object which is of the greatest importance, not only directly to these cities, as well as to all other German maritime states, but also to the whole German federation. It is already known, from the accounts in public papers, that piracy is carried on in an unheard of manner by Tunisian corsairs in the North Sea and even in the Channel. It also appears from several official reports, transmitted by the charges d'affaires and consul of the Hanse Towns at Madrid and Lisbon, that according to formal communications made to them by the minister of the king of the Netherlands at the former, and by the French consul general at the latter court, several armed Barbary corsairs, among which are in particular two Tunisians, had sailed for the Atlantic, in order to cruise against the Hanse Towns and some other German states, but avowedly against Prussian ships; and have expressly declared this design under a pretence that they are in a state of war with these states.

“On the 16th of last month the Hamburg ship Ocean, with a cargo of great value, and the Christina, from Lubeck, and still more recently a Hamburg and an Oldenburgh ship, both named Catharina, were taken by these pirates. Fortunately, British ships of war fell in with the robbers, and carried both them and the vessels they had captured into English ports, whence the latter were permitted to prosecute their respective voyages; mean while the captain of the ship Ocean, and five of his crew who had been removed on board another pirate, remain in the hands of the Tunisians, and, so far as it is known, the Atlantic and the North Sea are still rendered insecure by the ravages of the Tunisian corsairs. It is, however, with gratitude to be acknowledged, that England has by her act, in this instance, declared that she will not permit such offences to be committed on the seas which wash her coasts, and it is to be hoped that the other maritime powers of Europe (to whom the senate of Hamburg has already, through their resident ministers at Hamburg, addressed itself) will concur in adopting measures for the restoration of the security of navigation which is so important to all Europe; but the senates of the Hanse Towns do, notwithstanding, not only consider it proper, but regard it as their duty most urgently to claim from

the high German diet, and all the members thereof, their powerful co-operation towards the total abolition of depredations which are calculated to interrupt all commerce by sea.

The existence of the piracies of the Barbary powers, even within the limits to which their depredations have hitherto been confined, is doubtless a public injury to all Europe; and the compulsory exclusion thereby effected from the Mediterranean, of the ships of those German states which were unable to procure protection to their flags, either by a naval force, or by making considerable pecuniary sacrifices, was previously not only to themselves, but to those interested in the trade which they carry on, an evil of no small magnitude, and which was besides increased by the insecurity of a part of the Atlantic. The abolition of the piracy of the Barbary powers even within those limits, had become the anxious wish of all Europe, and was an object to which the attention of the powers assembled in congress at Vienna was directed. But how trifling is this partial evil when compared with the incalculably mischievous consequences which may ensue, if these African pirates are permitted without interruption to sail from their infested coasts, and to spread among distant countries the diseases which they carry along with them? So long as the danger was confined to the Mediterranean sea, its site was at least well known and precautionary measures were adopted against it; and though the measures of safety, together with diminished competition, necessarily raised the price of the productions of that part of the world, yet commerce, though somewhat impeded, was never totally at a stand. A complete termination of German navigation and German trade, must, however, take place, if the Barbary pirates are not rigorously restrained from extending themselves to other seas. Should they be suffered to cruise in the Atlantic, the North Sea and the Baltic, if they are not prevented from attacking merchants, who during the time of peace rely with confidence on the law of nations, there must be an end to German navigation and commerce. It will also be henceforth useless to send the produce and manufactures of Germany down the rivers which communicate with the North Sea and the Baltic, or even to convey them by land to the different sea ports, in order that they may be transported in vessels to foreign countries. A similar fate will await those articles destined to be imported into Germany. The merchant protects himself by insurance against the ordinary dangers to which vessels are usually exposed at sea. Even during maritime war, which is so injurious to commerce and navigation, the same protection is to a certain degree obtained by higher premiums, although the payment of these premiums is a heavy tax both on the manufacturer and consumer; but they cannot possibly ensure their property against the threatened attacks of the Barbary pirates.

“These pirates, who are totally ignorant of the law of nations, and who cruise for the express purpose of plunder, first announced their declaration of war by their attacks. It must not be supposed that these vessels are the property of private individuals; they are fitted out in execution of their laws. These plunderers limit themselves to no time or forms; they unexpectedly attack defenceless merchants, and carry off not only property but even men, German fellow-citizens, whose cries are re-echoed from their native coasts, and whom these African pirates plunge into the gloomy dungeons of slavery. Dangers of such a nature could never be anticipated, and consequently no precaution



have been adopted against them. Occurrences of this nature have given rise to feelings of insecurity, which have interrupted navigation and commerce; for no one knows how long may be the continuance of these atrocities, which have for the mean while occasioned a total stagnation of trade.—These pirates will become more audacious by being allowed to escape unpunished, and to succeed in their desultory enterprizes—It is even probable, that during their cruises they may land on exposed and defenceless parts of the German coast, and there carry on their trade of plundering and kidnapping, and spread distress and devastation on every side. In addition to all the disasters under which Germany has groaned for so long a period, may they not communicate to us the infection of their indigenous plague, the most dreadful of all earthly calamities? What has already been stated will doubtless sufficiently account for the senates of the Hanse Towns having been induced to represent to the diet, that not merely those towns, but likewise every maritime and commercial state, and indeed the whole German nation are interested in putting a stop to the depredations of the Barbary pirates.—The senates have reason to hope, that the revolting occurrences which have called forth this representation will excite the utmost indignation among the high and illustrious members of the German confederation: and that not only each individual will exert himself to root out this evil, but that the high confederation, as a collective and European power, will adopt every possible measure to put an end to these piracies, which threaten the honor of the German flag, and the welfare of the German nation.

“Even though the German confederation possesses, as a federative body, no naval force, it is neither deficient in the power nor means necessary for effectually watching over the safety of German navigation; and the Hanse Towns may justly entertain a hope, that a proposal for the earnest consideration of this important business will meet the approbation of the diet.

“On the question being put by the president, all voices were unanimous in declaring, that their respective high courts and constituents should be informed of these circumstances, that they might adopt the most effectual means, for the protection of German commerce.—The majority were of opinion that a commission, consisting of five members, should be chosen to prepare suitable propositions whereon to frame the report.

The ambassador of the king of the Netherlands delivered the following to the protocol.

“That we should on this occasion consult all our courts, and in particular the great courts, is beyond all doubt. The opinions of individuals are of little importance; the question is, what ought to be done, and what is it possible to do? I am not invested with unlimited powers on the part of the whole United Netherlands: but I will, nevertheless in this and on all occasions, agree with the majority when they vote for a commission; though I never or very seldom connect with the institution of such a body the idea of more prompt counsel, but only the expectation of farther elucidation and greater industry. I am therefore inclined, as in every case which occurs here, to develop all the grounds for and against the question, in order that the courts may form their views on these investigations. In what way else can they hear public opinion? Or in what better manner can that opinion be directed? The very first article of the act of confederation speaks of the inviolability of the individual German

States, not of territories or dominions.—Since then the word *State* is not now regarded as formed merely of five alphabetic characters, but as representing honor, life, liberty, property, and the security of individuals, their activity and their industry, the question of protection is assuredly something imperative: but the different branches of the question as to the practicability of the protection, and its extent are worthy of serious investigation.

“On the conclusion of the Bourbon family compact, was it ever asked whether it included the repression of all offences and acts of injustice by sea and land? Whether it related equally to merchantmen and ships of war? The retro-action and extension of the present evils may not be confined to the propagation of disease only, but may occasion bankruptcies and loss of confidence in consequence of the execution of mercantile orders being impeded, which would not fail to produce the suspension of several branches of manufactures in the interior.”

The diet then proceeded to the election of the commission, and the choice fell upon count von Goltz, baron Eyben, baron Gagern, Herr von Berg, and the Syndic Dantz.

Resolution.—That the envoys count von Goltz, baron von Eyben, baron von Gagern, Herr von Berg and the Syndic Dantz, be requested to submit a joint opinion on the most efficient precautions for securing the German navigation against the piracies of the Barbary corsairs, with a view to the report to be made to the courts and constituents of the members of the diet.

### Spanish Commission.

We have been favored by an obliging correspondent with the following copy, taken from the original, of the commission granted by governor Arradondo to the Caddo chief; by which the murder of our citizens is not only *authoris'd*, but strictly *enjoin'd*; and that, too, on a line only six miles from Natchitoches and far within our limits. How long will our government brook these encroachments? [*Natchez republican.*]

*Don Jacquin de Arradondo Miono pelegreno Braxo of Hayos and Venero, Knight of the order of Calentavo, Brigadier of the Royal Armies, Sub-Inspector, and general commandant of the Internal Oriental Provinces, General of operations in them, &c. &c.*

Whereas, considering the friendship and good faith the great captain of the Caddo nation, by name *Dehahust*, has ever professed for the Spanish government and subjects, and having ultimately presented himself for the purpose of making further assurances of his esteem before the governor of Texas, praying that he may be permitted to seize and punish all the evil minded Spaniards, French and Americans, who, contrary to the laws and ordinances of the government, convey horses and mules to the United States, stealing them from the faithful Spaniards, and receiving them from our enemies the Comanches, whom they furnish with powder, ammunition and knives, and other things with which they carry on hostilities against us:—

Therefore, by these presents, I empower the above named captain Caddo, that he with his nation and friends may seize all classes of people without distinction which he may find in the uninhabited country between the Arrayohonda and St. Antonio de Baxar, and that if they make any resistance, to kill or destroy them as enemies—taking from them the beasts they may be carrying to the United States, and whatever merchandize they may be taking to the

Comanches—sending them as prisoners in safe keeping to St. Antonio de Baxar, where he shall be rewarded according to the persons and beasts he may deliver up, and that no chief or commandant of Spanish troops shall obstruct, but rather aid and assist him in fulfilling this his commission—I farther give him the present passport and safe conduct.

Signed by my own hand, and countersigned by the secretary, in Monterey, this 25th October, 1816.

(Signed) JACQUIN DE ARRADONDO.

Pedro Simon del Campo.

### Things to be laughed at.

Paris July 15.—The happy delivery of the duchess de Berri has filled all hearts with joy. Every one shared the happiness of the royal family. The imagination indulged itself in decorating the future life of this *august infant*, and in conferring on it all the graces and virtue of its mother. *The first proof of fertility inspired new hopes.* Of these hopes we are certainly not deprived. *They will be realised.* But grief and mourning must now be substituted for our delight. Mademoiselle exists no longer! She lived only two days.—The princess died yesterday evening, between 8 and 9 o'clock.

The royal family is plunged in sorrow. Nothing can equal the grief of the duke of Berri. *His noble heart is broken by this sad misfortune.* If any thing can diminish the regret which the cruel event has occasioned, it is the assurance that the state of health of the duchess of Berri does not give cause for the least inquietude.

July 17.—Last night at nine o'clock, the body of the princess Louisa Elizabeth d'Artois, mademoiselle, whose loss both the royal family and the people of France at this moment deplore, was placed in a carriage belonging to his royal highness the duke of Berri, and conveyed to St. Denis for interment, in one of the tombs of the Basilique, according to custom. The Abbe Bombelles, first almoner to the duchess of Berri, the countess of Ferronays and Monseran, and the marquis Rockemare, attended the funeral in separate carriages. Detachments of the body guards of Monsieur, hussars and cuirassiers of the royal guard, preceded and closed the procession.

The decease of the young princess has naturally much affected the royal family; the event could not have been altogether unexpected, since it so rarely happens that the children of females who have the measles during pregnancy survive for any number of years. In fact the royal infant had all the symptoms of this disorder.

July 18.—At nine in the morning his majesty went to the Elysee Bourbon, and passed an hour with the Duc de Berri. The grief of the prince found some mitigation in the paternal consolations of the monarch; they soothed their hearts by mingling their tears.—*Can they be ignorant of the public affliction?* It is the assurance of a sentiment of love and of gratitude which we bear to the royal family. May those sentiments contribute to assuage the grief of the august pair, and may propitious Heaven cause long years of happiness to succeed these days of sorrow!

Madrid, July 1.—The approach of the delivery of the queen is an event which occupies both court and city. A double program, exposed to public view, prescribes the ceremonial which is to be observed in this circumstance, in which all chances have been provided for—that is to say, the ceremonial is differently regulated for a prince of the Asturias and an infant.—In the first case a round of

sixty-five cannon will announce that Heaven grants to our prayers a male successor to our beloved king, while twelve will make known to the public that the queen has been delivered of a daughter. The bells of all the parish churches of the city will be set in motion. The chief officers of the palace, the captain of the guard du corps, the captain of the Halberdiers, the colonels of the Spanish and Walloon guards, the ministers of state, a deputy of the council of state, the cardinal patriarch, the president of the supreme councils, the deputies of the kingdom, the captains-general of the armies, the deputies of the grandes, the pope's nuncio, and the foreign ambassadors, will be present at the baptism. *Te Deum* will be sung in the royal chapel as soon as the king gives the order.—That the public may know in an instant whether the queen has been delivered of a prince or princess, it has been agreed upon that, in the former alternative, there will be hoisted on an angle of the palace, a flag with the Spanish colors; in the latter a white flag. If the event happens in the night, the salvoes of artillery will not take place till the dawn of day.

### Foreign Articles.

ENGLAND, &c.

The stocks fluctuate considerably, in consequence of the many speculations in them. 3 per cent. cons. had been up to 84; July 22, 81 1-8; Aug. 2, 79.

The price of American stocks at London, July 22d, U. States bank shares 133 1-2—Louisiana 6 per cents 100 and 101—6 per cents, Aug. 2, 107.

The price of American flour at Liverpool was 50 to 51s per barrel. Upland cotton, 17 to 20d.

The queen of England lately gave a great entertainment at her place called Frogmore—500 persons were present.

*Warden's letters* about Bonaparte, said to have been written on board the Northumberland, on her passage to St. Helena, now are acknowledged forgeries—the product of the brain of a bookseller named Combe.

*The navy*—In the sixth report of the select committee on retrenchments, (says a late London paper,) they mention that the naval peace establishments must necessarily be larger than in former times.—The other maritime nations, during the last twenty five years, they add, having gone on increasing the size of their ships, requires a corresponding system;—that the classes of 64 and 50 gun ships had disappeared and 74s substituted in their place; and that the frigates, sloops, and brigs, of other nations had for a long time been vastly larger and stronger than British vessels of the same class; and that measures must be adopted to make ours equal in every respect—by a complete *renovation of the fleet*, by the construction of new ships, or a thorough repair of all such as are judged to be in a state sufficiently good to warrant so great an expense. [*All this comes of the United States.*]

Miss O'Neill has declined performing at the Cheltenham Theatre, unless the manager pays her *five hundred pounds* for one week's personal exertions!

A letter from Dublin says that "police men have been employed in escorting baker's boys with loaves through the city.

☞ Late letters from England which, we think, may be relied upon, give us reason to doubt whether the harvest will prove so abundant as was expected. And this, at least, may be looked for—that there will be a considerable rise in grain and flour before the product of the harvest can be got into the market;



## ACT OF PARLIAMENT.

An act to allow *British* goods to be exported direct from this country to the United States of *America* upon the same terms as when exported to any foreign country.—[30th June, 1817.]

Whereas by a Convention of Commerce between *Great Britain* and the United States of *America*, signed at London on the 3d day of June, one thousand eight hundred and fifteen, in Article the second is provided amongst the other matters, that no higher or other duties or charges be imposed in either of the two countries on the exportation of any articles to his *Britannic* Majesty's territories in *Europe*, or to the United States respectively, than such as are payable on the exportation of the like articles to any other foreign country: And whereas by an act passed in the 56th year of his present Majesty's reign, intitled, *An act to carry into effect a Convention of Commerce concluded between his Majesty and the United States of America*, it is enacted, that upon the exportation from the United Kingdom of any goods, wares, or merchandize, the growth, production, or manufacture of the said United Kingdom, or any of his Majesty's territories in *Europe*, direct to any of the territories of the United States of *America*, in any ship or vessel built in the said States, or condemned as prize there, and being owned by subjects of the said States, and whereof the master and three-fourths of the mariners are also subjects of the said States, no higher or other duties shall be paid or payable than such as are charged or imposed upon such goods, wares, or merchandize, when exported in a *British* built ship or vessel, navigated and registered according to law: And whereas it is expedient that the said United States of *America* should be placed, with respect to the duties on goods, wares and merchandize of the produce of *Great Britain* exported thither, on the same footing as when the same are exported to any other foreign country whatever: Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the lords, spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, that from and after the 3d day of July, one thousand eight hundred and fifteen, the same duties shall be paid or payable on the exportation of all goods, wares, and merchandize of the growth, produce or manufacture of *Great Britain*, exported direct from thence to any port or place within the territories of the United States of *America* in *British* built ships owned, registered and navigated according to law, or in any ships built in the United States of *America*, or condemned as prize there, and being owned by subjects of the said States, and whereof the master and three-fourths of the mariners are also subjects of the said States, as are or shall be payable on the like exportation to any other foreign country whatever.

II. And be it further enacted, That it shall and may be lawful for the commissioners of his Majesty's treasury of the United Kingdom of *Great Britain* and *Ireland*, or any three or more of them, and they are hereby authorized and directed, in all cases where a greater duty has been charged and paid on the exportation of any goods, wares, or merchandize of the growth, produce, or manufacture of *Great Britain*, to the United States in manner aforesaid, than has been paid on the exportation to any other foreign country, to cause the same to be repaid.

III. And be it further enacted, That this act shall continue in force so long as the convention be-

tween his Majesty and the United States of *America* shall continue in force.

## FINANCE.

Mad. de Stael, who was worth as many royal babies as would stand between this and Jerusalem, is dead. [This alludes to the loss of the child of the duchess of Berri—see "things to be laughed at," page 43.]

Frequent couriers to and from the duke of Wellington, and the apparent secrecy with which every thing is conducted, give rise to many speculations; and something very important is supposed to be in agitation.

The Paris *Constitutionnel* has been suppressed by order of the French minister of police, according to the recommendation of the council. This is the fate of every newspaper that attempts to tell the truth; and hence it is that we know very little of the real condition of France.

## THE FRENCH CHURCH.

*Letter of the Pope.*

To the archbishops and bishops of France; Venerable brethren and dear sons, salvation and the apostolic benediction.

In viewing, after so many terrible vicissitudes the vineyard which the Lord has planted in the fine kingdom of France, we have easily come to the conclusion that the means of cultivating it with greater success consisted in employing a greater number of laborers. This is what our dear son in Jesus Christ, Louis, his most christian majesty, has likewise thought, who, desiring to consolidate the edifice, shaken by the violence of the winds, has expressed to us his anxious wish for the increase of the number of bishopricks, by giving to the dioceses new limits; persuaded that this new measure would afford the happiest facilities for the arrangement of the ecclesiastical affairs of this great kingdom. There is no need of long discourse, venerable brethren and dear sons, to convince you with what joy and with what zeal we are disposed to second, with our apostolic authority, the pious desires of so religious a king; for it is not the changeableness of human affairs (as St. Innocent I. says) which has inspired us with the idea of changing the state of the church; but we congratulate ourselves that God gives us now the opportunity of accomplishing what we have a long time desired, and what only insurmountable obstacles have prevented us from executing. Our intention, therefore, being to preserve the archiepiscopal and episcopal sees at present existing, and to erect anew several of those which existed before the year 1801, it is indispensable to make a new division of the dioceses, which we have resolved to fix, in proposing to ourselves the greatest advantages for the flocks of the Lord.

Your own experience has, doubtless made you feel the advantage which must result from this plan, for the good administration of the dioceses; therefore we do not doubt of your zealous assent to this division. It is with perfect confidence we make this demand from each of you by these letters. It is a question, my venerable brothers and dear sons, which regards the salvation of souls; for which purpose there cannot be too great sacrifices, seeing that our Saviour has redeemed them with the price of his blood. Shew yourselves then, by a prompt reply, ready to acquiesce in our cares, and in the salutary objects of the most christian king, in order that measures so useful may not be disturbed by any spirit of contention, and that no obstacle may interfere with the execution of what is required of us by that solicitude which God has enjoined as a duty, with respect to the universal church. In the mean

while, we ask of this dispenser of all blessings, to diffuse them among you; and we affectionately give you the apostolic benediction in witness of our paternal benevolence.

Given at castle Gondolfo, in the dioceses of Albano, the 12th of June, 1817.

PIUS VII, POPE.  
Cardinal Gonsalvi.

(A true copy)

SPAIN.

Madrid, June 20—A circular, of the 7th inst. from the minister of Finance makes it known, that all licenses or privileges for the introduction of goods, free of duty, into the kingdom, are rescinded; and that none of the kind are to be granted for the future.

PORTUGAL.

A commercial letter from Bayonne asserts, that the Lisbon plot had ramifications in many provinces of Portugal; that the arrest at Coimbra had been preceded by a tumult and that several British officers had fallen victims to assassination.

A horrid murder has been committed in Lisbon, which excited much interest. A Portuguese officer having drawn his sword on one of his sisters, on the interference of his mother, cut down and stabbed the latter through the heart. The unfortunate object of his first attack was also desperately wounded; and the other sister, in attempting her escape from the chamber where this tragedy was performing, was precipitated down a flight of stone steps, and her skull fractured. The wretched author of these crimes was soon after arrested in the street, but appeared totally indifferent to the bloody deed he had perpetrated.

ITALY.

A London paper says.—It is stated on the authority of private correspondence, that a treaty has been agreed to between the houses of Austria and Bourbon, by which it is said the states of Parma, Placentia, and Gualtalla, are, after the death of the archduchess Maria Louisa, to revert to the ex-queen of Etruria, infanta of Spain, or her heirs.

Accounts from Rome (says the London Courier) state, that the old court of Spain is very melancholy. The king, the queen, and the prince of peace, have each their separate table. The queen of Etruria visits her parents only from *etiquette*, though she loves them tenderly. But she wishes to avoid Don Manuel Godoy, whom she abhors from the bottom of her heart. The young prince, her son, continues to justify the most sanguine hopes. The king and queen of Spain always defend, against every one, the prince of peace. "No one in Europe" they both say, "knows better than we do, his loyal and disinterested intentions. It was not his fault, not only that Spain has not taken her proper station, but also that the blackest of crimes were not avoided during the French revolution. The prince of peace had the idea of proposing to the national convention, the cession of Florida, in order to obtain the removal of Louis XVI."

The old king of Sardinia has assumed the habits and regulations of St. Ignatius, and gives himself up entirely to exercises of piety.

By a decree of the government, corn and seeds are allowed to be imported free of duty, into the kingdom of Naples, for eight years.

A Jewish rabbi, his wife and two sons, have been baptised in great state at Rome.

It was reported in England that the Austrian troops were to evacuate Naples.

The pontiff of Rome has declared the port of Pontelago Scuro, to be a free port. Ancona has long

enjoyed that privilege; and Sinigalia is also to enjoy it during the Fair, from the 6th to the end of July. This event has been officially notified at Gibraltar.

GERMANY.

The diet of Frankfort have unanimously agreed upon a resolution declaring the confederation of Germany a free and independent power, having the authority to send to and receive from other states ministers in the usual form, and by subsequent articles it is resolved to notify to all the powers of Europe, and to the United States of America, that the diet is constituted as above stated.

A mountain in upper Austria, called the Haus-ruck, had disappeared—Its place is supplied by a lake. A dozen cottages built on the sides had disappeared.

A letter from Saxony gives a dreadful account of the state of the people. A famine prevails—bread is baked of potato-peelings, bran and straw of oats, and even these are scarce. There is no employment for the poor, and prospects of the harvest are not good. A poor fellow from Westphalia who was in Baltimore a few days ago, said that the lower class there fed upon oil cakes (flax-seed, after the oil is extracted) adulterated with saw dust.

The king of Bavaria has taken decisive measures to prevent the abuses of lotteries.

NETHERLANDS.

Tumults exist for the scarcity of food. The people seize upon provisions and sell them at their own price. The prospect of the harvest was good. The king is on a tour through West Flanders.

WATERLOO.

An English paper gives a long account of the monuments erected at Waterloo to the memory of the officers who fell there. The following is the last paragraph of the article.

"It is painful to conclude this account with a instance of the behaviour of the ungrateful Belgians on a late occasion, which can never be forgotten.—The inhabitants of Brussels and its neighborhood, including many distinguished personages, public functionaries, &c. celebrated the anniversary of the battle of Waterloo on the 18th ult. by a splendid fete champetre given on the field itself. The Brussels paper of the following day gives a minute account of this brilliant commemoration, with all the toasts, speeches, &c. which were delivered on so striking an occasion. Would it be believed, that neither the duke of Wellington nor the English army is once mentioned in the narration?"

RUSSIA.

The following is really *magnanimous*, and as politic as it is wise; if persevered in, it will draw hundreds of thousands of useful emigrants.—The emperor Alexander has issued a *rescript* in favor of the sect of dissenters from the Greek church. It forbids all further persecutions of this sect, and observes: "does it become a christian government to employ harsh and cruel means to torture and exile, to bring back into the church those who have gone astray? The doctrine of the Redeemer, who came into the world to save the sinner, cannot be spread by restraint and punishment. True faith can only take root, with the blessing of God, by conviction, instruction, mildness, and, above all, by good example."

POLAND.

The patent of the emperor of Austria has been published in Galicia, for the establishment of a representative constitution in Galicia, Lodomeria, and the Bukowina. This constitution is said to be the result of an agreement between the powers inter-



rested in the affairs of Poland, and under which also, all the states and provinces, heretofore forming part of that kingdom, are to have representative constitutions.

#### SWEDEN.

Bernadotte's son Oscar came of age on the 4th of June—the "august" occasion was celebrated with great solemnity. There is a rumor of a war with Russia.

#### DENMARK.

On the night of the 25th of June, the prisoners in the work-house at Copenhagen, set it on fire, in order to escape; but the king being present, ordered the troops to fire at all those who should attempt to escape—About 28 or 30 men were shot or perished in the flames—several persons in attempting to stop the progress of the fire, were mistaken for prisoners, and were fired upon by the soldiers; one or two killed, and several wounded. The next day the king had six of the prisoners who were saved from the flames shot.

#### EUROPEAN SPECULATIONS.

Nuremberg, July 10. A public Journal says—"In the mediation of the great powers between Spain and Portugal, important explanations are said to have been brought forward respecting the nature of the Sacred Alliance, according to which, first, it is valid only between the Powers who have expressly concluded it with each other, but by no means as their allies are concerned, with whom a special treaty is necessary; secondly, the contracting parties engage to protect each Power, not only in the integrity of its whole territory, but also in all its constitutional rights, in respect to its subjects. In conformity with these arrangements, and the negotiations between North America and Spain, Russia, it is stated, has engaged to support the cause of Ferdinand VII. in Spanish America, with a squadron of six ships of the line, and several smaller vessels, and with an army of 15 or 20,000 men, for which Spain cedes to Russia Old and New California, in America, and the Island of Minorca, and gives it also very important commercial advantages.

North America is stated to have engaged, in consideration of the cession of the two Floridas by Spain, to forbid all assistance to the Insurgents in its territories.

It is understood that Portugal has yielded to the reclamations of the allied powers in respect to the Spanish territories—and at a late meeting of the ambassadors of those powers it is said that the insurrections, both in the Brazils and in other parts of South America, were taken under serious consideration. Engagements are spoken of which the courts enter into, and in which they invite all the other powers, including the United States of North America, to join, not only not to afford any kind of assistance to the people who are in a state of insurrection, but entirely to break off all intercourse with them.

How far the negotiations have advanced cannot yet be positively said; but it is certain that they are going on. These negotiations and the relations of Russia with the Porte and Persia, greatly excite the attention of the English Ministry. It is thought in England that a fleet will soon be equipped. A Russian squadron has sailed from Revel and Cronstadt, and it is expected shortly in the North Sea.

America and England.—The following article is copied from a London paper of July 18, being a letter from the editor's correspondent in Paris—dated

"Paris, July 12 1817.

"An article in the Journal des Debats of this morning under the head of Brussels, is likely to

excite attention, when it is remembered that no foreign intelligence can appear in the columns of a French newspaper, without receiving the written authorization, and consequently a degree of sanction, from the foreign office. The article states, "that private letters announce, that a division exists in the British Cabinet, and that a war between Great-Britain and America is near hand, in which case lord Grenville offers to form part of the ministry." For some time past, the Anti-British Journals of this country have dwelt with complacency on the same idea. In another continent (says the Mercury of this morning) the fierce rival of England preserves the dignity of her attitude, and the secret of her designs. Mr. Monroe visits the frontiers and the coasts, and the dock-yards of the interior; he regards with sensibility the monuments of American glory; he encourages, one may even add, he gives confidence to the citizens. This journey resembles a preparation."

#### EAST INDIES.

It has been officially published in India, that according to an act of the British parliament, vessels built and owned in the United States, (and prize vessels,) may clear out from any port of Great Britain or Ireland for Calcutta, Madras, Bombay, and prince of Wales Island, with any goods, wares or merchandize, which may be legally exported to the settlements in British built vessels, subject to the like regulations, &c. to pay the same duties as the vessels of the most favored European nation.

A ship under English colors, bound to Mecca with pilgrims, has been taken by the pirates, and all on board murdered, except three of her crew, who made their escape.

The sixth British regiment had embarked at Calcutta for St. Helena.

It is stated that the parties of marauders, who in India are denominated Pindarees, have committed extensive depredations.

Calcutta, March 29.—Report states that an attempt to re-establish the feudal system at Java, by compelling the people to work in the roads and in clearing the drains, had led to an insurrection which has been followed by much bloodshed. The whole eastern division of the Dutch army marched against the disaffected, and having concerted a plan of operation to cut off their retreat, they attacked them, and after resistance 160 are said to have been killed, and 500 taken prisoners, who were immediately marched to a prison at Indramayo. The place of confinement was so limited that they had hardly room to breathe. They endeavored to procure fresh air by removing the tiles, and being resisted, they rose upon their guard defenceless as they were, and about 200 of them were bayoneted on the spot. The rest were then secured, and put into boats, where some died of their wounds and a great many jumped overboard.

The above is only a little type of the manner in which the British and Dutch manage their affairs in the East Indies.

#### NEW SOUTH WALES.

[From a late Sydney paper.]

The population of the British colony of New South Wales is as follows:—

Civil department, men 51, women 43, children 93—Military, men 561, women 131, children 262—Free persons, men 382, women 172, children 276—Convicts, men 1660, women 255, children 187—Persons not victualled by government, men 3968, women 2103, children 2757. Total 12,911.

Cultivation—Acres in wheat 10712, maize 6089,

Barley 708, oats 610, peas and beans 51½, potatoes 333, garden 901½ fallow 8768, pasture 180,373. Total 208,547.

*Quadrupeds.*—Horses 2328, horned cattle 25,270, sheep 62,476, goats 669, hogs 10,106.

*Market.* May 10, 1816—wheat 14½ per bushel; maize or corn, 4s.; potatoes 9s. per cwt.; fowls 5s. 6d. per pair; eggs 3s. per doz.; butter 6d. per lb.

Bengal rum is imported at New South Wales.—The import duty is 7s. per gallon, the consumption of spirituous liquors throughout the colony is calculated at 50,000 gallons a year. Wheat is imported from India, and this is thought unfavorable to the agriculture of the colony. The natives had destroyed many plantations, and murdered many persons. They also often have bloody fights among themselves.

There is a dispute between the governor and judges. The former insists that the well educated convicts may serve as attorneys, the judges resist; and no court is held.

This British colony has good seasons. It could have exported this year 12,000 bushels of excellent wheat.

#### VAN DIEMAN'S LAND.

Coals are abundant, pine-spars, crooked timbers, sea elephants oil, and New Zealand flax, are only got in small quantities. Sandal wood is got with difficulty.

#### BARBARY POWERS.

For proceedings of the German diet respecting Barbary pirates, see page 41.

*Plague at Algiers.*—A letter from Gibraltar dated June 18, received at Lloyd's, says—Intelligence has been received from Algiers, stating that many are sick in that place. People who were all day in their shops in good health, when they retire at night after supper, make a convulsive cry and remain dead. Moors walking in the street suddenly die—It is said to be the plague.

A man of war brig supposed to be Turkish was cruising off Lisbon. The Prussian consul at Cherbourg has given notice that Algerine vessels were about to cruise in the British channel for Prussian and Hanseatic ships.

Every thing was quiet at Algiers. The dey has recently received some recruits from Turkey. The bashaw of Tripoli has presented to the prince regent of England some remains of antiquity at Lebyda, the site of ancient Carthage.

#### HAYTI.

The Congress frigate, *Capt. Morris*, with *Mr. Tyler* on board as consul, was well received at Cape Henry. But there is a report that no negotiations took place in consequence of that port being designated by our government as *Cape Francois*—a name unacknowledged in the island.

#### BRAZIL.

By vessel arrived at Lisbon it appears that two hard battles had been fought between the royalists and patriots of Brazil in which the latter were defeated, after fighting most manfully. On the 22nd of July, as it is said that the royal government was in quiet possession of the province of Pernambuco. The new governor had arrived from Rio Janeiro with 4000 troops. Most of the leaders of the insurrection had been executed.

#### DECLARATION OF BLOCKADE.

*Gregor MacGregor.*—Brigadier general of the armies of the United Provinces of New-Grenada and Venezuela, and general in chief of that destined to emancipate the provinces of both Floridas, under the commission of the supreme go-

vernments of Mexico and South America, &c. &c. &c.

It being requisite, by the order of the hostile operations by me undertaken against the possessions of the king of Spain, in both East and West Florida, and holding the maritime forces indispensable for carrying into effect a formal blockade—Be it known to all whom these presents shall come, that from and after the 15th day of September next ensuing, all ports, rivers, bays and inlets within the coasts of both Floridas, beginning from the south part of this Island, to the river Perdido, are to be considered in a state of strict and rigorous blockade. Wherefore, I do hereby notify to all the neutral nations, as well as to the friendly governments of South America, Mexico, and the two Floridas, that the aforesaid ports will be blockaded, agreeably to the usages and practices of other nations; and that such blockade being necessary to the success of the undertaking entrusted to my care by the abovementioned republican governments, for the emancipation of East and West Florida, I hope that the merchants of such powers as may be interested in the trade of the Spanish possessions in the Floridas, will not risk their property sending it to them, as from the 15th of September, all vessels bound to said blockaded ports, shall be warned off; but in case they should prove refractory, by endeavoring to hold a communication with the enemy, all all those found violating the blockade the second time, shall be considered and held as good and lawful prizes.

Given at the head quarters of Fernandina, (Amelia Island) on the 21st of August, 1817—7 & 1.

GREGOR MACGREGOR.

JOSEPH DE YUIBARREN. sec'y.

Fernandina—R. FINLAY, }

Printer to the government. }

"SPANISH" AMERICA.

The Spanish government is said to have presented to that of Great Britain a remonstrance against permitting British officers, &c. to join the rebels of South America—to which the latter has very properly replied, that as no such proceeding has taken place with the countenance of the British government, if any of its subjects were taken, the Spaniards might deal with them accordingly. This is right; he that fights under a foreign flag, without the sanction of his country, has no claim for protection but under that flag.

There is a report that the Patriots have taken the city of Carracas. The privateer Gen. Antigas has captured two Spanish vessels; one with a cargo of indigo and cotton, and 180,000 dollars in specie; the other nearly as valuable.

It is stated that two Portuguese frigates have recently captured three privateers, or piratical vessels, one of which was sent into Lisbon. One of the crew of this vessel informed that they had captured an English and an American vessel, and murdered every one of the crews. In consequence of this information the whole crew of the pirate were sentenced to be hung.

#### CHILI.

The patriots appear to be in complete and indisputed possession of Chili—it is a very rich and most delightful country.

"Santiago, 26th March, 1817.

#### PROCLAMATION.

*The Supreme Director of the State of Chili, &c.*  
If in every society an individual ought only to be distinguished by his virtue and merit, in a republic the use of those badges and hieroglyphics which



announce the nobility of predecessors is intolerable; a nobility too often conferred in reward of services which degrade the human race. The honest citizen, the patriot who is distinguished by fulfilling his duties, is the only person who deserves to be perpetuated in the memory of freemen: Wherefore I prescribe and command, that within the term of eight days, the escutcheons, arms and insignia of nobility, with which tyrants recompensed the royal injuries inflicted on their vassals, be removed from all the doors and gates of our streets. That this may come to the knowledge of all, let it be printed, published, and posted up. BERNARD O'HIGGINS.

*Michael de Zaharty*, Secretary of State.

[Here follows (observes the *Columbian*, to which we are indebted for a translation of the preceding) an intelligent essay on the absurdity of nobility, beginning with this observation: "Among the most ancient prepossessions which degrade the human species, that fanaticism of nobility is very remarkable, which fills society with criminal, proud, and lazy egotists."]

### CHRONICLE.

There is a report that Mr. Crowninshield is about resigning the office of secretary of the navy. Mr. Tait is spoken of as his probable successor.

*Furs.* A schooner and sloop have arrived at *Buffalo*, with 472 packs of furs, owned by Mr. Astor, of New York, and others. They consist of beaver, otter, muskrat, bear skins and buffalo robes, and are valued at more than 150,000 dollars.

*12th of September.*—In honor of the anniversary of the battle of North Point, the Baltimore brigade turned out yesterday. Particulars may be given hereafter for record.

*Mississippi.* Just as our paper was going to press we received a copy of the constitution of the new state of Mississippi—which shall, of course, be inserted. The final question on it was carried with only one dissenting voice.

*COM. DECATUR.* The rich and tasteful service of plate, intended for presentation to Com. Decatur by the citizens of Baltimore, is finished, and has been exhibited for the gratification of the people.—The service consists of One Epergne; Two Soup Tureens. Two 21-inch Dishes; Two 17 do. do; Four 15 do. do; Two Vegetable Dishes, Two Sauce Tureens,

The work was executed by Mr. A. E. Warner, of Baltimore, and may bear a comparison with any thing of the kind. It is truly superb.

Each piece bears the following inscription:—

THE CITIZENS OF BALTIMORE TO

COMMODORE STEPHEN DECATUR,

*Rebus gestis insigni; ob virtutes dilecto.\**

*West Point.*—The disturbances at this post are quiet by the prompt interference of gen. *Swift*. Capt. Partridge is said to be arrested.

Deaths at Charleston for the week ending Aug. 31—62; of whom 32 were of the yellow fever, and 11 of other fevers. The board of health say—"of these that died last week, it must be observed, that all were strangers, except the children; and more particularly, in no instance, do we know of, that the prevailing fever is contagious."

*Bare footed Ladies.*—Among the ridiculous accounts given by emigrants, of the manners and customs of this country, we recollect nothing more truly laughable than the following extract of a letter from an English emigrant in Philadelphia to his friend in England. The letter is published in the

"Monthly Magazine," (London) of February, 1817  
*New-York Eve. Post.*

"Things appear much more of the French pattern than I expected, particularly the dresses of the ladies. These look like sand bags tied in the middle; the majority wearing neither stays, caps, shoes or stockings, only when in full dress. My wife was at first surprized at their manner, but now it is familiar; I cannot persuade her to be-fashionable."

*North Carolina.*—The following statement exhibits the result of the election recently held in the state of North Carolina for representatives to the fifteenth congress. The first column exhibits the names of the representatives from the same state in the preceding congress.

IN THE LATE CONGRESS.

*William Gaston*  
*William H. Murfree*  
*John Culpepper*  
*Charles Hooks*  
*Samuel Dickens*  
*Welden N. Edwards*  
*Daniel M. Forney*  
*Bartlett Yancey*  
*Israel Pickins*  
*William C. Love*  
*Lewis Williams*  
*James W. Clark*

NOW ELECTED.

*Jesse Stocumb*  
*Lemuel Sawyer*  
*Alexander Mac Millan*  
*James Owen*  
*J. S. Smith*  
*Weldon N. Edwards*  
*Daniel M. Forney*  
*Thomas Settle*  
*Felix Walker*  
*George Mumford*  
*Lewis Williams*  
*John H. Hall*

Those in *Italic* are "oppositionists."—*Nat. Int. Account of passengers, &c. over London and Blackfriars Bridges in one day, July 11, 1816.*

	LONDON BRIDGE.	BLACKFRIARS
Foot Passengers,	89,640	61,069
Waggons,	769	533
Carts and Drays,	2,924	1,502
Coaches,	1,240	990
Gigs and taxed carts,	485	509
Horses,	764	822

CAPTAIN MANBY'S INVENTION.—*From a London paper.*

During the gale on Wednesday last, the Spanish brig *Bilbaino*, from London bound to Bilbao, with a valuable cargo of merchandize, drove ashore near Rottingdean. Soon after she struck, the agent for the use of capt. Manby's invention attended with the apparatus, and a mortar was planted on the summit of the cliff, from which was discharged a barbed shot with a rope attached thereto, coiled on a frame for the purpose, in the hope of lodging it some where about the vessel. The first shot failed in effect, but a second left the rope pending from her broken foremast towards the deck.—The tempest-tossed seamen did not appear to know the precise use it was expected they should make of it; but appropriate gestures from those on land soon conveyed that necessary information, and the whole crew, numbering twelve souls, were in a short space of time rescued from their perilous situation, and with a facility and ease that amazed and delighted all present. As the tide receded the hull of the vessel was left dry, which had received but little injury, and the cargo none.

*The Tri-coloured cockade.*—At the commencement of the revolution the French national cockade was green, as an emblem of hope, but the duke of Orleans joining the people, out of compliment the cockade was changed to the colour of his liveries. And on the arrival of the Marquis de la Fayette from America the national guard changed its uniform to that of the American army, which it has ever since preserved.—*Boston Daily Advertiser.*

The terms of the WEEKLY REGISTER are five dollars per annum, payable in advance, by every subscriber.

\* Renowned for his valor; beloved for his virtues.

# NILES' WEEKLY REGISTER.

NEW SERIES. No 4—Vol. I.] BALTIMORE, SEPTEMBER 20, 1817. [No. 4—Vol. XIII. WHOLE No. 316

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

We have two long and laborious articles in preparation: viz.—The concluding number on "*Political Economy*," and a statistical essay, to shew the *legitimacy* of kings, with some account of the loss of *life* occasioned by their *ambition*; historical and comparative—with particular reference to the modern affairs of England and France, in Europe and the East-Indies.

Obituary notices of the late gen. *A. Pickens* and gov. *Early*, are laid off for our next.

## Broad Question.

A correspondent requests the following question may have a place in the REGISTER:

"What amendments are necessary to the constitution of the United States?"

Perhaps, at this season of profound peace, when party has so much lowered its tone as to be willing to search truth in the essays of its opponent, some good might be produced by a discussion of this question—for some amendments seem necessary, at least to prevent further conflicts of opinion at times when it may be most essential that we should all act together.

## Attack upon Baltimore.

The anniversaries of the battle at *North-Point* and of the bombardment of *Fort M-Henry*, were duly honored at Baltimore on Friday and Saturday last, the 12th and 13th of Sept. On the 12th, the third brigade paraded on Hampstead-Hill, near the entrenchments, and there, after performing a variety of military manoeuvres, with its usual exactness and precision, was divided into two parties and engaged in a sham fight. After which the 27th regiment, and several detached companies, passed round the battle monument, with reversed arms, to solemn music. On the 13th, the companies which had assisted in the defence of *Fort M-Henry* visited that now very respectable fortress, where they partook of a splendid repast, in the presence of commodore *Rodgers* and lieut. col. *Armistead*, who commanded on that memorable day: and also, in like manner, marched round the monument. The happy occasion was embraced to present to our gallant friend, commodore RODGERS, the rich service of plate prepared for him by the citizens of Baltimore, in testimony of his services at the time of our need, an account of which is given in the preceding volume of the *Register*. It is with pleasure we add, that no accident occurred to mar the feelings of those days, so dear to recollection, so honorable to remembrance, in Baltimore.

## Naval rates and actual force.

We notice with pleasure the following article in a Liverpool paper of the 2d ult. It is a thing that "is right in itself;" and we trust that the example will be followed by all the maritime nations of the world, and especially by the United States; who, having copied from England the "paltry deception," ought not to be slow in putting the affair upon its real merits. This is what we have long desired.

It is curious to observe that, however inconsiderable *our* naval force is, a continual reference is made to it by the British, so powerful at sea. It is very evident that they look to it for a future dispute for the trident; and it seems likely that, to prepare against it, they will gradually re-model their whole navy, to enable it to cope with our ships:—the project has been proposed by the naval committee.

*From the Liverpool Advertiser of August 2.*

An important official document has appeared in the shape of proposals and regulations relative to the navy, made by the board of admiralty, and sanctioned by an order of council. After going at great length into what may be termed the minutia of the service, there is a reform effected which must give every Englishman satisfaction. After elucidating the accidental causes which have introduced the existing anomaly of rating ships at a certain number of guns, while their real complement exceeded that nominal amount, the board, with a just and patriotic feeling, made the following observation.—"We, trust we shall be excused for observing to your royal highness that it is wholly unworthy the character of the royal navy of this kingdom, to maintain this system which though introduced without any design of deception, yet may give occasion in foreign nations, to accuse us of misrepresentations when we state that a British frigate of 38 guns, has taken a foreign frigate of 44, when in fact the British frigate was of equal, if not superior force." It should be remembered, that though this practice with respect to us, arose from the lapse of time, and the change of circumstances, it was practised against us by the Americans, in a late war, as a paltry deception. A proof of this now appears in the document before the public. It is there officially stated, that the American ship President had 55 guns mounted on the day of her capture, though she was rated at only 44. In the British navy this practice will no longer continue, for it is now ordered that the rule which prevailed prior to 1788 shall be revived, and in future all his majesty's ships will be rated at the number of guns and carronades which they actually carry on their decks, quarter decks, and forecastles. We sincerely rejoice in this regulation, for the navy of England stands upon a basis too broad and unassailable to require the aid of any little evasive tricks—she can never want them as palliatives for defeat, and she should disdain the blots which tarnish her conquests.



## British Statistics.

Abstract of the Net Produce of the Revenue of Great Britain, in the Years ending the 5th July, 1816, and 5th July, 1817; and also the Total Produce of the Customs and Excise.

	YEAR ENDING July 5, 1816.		YEAR ENDING July 5, 1817.
Customs....consolidated.....	£4,749,550	Customs....consolidated.....	£5,367,836
“ annual duties.....	2,367,380	“ annual duties.....	2,900,109
“ war taxes.....	2,705,068	“ war taxes.....	556
	9,821,998		8,268,501
Excise.....consolidated.....	£18,418,749	Excise.....consolidated.....	£17,072,667
“ annual duties.....	581,024	“ annual duties.....	532,744
“ war taxes.....	6,344,099	“ war taxes.....	3,629,404
	25,343,872		21,234,214
Stamps,	6,223,843	Stamps,	6,030,997
Post-office,	1,472,000	Post-office,	1,360,000
Assessed taxes,	6,020,302	Assessed taxes,	5,933,664
Property tax,	14,226,442	Property tax,	4,725,119
Land taxes,	1,087,226	Land taxes,	1,187,413
Unappropriated war duties,		Unappropriated war duties,	1,417,755
Miscellaneous	371,834	Miscellaneous,	258,688
Annual duties on pensions, &c.	16	Annual duties on pensions, &c.	4,016
Total	£64,567,533	Total	£50,420,367

## Thanks of Congress.

Almost every body has heard of the sufferings and marvellous escape of our countryman, captain *Riley*, wrecked on the coast of Africa, seized by the Arabs, transported through the interior, and finally ransomed by *Wm. Willshire*, an English merchant, resident at Magadore. Captain *Riley's* book is one of the most interesting publications that has appeared for some years, and has added much to our stock of geographical knowledge. He prevailed upon his Arab master to carry him to Magadore, where he pretended he had a friend that would pay a large ransom for him. The condition was, that if he was not ransomed as expected, his throat was to be cut immediately!—So great were *Riley's* sufferings that he took this risk—he knew no person at Magadore; he trusted to accident, and happened to meet with *Willshire*, an entire stranger, who even did more for the Arab than had been promised, &c. The “*Federal Republican*” proposes that the thanks of Congress should be given to this good Englishman, who has since rescued several others of our countrymen from Arabian slavery. We most heartily accord with this idea—the thanks of Congress ought not to be lightly given; but an act like this, of holy benevolence and christian charity, claims a mark of the national gratitude.

## Sea Serpents.

It being now an admitted fact—established by the testimony of so many witnesses as to prevent controversy about it,—that monstrous fishes, of the serpent kind, inhabit the sea, we have many accounts of such animals having

been seen at different periods: which those who did see them, were prevented from saying much about, by the fear ridicule for dealing in the marvellous. We already have some six or seven of these accounts. The following, being a copy of a letter from *William Lee*, esq. late consul of the United States at Bordeaux, and now accountant in the treasury department, to *Dr. Mitchell*, of New-York, is worthy of record, and may serve as a specimen of the rest.

WASHINGTON, September 2, 1817.

“*My dear sir*—The description given in our newspapers of a sea-serpent, lately seen for several days, in and about Cape-Ann harbor, has brought to my recollection one of this species.

“On a passage I made from Quebec, in 1787, in a schooner of about 50 tons burthen, while standing in for the Gut of Canso, the island of Cape Breton being about four leagues distant, one of the crew cried out “a shoal ahead!” The helm was instantly put down to tack ship, when to our great astonishment, this shoal, as we thought it to be, moved off, and as it passed athwart the bow of our vessel, we discovered it to be an enormous sea-serpent, four times, at least, as long as the schooner. Its back was of a dark green color, forming above the water a number of little hillocks, resembling a chain of hogsheds. I was then but a lad, and being much terrified, ran below until the monster was at some distance from us. I did not see his head distinctly; but those who did, after I had hid myself in the cabin, said it was as large as the small-boat of the schooner. I recollect the tremendous ripple and noise he made in the water, as he went off from us, which I compared at that time to that occasioned by the launching of a ship.

“My venerable friend, *Mr. —*, of your city, was a passenger with me at the time. He will corroborate this statement, and probably furnish you with a better description of this monster; for I well recollect his taking his stand at the bow of the vessel, with great courage, to examine it, while the

other passengers were intent only on their own safety.

"At Halifax, and on my return to Boston, when frequently describing this monster, I was laughed at so immoderately that I found it necessary to remain silent on the subject, to escape the imputation of using a traveller's privilege of dealing in the marvellous."

That a serpent encountered the army under Regulus, in Africa, in the first Punic war, is a well established historical fact. He was at length killed; and the skin, 120 feet long, with the jaw-bone of the monster, sent to Rome. That serpent probably came from the sea, being first discovered on the banks of the river Bagrada. We also frequently hear of the Anaconda of the East-Indies, from 30 to 50 feet long; which, we are told, attacks and kills, with entire ease; and devours, at once, the largest tyees of that country, the fiercest and most formidable of quadrupeds.

The sea-serpent still keeps on the eastern coast of the United States, feeding on herrings and other small fish. He has been seen lying on the surface of the water, coiled up and apparently reposing.

### The late Robert Fulton.

*From a review of "Colden's life of Fulton," published in the New York Monthly Magazine, the following interesting extracts we made.*

Robert Fulton was born of Irish parents, in Little Britain, in the county of Lancaster, Pennsylvania, in 1765. His family is said to have been respectable, but not rich. Mr. Colden says that his peculiar genius manifested itself at an early age, and that his leisure hours in childhood were spent in mechanics' shops or devoted to the pencil. This latter employment seems at that time to have possessed the greatest attractions, for from the age of seventeen to twenty one, he painted portraits and landscapes, at Philadelphia, for profit. He then purchased, with his little earnings, a little farm in Pennsylvania, upon which he established his mother. We rejoice to record this circumstance, as we can scarcely conceive one more honorable to the character of a young man. It proves early industry, frugality, and great strength of filial affection. In the same year he went to England to improve himself in his profession, as a painter, under the patronage of Mr. West. He was for some years an inmate in the family of that gentleman. After leaving it, he removed to Devonshire, and remained in that place, and in other parts of England, for some years longer—it does not clearly appear how many—and then went to France. During the latter part of his stay in England he seemed to have relinquished his profession, and to have busied himself about several projects relating chiefly to canal navigation. In 1793, he addressed (we presume from France) some general speculations on French politics, to lord Stunbope, who appears to have been his intimate friend—but tho' designed for the public they attracted little of the public attention, as his biographer does not even know whether they were ever, in fact published or not. In 1797, he took lodging at an hotel in Paris, with Mr. Joel Barlow, with whom he formed so strong a friendship, that when Mr. B soon after removed to his own hotel, he invited Mr. F. to reside with him

and for some years Mr. Fulton was a member of the family of Mr. Barlow. He projected a panorama, which proved successful and beneficial, and made some experiments upon the explosion of gunpowder under water. The French directory gave him hopes of patronizing these attempts, but at length withdrew their support. He offered the project to the Dutch government, but it was declined. It was then offered to Bonaparte, who had become first consul, and he appointed a commissioner with funds and powers to give the required assistance. While, in France, and probably about this period, he formed an intimate acquaintance with Chancellor Livingston, and at that period those gentlemen labored conjointly in their attempts to introduce steam navigation, which was afterwards attended with such brilliant success. In 1801, he made several experiments with a plunging boat, designed for a sub-marine warfare, with a degree of success which seems to have been satisfactory to himself. The following very flattering account was given by St. Austin, a member of the tribunal.

The diving boat in the construction of which he is now employed, will be capacious enough to contain eight men, and provision enough for twenty days, and will be of sufficient strength and power to enable him to plunge 100 feet under water if necessary. He has contrived a reservoir of air, which will enable eight men to remain under water eight hours. When the boat is above water it has two sails, and looks just like a common boat; when she is to dive, the mast and sails are struck.

In making his experiments, Mr. Fulton not only remained a whole hour under water with 3 of his companions, but had the boat parallel to the horizon at any given distance. He proved that the compass points as correctly under water as on the surface, and that while under the water, the boat made way at the rate of half a league an hour, by means contrived for that purpose.

If we may judge of the future from the past, it would seem necessary for the success of these projects, to obtain the consent of those who are to be "decomposed" which has not yet been done. Mr. Fulton was therefore never able to demolish an English ship, although he watched long and anxiously such as approached the French coast, for that purpose. The rulers of France being at length discouraged and Mr. Fulton thinking that the all-important object was to blow up ships, and so that was effected, it was no great matter to what power they might happen to belong, turned his eyes for patronage to the English government—or they turned their eyes to him. Mr. Colden seems very properly aware that this conduct of his friend might make an unpleasant impression on the minds of those who were not like his biographer, acquainted with the elevation and philanthropy of his views, and seeks to justify him by the following defence.

It must be recollected, that Mr. Fulton's enthusiastic notions of the advantages of an universal free trade and liberty of the seas, had led to the inventions which he was then endeavoring to employ, and which as he supposed, would annihilate naval armaments, the great support in his estimation of what he calls the war system of Europe. He was persuaded, that if this system could be broken up, all nations would direct their energies to education, the sciences and a free exchange of their natural advantages. He was convinced, that if on the contrary, the Europeans continued to cherish this war system, and to support and augment their great naval armaments, his own country would be driven to the necessity of protecting



herself by similar establishments, which as he thought would be inimical to her republican institutions, and destructive of her happiness. Without reference, therefore, to the merits of the then existing contest, the grounds which of were constantly changing, without feeling a partiality or enmity to either of the belligerents, he was desirous of engaging one the nations at war, to give him an opportunity of trying the efficacy of his inventions. If they were proved to answer his expectations, he was indifferent as to the temporary advantages it might give either over the other. He believed that the result would be the permanent happiness of all, and that in the general good, his own country would largely participate. He considered himself as introducing a new military science, which he wished to prove, and which he had a desire to perfect himself for the benefit of his country and of mankind. His sentiments on this subject were not novel, nor without the sanction of the nations which they most immediately concerned. Neither France nor England has hesitated to encourage their citizens with a view to their improvement in military science, to serve in the armies and navies of foreign states at war, when they have been neutral.

"Whatever" says Mr. C. "may be the just force of this reasoning, it swayed the mind of Mr. Fulton to honest conviction." It is doubtful whether it will produce a similar effect on any other mind.

From the following passage we infer, that the negotiations between Mr. Fulton and the English ministry were clandestine, and were carried on at a time when he resided in France, and was ostensibly attached to her interests:

It has been mentioned, that the earl of Stanhope had taken great pains to inform himself as to Mr. Fulton's proceedings in France. This nobleman's mathematical and mechanical mind, perceived what consequence might result from the application of Mr. Fulton's inventions. The information he obtained was communicated to the British cabinet, and excited alarm. It was determined by the British ministry, if possible to withdraw Mr. Fulton from France. Lord Sidmouth who was then one of the ministers, contrived to have a communication with Mr. Fulton, while he was in Paris, and obtained his consent to meet an agent of the British government in Holland. In October 1803, Mr. Fulton went from Paris to Amsterdam for this purpose. But the agent with whom he was to confer did not arrive; and after being in Amsterdam three months he returned to Paris.

We cannot resist the impression that some light is thrown upon Mr. Fulton's conduct by the evidence adduced for another purpose by Mr. Colden from lord Stanhope, his early friend and correspondent.

In a speech on American affairs made by lord Stanhope in the house of lords, soon after these experiments were made, he is reported in a English newspaper, to have said "it was not perhaps, sufficiently known that at that very moment exertions were making in America to carry into effect a plan for the disclosure of which an individual had, a few years before, demanded of the British government fifteen thousand dollars, but had been refused. He alluded to a plan, he said for the invisible destruction of slugging, and particularly of men of war. That the inventor of this scheme was then in America, and it was ascertained that it would not, on an average, cost 20 pounds to destroy any ship whatever."

While he was laboring for his new employers some of his torpedoes were thrown from British boats upon French vessels, but they exploded with-

out effect—a circumstance which Mr. Fulton attributed to a slight, and easily rectified mistake. To evince the correctness of his opinion, in October, 1805, he did blow up with complete success a brig *provided for the purpose*. Still, however, the British ministry were incredulous, and Mr. Fulton, wearied with incessant applications, disappointments and neglect, at length embarked for this country."

Mr. Colden here fairly states—

It would be doing injustice to the memory of Fulton, as well as that of another ingenious native American, not to notice, before we leave this subject, that Mr. Fulton did not pretend to have been the first who discovered that gunpowder might be exploded with effect under water; nor did he pretend to have been the first who attempted to apply it as the means of hostility. He knew well what had been done by Bushnel in our revolutionary war. He frequently spoke of the genius of this American with great respect, and expressed a conviction that his attempts against the enemy would have been more successful if he had had the advantages which he himself derived from the improvements of nearly forty years in mechanics and mechanical philosophy.

We cannot but think, that it is a very exaggerated estimate of the efficiency of Mr. Fulton's contrivances which induces Mr. Colden to suppose, that the "British ministry never truly intended to give Mr. Fulton a fair opportunity of trying the effects of his engines."

The object may have been to prevent their being placed in the hands of an enemy and if that was accomplished, it was the interest of England, as long as she was ambitious of maintaining the proud title of mistress of the seas, to make the world believe that Mr. Fulton's projects were chimerical. Nothing could be more likely to produce this effect, than abortive attempts to apply them. This would prevent other nations from making similar experiments and discourage the inventor.

In June the British ministry appointed a commission to examine Mr. Fulton's projects. The commissioners were sir Jos. Banks, Mr. Cavendish, sir Home Popham, and major Congreve, and Mr. John Rennie. Many weeks passed before Mr. Fulton could prevail on them to do any thing, and finally when they met they reported against the sub-marine boat as being impracticable. In a letter to the ministry, Mr. Fulton complains that this report was made without his having been called upon for any explanations, and although the gentlemen who made it had before them no account of what had been done. Indeed, in the first interview which Mr. Fulton had with Mr. Pitt and lord Melville, the latter condemned the Nautilus without a moment's consideration.

If these engines were in truth, terrible as the biographer imagines, it would not be strange that the British ministry should choose to preserve the navy by almost any means, from entire demolition; and they might oppose the introduction of a mode of warfare, which though in the first instance it was exerted against their enemies would infallibly re-act against themselves with greater effect in proportion to the superiority of their naval force. But no such motives can be ascribed to the French republican government, and they rejected it—no such suspicion can be against Bonaparte, and after a full trial he relinquished it; or against the Dutch government, and they declined it; no such policy is to be attributed to our administration, and still we are told by Mr. Colden, (p. 207,) "Mr. Fulton's



plan for sub marine warfare met with no countenance from the government. He had not been able to inspire the executive officers with any confidence in them." We presume also that commodore Rodgers is not to be accused of connivance in a similar design.

Besides, Mr. Colden should have weighed the matter well before he made a charge which necessarily implies that all the experiments made by such men as Mr. Cavendish, sir Home Popham, major Congreve and Mr. Rennie, (the commissioners appointed by the British ministry) were intended to be deceptive, and that their report was meanly fraudulent and false.

Mr. Colden has so far suffered his imagination to predominate over his better judgment upon this subject, that he seems really to have supposed that during the late war it was a main object with the British navy to ascertain the part of the coast where Mr. Fulton might reside, and to avoid it as the particularly fulminating point of this terrific submerged thunder.

Mr. Fulton arrived in New-York in December 1806, and immediately renewed the pursuit of the objects upon which he had recently been engaged in Europe, that is, sub-marine war and steam navigation—He was encouraged by the American government, and in the summer of 1807, made several experiments, and one of them upon a large hulk brig, (an unresisting subject,) was completely successful. The narrowness of our limits—the necessary length of this article—and the notoriety of these attempts, which were made in the vicinity of this city, render it unnecessary for us to detail them with minuteness. In March, 1810, congress passed an act making an appropriation for trying the use of torpedoes and sub-marine explosions. Commissioners were appointed to observe the success of the experiments of which the sloop of war Argus, commanded by captain Lawrence, was to be the subject. These commissioners differed considerably in their reports of the result to the government.—Chancellor Livingston, with whom, as we before mentioned, Mr. Fulton had formed a very intimate acquaintance and connexion in France, which subsisted during their joint lives, was rather favorably impressed. General Lewis ("whose long military services, and experience," Mr. Colden thinks, "render his judgment on this subject deserving of the highest consideration:") was very sanguine of their ultimate success; and such, also, was the opinion of the biographer, then one of the commissioners.

Commodore Rodgers also made a report, which contained a journal of the daily proceedings of Mr. Fulton and the committee, and very minute descriptions of the machines and experiments.—His opinion was entirely against Mr. Fulton's system, and he concludes, that every part of it would be found totally impracticable.

A great portion of the work is occupied by a statement of Mr. Fulton's merits and those of his chief friend and associate Chancellor Livingston, in relation to steam navigation. The information prevalent on the subject—the legal discussions which have already been had, and which may hereafter arise in relation to it—and to speak honestly, a little distrust of our own judgment, induce us to refrain from a minute examination of the claims which are advanced in favor of those gentlemen. It is but fair, however, to remark, that even if it be admitted that Mr. Fulton has done no more than to reduce to successful practice previously existing theories upon a subject of such paramount importance, he is

entitled to praise enough to fully satisfy the ambition and affection of his friends. The increased facility of intercourse in many parts of the world, and especially on this continent, is such that twenty years ago it would have required a bold imagination to conceive. Can any man doubt that Mr. Fulton has been mainly instrumental in accelerating? if he did not exclusively produce this state of things. The whole progress of the arts shows that the first discovery of a principle is usually very remote from the perfection of the practice. This is strongly exemplified by some facts stated by Mr. Fulton himself. In 1320 gunpowder was discovered: 150 years after that period iron balls were first used; muskets were unknown until 200 years from the same time; and in these the cumbrous *match* lock did not give place to the fire-locks till the beginning of the 17th century, that is 280 years after the first knowledge of gunpowder.

"In the year sixteen hundred and sixty-three, the marquis of Worcester discovered the expansive power of steam. 33 years afterwards, captain Savory took out a patent for a steam-engine, to pump the mines of Cornwall. In seventeen hundred and five, Mr. Newcomen thought of a piston to the cylinder; but he worked at it nine years before it was sufficiently improved to give it a fair prospect of utility; Fifty two years after Mr. Newcomen's discovery, Mr. Watt thought of another improvement, which was the separate condenser. Thus it was a hundred years from the time of the marquis of Worcester, till Mr. Watt's discovery gave the steam-engine, in any degree, its present perfection; and rendered it so simple, familiar, and useful, as to be adapted to the many important purposes to which it is now applied.

Another striking illustration to the same effect, and which may serve to exemplify the nature as well as to manifest the degree of Mr. Fulton's benefactions to the public, is to be found in the gradual improvements effected in his steam boats since their establishment. We believe that the average passage of the first boat between Albany and this city fell little short of thirty six hours, and in some of the present boats it does not exceed twenty-one hours.

Mr. Fulton's attention was strongly attracted, during several parts of his life, to the subject of improving internal navigation by means of canals, and in particular, he entered with his characteristic enthusiasm, into the magnificent project which our legislature is now attempting to realize. In 1811, he was appointed one of the commissioners upon the subject, but he did not sanction the report which in the subsequent year was returned to the legislature. It is not claimed by the biographer either by this scheme in particular, or generally this branch of improvement, has received any eminent benefit from the genius or industry of Mr. Fulton.

In February eighteen hundred and fourteen, he addressed a letter to Gouverneur Morris, esq. president of the board of commissioners, in which he shows what would be the advantages of the proposed canal, and exhibits very interesting and curious calculations of the comparative expence of transportation upon land, and upon rivers, and upon canals.

The same year Mr. Fulton with the other commissioners, made another report to the legislature; this is the last service he rendered this magnificent project.

We presume that our readers will readily excuse our omission of any account of Mr. Fulton's well known and very extensive experiments in relation



to the various modes which he devised for submarine attack, and for transferring a large portion of naval warfare beneath the surface of the ocean.—We are told by Mr. Colden that the steam frigate, that imposing if not effective engine of war, owes its origin to these experiments, although it is not apparently connected with them. The untimely death of Mr. Fulton; the cessation of the war; and the imperfections inseparable from the infancy of all improvements, may have prevented the full development of the powers which, perhaps, this invention is hereafter destined to display.

The occasion and manner of Mr. Fulton's death is thus related.

In January, eighteen hundred and fifteen, Mr. John Livingston, who owned the steam-boat which plied between New York and New Jersey, but which was stopped by the operation of the Jersey laws, petitioned the legislature of that state for their repeal. After hearing witnesses and counsel for several days, the laws were rescinded. It was upon this occasion Mr. Fulton was examined as a witness as we have before stated.—The weather, while he was at Trenton, where he was much exposed in attending the hall of the legislature, was uncommonly cold. When he was crossing the Hudson to return to his house and family, the river was very full of ice, which occasioned his being several hours on the water in very severe day. Mr. Fulton had not a constitution to encounter such exposure, and upon his return found himself much indisposed from the effects of it. He had at that time great anxiety about the steam-frigate, and, after confining himself for a few days, when he was convalescent, he went to give his superintendance to the artificers employed about her; he forgot his debilitated state of health in the interest he took in what was doing on the frigate, and was along time, in a bad day, exposed to the weather on her decks. He soon found the effects of his imprudence. His indisposition returned upon him with such violence as to confine him to his bed; his disorder increased, and on the twenty-fourth day of February, eighteen hundred and fifteen, terminated his valuable life.

As soon as the legislature, which was then in session at Albany, heard of the death of Mr. Fulton, they expressed their participation in the general sentiment, by resolving that the members of both houses should wear mourning for some weeks.

It will appear from the above slight sketch of the life of this valuable citizen, that the three great subjects of his attention and efforts, were the improvement in the art of making canals, sub-marine warfare, and steam navigation. In relation to the first, we are not aware that he has effected much; in the second, he has displayed great talent and wonderful industry, the effects and utility of which time is hereafter to develop; and in the third he has done what should make his country proud, and the world grateful.

## Constitution—State of Mississippi.

We, the Representatives of the people, inhabiting the western part of the Mississippi territory contained within the following limits, to wit: Beginning on the river Mississippi at the point where the southern boundary line of the state of Tennessee strikes the same; thence east along the said boundary line to the Tennessee river; thence up the same to the mouth of Bear creek; thence by a direct line to the northwest corner of the county of Washington; thence due south to the Gulf of Mexico; thence westwardly, including all islands within six leagues of the shore, to the most eastern junction of Pearl river with Lake Borgne; thence up the said river to the thirty-first degree of north latitude; thence west along the said degree of latitude to the Mississippi river; thence up the same to the beginning; assembled in convention at the town of Washington, on Monday the seventh day of July, one thousand eight hundred and seventeen, in pursuance of an act of congress entitled "An act to

enable the people of the western part of the Mississippi Territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states;" in order to secure to the citizens thereof the rights of life, liberty and property; do ordain and establish the following CONSTITUTION and form of government, and do mutually agree with each other to form ourselves into a free and independent state, by the name of the State of Mississippi.

### ARTICLE I.—DECLARATION OF RIGHTS.

That the general, great and essential principles of liberty and free government, may be recognized and established, We Declare;

Sec. 1. That all Freemen when they form a social compact are equal in rights; and that no man or set of men, are entitled to exclusive, separate public emoluments or privileges, from the community, but in consideration of public services.

Sec. 2. That all political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit; and therefore they have at all times an unalienable and indefeasible right to alter, or abolish their form of government, in such manner as they may think expedient.

Sec. 3. The exercise and enjoyment of religious profession and worship, without discrimination, shall forever be free to all persons in this state; provided, that the right hereby declared and established shall not be so construed as to excuse acts of licentiousness, or justify practices, inconsistent with the peace and safety of this State.

Sec. 4. No preference shall ever be given by law to any religious sect or mode of worship.

Sec. 5. That no person shall be molested for his opinions on any subject whatever, nor suffer any civil or political incapacity, or acquire any civil or political advantage, in consequence of such opinions except in cases provided for in this Constitution.

Sec. 6. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

Sec. 7. No law shall ever be passed to curtail or restrain the liberty of speech or of the press.

Sec. 8. In all prosecutions or indictments for libels, the truth may be given in evidence, and the jury shall have the right to determine the law and the facts under the direction of the Court.

Sec. 9. That the people shall be secure in their persons, houses, papers and possessions, from unreasonable seizures or searches; and that no warrant to search any place, or to seize any person or things, shall issue, without describing them, as nearly as may be, nor without probable cause supported by oath, or affirmation.

Sec. 10. That in all criminal prosecutions, the accused hath a right to be heard by himself and counsel, and to demand the nature and the cause of the accusation, to be confronted by the witnesses against him, to have compulsory process for obtaining witnesses in his favour, and in all prosecutions by indictment or information, a speedy public trial by an impartial jury of the County; that he cannot be compelled to give evidence against himself nor can he be deprived of his life, liberty or property, but by due course of law.

Sec. 11. No person shall be accused, arrested or detained, except in cases ascertained by law, and according to the forms which the same has prescribed; and no person shall be punished but in virtue of a law established and promulgated prior to the offence, and legally applied.

Sec. 12. That no person shall for any indetiable offence, be proceeded against criminally by information except in cases arising in the land or naval forces, or the militia when in actual service, or by leave of the court, for misdemeanor in office.

Sec. 13. No person shall for the same offence be twice put in jeopardy of life or limb; nor shall any person's property be taken or applied to public use, without the consent of his representatives, and without just compensation being made therefor.

Sec. 14. That all courts shall be open, and every person, for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

Sec. 15. That no power of suspending laws shall be exercised, except by the Legislature, or its authority.

Sec. 16. That excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

Sec. 17. That all prisoners shall, before conviction, beailable by sufficient securities, except for capital offences, when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended unless, when in case of rebellion or invasion, the public safety may require it.

Sec. 18. That the person of a debtor, where there is not strong presumption of fraud, shall not be detained in prison, after delivering up his estate for the benefit of his creditors, in such manner as shall be prescribed by law.

Sec. 19. That no ex post facto law, nor law impairing the obligation of a contract shall be made.

Sec. 20. That no person shall be attainted of treason or felony by the Legislature.

Sec. 21. That the estates of suicides shall descend or vest as in cases of natural death; and if any person shall be killed by casualty, there shall be no forfeiture by reason thereof.

Sec. 22. That the citizens have a right in a peaceable manner, to assemble together for their common good, and to apply to those invested with the powers of government, for redress of grievances, or other proper purposes, by petition, address or remonstrance.

Sec. 23. Every citizen has a right to bear arms in defence of himself and the State.

Sec. 24. No standing army shall be kept up without the consent of the Legislature, and the military shall in all cases, and at all times, be in strict subordination to the civil power.

Sec. 25. That no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.



Sec. 25. That no hereditary emoluments, privileges, or honors shall ever be granted or conferred in this State.

Sec. 27. No citizen of this State shall be exiled, or prevented from emigrating on any pretence whatever.

Sec. 28. The right of trial by Jury shall remain inviolate.

Sec. 29. No person shall be declared from prosecuting or defending any civil cause, for or against him or herself, before any tribunal in this State, by him or herself, or counsel, or both.

#### CONCLUSION.

To guard against transgressions of the high powers herein delegated, WE DECLARE, that every thing in this article is excepted out of the general powers of government, and shall forever remain inviolate and that all laws contrary thereto, or to the following provisions shall be void.

#### ARTICLE II.—DISTRIBUTION OF POWERS.

Sec. 1. The powers of the Government of the state of Mississippi shall be divided into three distinct departments, and each of them be confided to a separate body of MAGISTRACY, to wit: those which are legislative to one, those which are executive to another, and those which are judicial to another.

Sec. 2. No person or collection of persons, being of one of the departments, shall exercise any power, properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

#### ARTICLE III.—LEGISLATIVE DEPARTMENT.

Sec. 1. Every free white male person of the age of twenty-one years or upwards, who shall be a citizen of the United States, and shall have resided in this State one year next preceeding an election, and the last six months within the County, City or Town in which he offers to vote, and shall be enrolled in the militia thereof, except exempted by law from military service; or having the foregoing qualifications of citizenship and residence, shall have paid a State, or County tax, shall be deemed a qualified elector: no elector shall be entitled to vote, except in the County, City or Town, entitled to separate representation, in which he may reside at the time of the election.

Sec. 2. Electors shall, in all cases, except in those of treason, felony, or breach of the peace, be privileged from arrest, during their attendance at elections, and in going to, and returning from the same.

Sec. 3. The first election shall be by ballot, and all future elections by the people, shall be regulated by law.

Sec. 4. The legislative power of this State, shall be vested in two distinct branches, the one to be styled the Senate, the other the House of Representatives, and both together "The General Assembly of the State of Mississippi." And the style of their laws shall be "Be it enacted by the Senate and House of Representatives of the State of Mississippi in General Assembly convened."

Sec. 5. The members of the House of Representatives shall be chosen by the qualified electors, and shall serve for the term of one year, from the day of the commencement of the general election and no longer.

Sec. 6. The Representatives shall be chosen every year, on the first Monday and the day following in August.

Sec. 7. No person shall be a representative unless he be a citizen of the United States, and shall have been an inhabitant of this state two years next preceeding his election, and the last year thereof a resident of the county, city or town, for which he shall be chosen, and shall have attained to the age of twenty-two years; and also, unless he shall hold in his own right, within this state, one hundred and fifty acres of land, or an interest in real estate of the value of five hundred dollars, at the time of his election, and for six months previous thereto.

Sec. 8. Elections for representatives for the several counties, shall be held at the places of holding their respective courts, or in the several election districts into which the legislature may divide any county: Provided, That when it shall appear to the legislature, that any city or town hath a number of free white inhabitants equal to the ratio then fixed, such city or town shall have a separate representation according to the number of free white inhabitants therein, which shall be retained so long as such city or town shall contain a number of free white inhabitants equal to the existing ratio, and thereafter and during the existence of the right of separate representation, in such city or town, elections for the county in which such city or town entitled to a separate representation is situated, shall not be held in such city or town. And provided: That if the residuum or fraction of any city or town entitled to separate representation shall when added to the residuum in the county in which it may be, be equal to the ratio fixed by law, for one representative, than the aforesaid county, city, or town, having the largest residuum shall be entitled to such representation—And provided also, That when there are two or more counties adjoining, which have residuums over and above the ratio then fixed by law, if said residuums, when added together, will amount to such ratio, in that case one representative shall be added to that county having the largest residuum.

Sec. 9. The General Assembly shall, at their first meeting, and in the year one thousand eight hundred and twenty and in not less than every three, nor more than every five years thereafter, cause an enumeration to be made of all the free white inhabitants of the state; and the whole number of representatives shall, at the several periods of making such enumeration, be fixed by the general assembly, and apportioned among the several counties, cities, or towns, entitled to separate representation, according to the number of free white inhabitants in each, and shall not be less than twenty-four, nor greater than thirty-six, until the number of free white inhabitants shall be eighty thousand; and after that event, at such ratio, that the whole number of representatives shall never be less than thirty-six, nor more than one hundred: provided however, That each county shall always be entitled to at least one representative.

Sec. 10. The whole number of senators shall, at the several periods of making the enumeration before mentioned be fixed by the general assembly, and apportioned among the several districts to be established by law according to the number of free white taxable inha-

bitants in each, and shall never be less than one-fourth, nor more than one-third of the whole number of representatives.

Sec. 11. The senators shall be chosen by the qualified electors, for three years, and on their being convened in consequence of the first election, they shall be divided by lot from their respective districts, into three classes, as nearly equal as can be. The seats of the senators of the first class shall be vacated at the expiration of the first year, and of the second class, at the expiration of the second year, and of the third class, at the expiration of the third year, so that one-third thereof may be annually chosen thereafter.

Sec. 12. Such mode of classifying new additional senators, shall be observed as will, as nearly as possible, preserve an equality of numbers in each class.

Sec. 13. When a senatorial district shall be composed of two or more counties, it shall not be entirely separated by any county belonging to another district, and no county shall be divided in forming a district.

Sec. 14. No person shall be a senator, unless he be a citizen of the United States, and shall have been an inhabitant of this state four years next preceeding his election, and the last year thereof a resident of the district for which he shall be chosen, and shall have attained to the age of twenty-six years; and also, unless he shall hold, in his own right, within the state, three hundred acres of land, or an interest in real estate of the value of one thousand dollars, at the time of his election, and for six months previous thereto.

Sec. 15. The House of Representatives when assembled, shall choose a speaker, and its other officers; and the Senate shall choose its officers, except the president, and each house shall judge of the qualifications and elections of its own members, but a contested election shall be determined in such manner as shall be directed by law. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

Sec. 16. Each house may determine the rules of its own proceedings, punish members for disorderly behavior, and with the consent of two thirds, expel a member, but not a second time for the same cause, and shall have all other powers necessary for a branch of the legislature of a free and independent state.

Sec. 17. Each house shall keep a journal of its proceedings, and publish the same, excepting such parts as in its judgment may require secrecy; and the yeas and nays of the members of either house, on any question shall at the desire of any three members present, be entered on the journals.

Sec. 18. When vacancies happen in either house, the governor, or the person exercising the powers of the governor, shall issue writs of election to fill such vacancies.

Sec. 19. Senators and representatives shall in all cases, except of treason, felony, or breach of the peace, be privileged from arrest, during the session of the general assembly, and in going to and returning from the same, allowing one day for every twenty miles such members may reside from the place at which the general assembly is convened.

Sec. 20. Each house may punish by imprisonment, during the session, any person not a member, for disrespectful or disorderly behavior in its presence, or for obstructing any of its proceedings, provided such imprisonment shall not, at any one time, exceed forty-eight hours.

Sec. 21. The doors of each house shall be open, except on such occasions as, in the opinion of the house, may require secrecy.

Sec. 22. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

Sec. 23. Bills may originate in either house, and be amended, altered or rejected by the other, but no bill shall have the force of a law, until on three several days, it be read in each house, and free discussion be allowed thereon, unless in cases of urgency, four-fifths of the house in which the bill shall be depending, may deem it expedient to dispense with this rule; and every bill having passed both houses, shall be signed by the speaker and president of their respective houses.

Sec. 24. All bills for raising revenue shall originate in the house of representatives, but the senate may amend or reject them as other bills.

Sec. 25. Each member of the general assembly shall receive from the public treasury, a compensation for his services, which may be increased or diminished by law; but no increase of compensation shall take effect during the session at which such increase shall have been made.

Sec. 26. No senator or representative shall, during the term for which he shall have been elected, nor for one year thereafter, be appointed to any civil office of profit under this state, which shall have been created, or the emoluments of which shall have been increased, during such term: except such offices as may be filled by electors by the people, and no member of either house of the general assembly shall, after the commencement of the first session of the legislature, after his election, and during the remainder of the term for which he is elected, be eligible to any office or place, the appointment to which may be made in a whole or in any part by either branch of the general assembly.

Sec. 27. No judge of any court of law or equity, secretary of state, attorney general, clerk of any court of record, sheriff, collector, or any person holding a lucrative office under the United States (the office of post-master excepted) or this state, shall be eligible to the general assembly: Provided, that officers in the militia, to which there is attached no annual salary, or the office of justice of the peace, or of the quorum, shall not be deemed lucrative.

Sec. 28. No person who hath heretofore been, or hereafter may be, a collector or holder of public monies, shall have a seat in either house of the general assembly, until such person shall have accounted for, and paid into the treasury, all sums for which he may be accountable.



Sec. 29. The first election for senators and representatives shall be general throughout the state, and shall be held on the first Monday and Tuesday in September next; and thereafter, there shall be an annual election for senators to fill the places of those whose term of service may have expired.

Sec. 30. The first session of the general assembly shall commence on the first Monday in October next, and be held at the city of Natchez, and thereafter at such place as may be directed by law; and thereafter the general assembly shall meet on the first Monday in November in every year and at no other period, unless directed by law, as provided for by this constitution.

#### ARTICLE IV.—EXECUTIVE DEPARTMENT.

Sec. 1. The supreme executive power of this state shall be vested in a governor, who shall be elected by the qualified electors, and shall hold his office for two years from the time of his installation, and until his successor be duly qualified.

Sec. 2. The returns of every election for governor, shall be sealed up and transmitted to the seat of government, directed to the secretary of state, who shall deliver them to the speaker of the house of representatives, at the next ensuing session of the general assembly, during the first week of which session, the speaker shall open and publish them in the presence of both houses of the general assembly. The person having the highest number of votes shall be governor; but if two or more shall be equal and highest in votes, one of them shall be chosen governor by the joint ballot of both houses.

Contested elections for governor shall be determined by both houses of the general assembly, in such manner as shall be prescribed by law.

Sec. 3. The governor shall be at least thirty years of age, shall have been a citizen of the United States for twenty years, shall have resided in this state at least five years next preceding the day of his election, and shall be seized in his own right of six hundred acres of land, or of real estate of the value of two thousand dollars at the time of his election, and twelve months previous thereto.

Sec. 4. He shall at stated times receive a compensation for his services, which shall not be increased or diminished during the term for which he shall have been elected.

Sec. 5. He shall be commander in chief of the army and navy of this state, and of the militia, except when they shall be called into the service of the United States.

Sec. 6. He may require information in writing from the officers in the executive department, on any subject relating to the duties of their respective offices.

Sec. 7. He may, on extraordinary occasions, convene the general assembly at the seat of government, or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy, or from contagious disorders; and in case of disagreement between the two houses, with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the day of the next annual meeting of the general assembly.

Sec. 8. He shall, from time to time, give to the general assembly, information of the state of the government, and recommend to their consideration such measures as he shall deem expedient.

Sec. 9. He shall take care that the laws be faithfully executed.

Sec. 10. In all criminal and penal cases, except in those of treason and impeachment, he shall have power to grant reprieves and pardons, and remit fines and forfeitures, under such rules and regulations as shall be prescribed by law. In cases of treason he shall have power to grant reprieves and pardons by and with the advice and consent of the senate, but may respite the sentence until the end of the next session of the general assembly.

Sec. 11. All commissions shall be in the name and by the authority of the state of Mississippi, be sealed with the state seal, and signed by the governor, and attested by the secretary of state.

Sec. 12. There shall be a seal of the state, which shall be kept by the governor, and used by him officially, and shall be called the great seal of the state of Mississippi.

Sec. 13. When a vacancy shall happen in any office, during the recess of the general assembly, the governor shall have power to fill the same by granting a commission, which shall expire at the end of the next session of the general assembly, except in cases otherwise directed by the constitution.

Sec. 14. A secretary of state shall be appointed, who shall continue in office, during the term of two years. He shall keep a fair register of all the official acts and proceedings of the governor, and shall, when required, lay the same and all papers, minutes, and vouchers relative thereto, before the general assembly, and shall perform such other duties as may be required of him by law.

Sec. 15. Every bill which shall have passed both houses of the General Assembly, shall be presented to the governor; if he approve, he shall sign it; but if not, he shall return it, with his objections to the house, in which it shall have originated, who shall enter the objections at large upon the Journals, and proceed to reconsider it; if after such reconsideration two thirds of that house shall agree to pass the bill, it shall be sent with the objections to the other house by which it shall likewise be reconsidered; if approved by two thirds of that house, it shall become a law; but in such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for and against the bill, shall be entered on the Journals of each house respectively. If any bill shall not be returned by the governor within six days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly by their adjournment, prevent its return, in which case it shall not be a law.

Sec. 16. Every order, resolution or vote to which the concurrence of both houses may be necessary, except on questions of adjournment, shall be presented to the Governor, and before it shall take effect, be approved by him, or being disapproved, shall be repassed by both houses, according to the rules and limitations prescribed in the case of a bill.

Sec. 17. The appointment of all officers not otherwise directed by this constitution, shall be by the joint vote of both houses of the General Assembly, the votes shall be given  *viva voce* , and recorded in

the public Journal of each house. Provided, that the General Assembly be authorized to provide by law for the appointment of all inspectors, collectors and their deputies, surveyors of high ways, constables and such other inferior officers, whose jurisdiction may be confined within the limits of the county.

Sec. 18. There shall also be a lieutenant-governor, who shall be chosen at every election for a governor, by the same persons, in the same manner, continue in office for the same time, and possess the same qualifications. In voting for governor and lieutenant-governor, the electors shall distinguish whom they vote for as governor and whom as lieutenant-governor.

Sec. 19. The lieutenant-governor shall by virtue of his office be president of the senate, and have, when in committee of the whole a right to debate and vote on all questions, and when the senate is equally divided, to give the casting vote.

Sec. 20. In case of the death, resignation, refusal to serve, or removal from office of the governor, or of his impeachment or absence from the state, the lieutenant-governor shall exercise the powers and authority appertaining to the office of Governor, until another be chosen at the next periodical election for a Governor, and be duly qualified, or until the governor impeached or absent, shall be acquitted or return.

Sec. 21. Whenever the government shall be administered by the lieutenant-governor, or he shall be unable to attend as president of the senate, the senate shall elect one of their own members as president  *pro tempore* .

And if during the vacancy of the office of Governor, the lieutenant-governor shall die, resign, refuse to serve, or be removed from office, or if he shall be impeached or absent from the state, the president of the senate  *pro tempore* , shall in like manner administer the government, until he shall be succeeded by a Governor or lieutenant-governor. The lieutenant-governor shall, whilst he acts as president of the senate, receive for his services the same compensation, which shall, for the same period, be allowed to the speaker of the house of representatives, and no more; and during the time he administers the government as Governor, shall receive the same compensation which the Governor would have received, had he been employed in the duties of his office, and no more.

Sec. 22. The president  *pro tempore*  of the senate shall, during the time he administers the government receive, in like manner, the same compensation which the Governor would have received, had he been employed in the duties of his office, and no more.

Sec. 23. If the lieutenant-governor shall be required to administer the government and shall, whilst in such administration, die, resign, or be absent from the state, during the recess of the general assembly, it shall be the duty of the secretary of state, for the time being, to convene the senate for the purpose of choosing a president  *pro tempore* .

Sec. 24. A sheriff and one or more coroners shall be elected in each county, by the qualified electors thereof, who shall hold their offices for two years, unless sooner removed.

Sec. 25. A state Treasurer and an Auditor of public accounts shall be annually appointed.

#### MILITIA.

Sec. 1. The General Assembly shall provide by law, for organizing and disciplining the Militia of this state in such a manner as they shall deem expedient, not inconsistent with the constitution and laws of the United States in relation thereto.

Sec. 2. Officers of the Militia shall be elected or appointed in such manner as the legislature shall from time to time direct, and shall be commissioned by the Governor.

Sec. 3. Those persons who conscientiously scruple to bear arms shall be not compelled to do so, but shall pay an equivalent for personal service.

Sec. 4. The Governor shall have power to call forth the Militia to execute the laws of the state, to repress insurrections, and repel invasions.

#### ARTICLE V.

##### JUDICIAL DEPARTMENT.

Sec. 1. The judicial power of this state shall be vested in one supreme court, and such superior and inferior courts of law and equity as the legislature may from time to time direct and establish.

Sec. 2. There shall be appointed in this state not less than four, nor more than eight Judges of the supreme and superior courts, who shall receive for their services a compensation, which shall not be diminished during their continuance in office; Provided, That the Judge whose decision is under consideration in the Supreme Court shall not constitute one of the Court to determine the question on such decision, but it shall be the duty of such Judge to report to the Supreme Court the reasons upon which his opinion was founded.

Sec. 3. The state shall be divided into convenient districts, and each district shall contain not less than three nor more than six counties. For each district there shall be appointed a Judge who shall after his appointment, reside in the district for which he is appointed.

Sec. 4. The superior court shall have original jurisdiction in all matters, civil and criminal within this state, but in civil cases, only where the matter or sum in controversy exceeds fifty dollars.

Sec. 5. A superior court shall be held in each county in the state at least twice in every year. The Judges of the several superior courts may hold courts for each other, when they may deem it expedient, or as they may be directed by law.

Sec. 6. The legislature shall have power to establish a court or courts of Chancery with exclusive original equity, jurisdiction, and until the establishment of such court or courts, the said jurisdiction shall be vested in the superior courts respectively.

Sec. 7. The legislature shall have power to establish in each county, within this state, a court of Probate, for the granting of letters testamentary, and of administration for orphan's business, for county police, and for the trial of slaves.



Sec. 8. A competent number of Justices of the Peace shall be appointed in and for each county, in such mode, and for such term of office, as the Legislature shall direct. Their jurisdiction in civil cases shall be limited to causes in which the amount in controversy shall not exceed fifty dollars. And in all cases tried by a Justice of the Peace, right of appeal shall be secured, under such rules and regulations as shall be prescribed by law.

Sec. 9. The Judges of the several courts of this state, shall hold their offices during good behaviour. And for willful neglect of duty or other reasonable cause, which shall not be sufficient ground for impeachment, the Governor shall remove any of them on the address of two thirds of each house of the General Assembly. Provided, however, that the cause or causes for which such removal shall be required, shall be stated at length in such address, and on the journals of each house, and providd further, that the Judge so intended to be removed, shall be notified and admitted to a hearing in his own defence, before any vote for such address shall pass.

Sec. 10. No person who shall have arrived at the age of sixty-five years, shall be appointed to, or continue in the office of Judge in this state.

Sec. 11. Each court shall appoint its own clerk, who shall hold his office during good behaviour, but shall be removable therefrom for neglect of duty or misdemeanour in office, by the supreme court, which court shall determine both the law and the fact. Provided, that the clerk so appointed shall have been a resident of the county in which he is a clerk at least six months previous to his appointment.

Sec. 12. The Judges of the supreme and superior courts shall, by virtue of their office, be conservators of the peace throughout the state.

Sec. 13. The style of all process shall be "The state of Mississippi," and all prosecutions shall be carried on in the name and by the authority of "the State of Mississippi," and shall conclude "against the peace and dignity of the same."

Sec. 14. There shall be an Attorney General for the state, and as many district Attorneys as the General Assembly shall deem necessary, who shall hold their offices for the term of four years, and shall receive for their services a compensation which shall not be diminished during their continuance in office.

IMPEACHMENTS.

Sec. 1. The House of Representatives shall have the sole power of impeaching.

Sec. 2. All impeachments shall be tried by the senate. When sitting for that purpose, the senators shall be upon oath or affirmation. No person shall be convicted without the concurrence of two thirds of the members present.

Sec. 3. The Governor and all civil officers, shall be liable to impeachment for any misdemeanour in office, but judgment in such cases shall not extend further than to removal from office, and disqualification to hold any office of honour, trust or profit under the state, but the party convicted shall nevertheless be liable and subject to indictment, trial and punishment, according to law as in other cases.

ARTICLE VI.

GENERAL PROVISIONS.

Sec. 1. Members of the General Assembly, and all officers executive and judicial, before they enter on the execution of their respective offices, shall take the following oath or affirmation, to wit, "I solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States and the constitution of the state of Mississippi, so long as I continue a citizen thereof, and that I will faithfully discharge to the best of my abilities, the duties of the office of—according to law. So help me God."

Sec. 2. The General Assembly shall have power to pass such penal laws to suppress the evil practice of duelling, extending to disqualification from office, or the tenure thereof, as they may deem expedient.

Sec. 3. Treason against the state shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or his own confession in open court.

Sec. 4. Every person shall be disqualified from holding an office or place of honour or profit under the authority of this state, who shall be convicted of having given or offered any bribe to procure his election.

Sec. 5. Laws shall be made to exclude from office, and from suffrage, those who shall thereafter be convicted of bribery, perjury, forgery, or other high crimes or misdemeanours. The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting under adequate penalties, all undue influence thereon, from power, bribery, tumult, or other improper conduct.

Sec. 6. No person who denies the being of a God, or a future state of rewards and punishments, shall hold any office in the civil department of this state.

Sec. 7. Ministers of the Gospel, being by their profession, dedicated to God, and the care of souls, ought not to be diverted from the great duties of their functions. Therefore, no minister of the Gospel, or priest of any denomination whatever, shall be eligible to the office of governor, lieutenant-governor, or to a seat in either branch of the General Assembly.

Sec. 8. No money shall be drawn from the treasury, but in consequence of an appropriation made by law—nor shall any appropriation of money for the support of an army be made for a longer term than one year, and a regular statement and account of the receipts and expenditures of all public money shall be published annually.

Sec. 9. No bank shall be incorporated by the legislature, without the reservation of a right to subscribe for in behalf of the state, at least one fourth part of the capital stock thereof, and the appointment of a proportion of the directors, equal to the stock subscribed for.

Sec. 10. The General Assembly shall pass no law impairing the obligation of contracts, prior to the year one thousand eight hundred and twenty-one, on account of the rate of interest, fairly agreed on in writing between the contracting parties for a *bona fide* loan of money; but they shall have power to regulate the rate of interest where no special contract exists in relation thereto.

Sec. 11. The General Assembly shall direct by law, in what manner, and in what Courts, suits may be brought against the State.

Sec. 12. All officers of the State, the term of whose appointment is not otherwise directed by this Constitution, shall hold their offices during good behaviour.

Sec. 13. Absence on business of this State, or of the United States, or on a visit, or necessary private business, shall not cause a forfeiture of a residence once obtained.

Sec. 14. It shall be the duty of the General Assembly to regulate by law, the cases in which deductions shall be made from the salaries of public officers for neglect of duty in their official capacity, and the amount of such deduction.

Sec. 15. No member of Congress, nor any person holding any office of profit or trust under the United States, or either of them, shall hold or exercise any office of trust or profit under this State.

Sec. 16. Religion, morality, and knowledge, being necessary to good government, the preservation of liberty, and the happiness of mankind, schools, and the means of education shall forever be encouraged in this State.

Sec. 17. Divorces from the Bonds of Matrimony shall not be granted, but in cases provided for by law, by suit in Chancery; provided that no decree for such divorce shall have effect until the same shall be sanctioned by two thirds of both branches of the General Assembly.

Sec. 18. Returns of all elections by the people shall be made to the Secretary of State.

Sec. 19. No new County shall be established by the General Assembly, which shall reduce the County or Counties, or either of them, from which it may be taken, to a less content than five hundred and seventy-six square miles, nor shall any new County be laid off, of less contents.

Sec. 20. That the General Assembly shall take measures to preserve from unnecessary waste or damage such lands as are, or may hereafter be granted by the United States, for the use of schools, within each Township in this state, and apply the funds which may be raised from such lands, by rent or lease, in strict conformity to the object of such grant, but no lands, granted for the use of such Township schools, shall ever be sold by any authority in this State.

SLAVES.

Sec. 1. The General Assembly shall have no power to pass laws for the emancipation of slaves, without the consent of their owners, unless where a slave shall have rendered to the State some distinguished service, in which case the owner shall be paid a full equivalent for the slave so emancipated. They shall have no power to prevent emigrants to this State, from bringing with them such persons as are deemed slaves by the laws of any one of the U. States, so long as any person of the same age or description shall be continued in slavery by the laws of this State; provided, that such person, or slave, be the *bona fide* property of such emigrants; and provided, also, that laws may be passed to prohibit the introduction into the State of slaves who have committed high crimes in other States. They shall have power to pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors, and preventing them from becoming a public charge. They shall have full power to prevent slaves from being brought into this State as merchandise—and also to oblige the owners of slaves to treat them with humanity, to provide for them necessary clothing and provisions, to abstain from all injuries to them extending to life or limb, and in case of their neglect or refusal to comply with the directions of such laws, to have such slave or slaves sold for the benefit of the owner or owners.

Sec. 2. In the prosecution of slaves for crimes, no inquest by a Grand Jury shall be necessary, but the proceedings in such cases shall be regulated by law, except, that in Capital cases, the General Assembly shall have no power to deprive them of an impartial trial by a petit jury.

MODE OF REVISING THE CONSTITUTION.

Sec. 1. That whenever two thirds of the General Assembly shall deem it necessary to amend or change this Constitution, they shall recommend to the electors at the next election for members of the General Assembly, to vote for or against a Convention, and if it shall appear that a majority of the electors of the State voting for representatives, have voted for a Convention, the General Assembly shall, at their next session, call a Convention, to consist of as many members as there may be in the General Assembly, to be chosen by the qualified electors, in the manner, and at the times and places, of choosing members of the General Assembly, which Convention shall meet within three months after the said election, for the purpose of revising, amending, or changing the Constitution.

SCHEDULE.

Sec. 1. That no inconvenience may arise from a change of Territorial to a Permanent State Government, it is declared that all rights, actions, prosecutions, claims, and contracts, as well of individuals, as of bodies corporate, shall continue as if no such change had taken place.

Sec. 2. All fines, penalties, forfeitures, and escheats, accruing to the Mississippi Territory, within the limits of this State, shall endure to the use of the State.

Sec. 3. The validity of all bonds and recognizances executed to the Governor of the Mississippi Territory shall not be impaired by the change of government, but may be sued for, and recovered



in the name of the Governor of the State of Mississippi, and his successors in office; and all criminal or penal actions arising or now depending within the limits of this State shall be prosecuted to judgment and execution in the name of the said State. All causes of action arising to individuals and all suits at law or in equity now depending in the several courts, within the limits of this State, and not already barred by law, may be commenced in, or transferred to such court as may have jurisdiction thereof. Bonds, recognizances, and other papers and writings properly belonging to the Eastern Section of the Mississippi Territory, not comprised within the limits of this State, shall be transferred to the offices to which they severally belong.

Sec. 4. All officers, civil and military, now holding commissions under the authority of the United States, or of the Mississippi Territory, within this State, shall continue to hold and exercise their respective offices, under the authority of this State, until they shall be superseded under the authority of this Constitution; and shall receive from the treasury of this State the same compensation which they heretofore received for their services, in proportion to the time they shall be so employed. The Governor shall have power to fill vacancies by commissions to expire so soon as elections or appointments can be made to such office by the authority of this Constitution.

Sec. 5. All laws and parts of laws now in force in the Mississippi Territory, and not repugnant to the provisions of this Constitution shall continue and remain in force as the laws of this State, until they expire by their own limitation, or shall be altered or repealed by the Legislature thereof.

Sec. 6. Every free white male person above the age of twenty-one years, who shall be a citizen of the United States, and resident in this State at the time of the adoption of this Constitution, shall be deemed a qualified elector, at the first election to be held in this State; any thing in the Constitution to the contrary notwithstanding.

Sec. 7. The president of this Convention shall issue writs of election, directed to the sheriffs of the several Counties, requiring them to cause an election to be held for a governor, lieutenant-governor, representative to the Congress of the United States, members of the General Assembly, and sheriffs of the respective Counties, at the respective places of elections, in said Counties, except in the County of Warren, which County the election shall be held at the court-house, instead of the place provided by law, on the first Monday, and the day following in September next; which elections shall be conducted in the manner prescribed by the existing election laws of the Mississippi Territory; and the said governor, lieutenant-governor, and members of the General Assembly, then duly elected, shall continue to discharge the duties of their respective offices for the time prescribed by this Constitution, and until their successors be duly qualified.

Sec. 8. Until the first enumeration shall be made, as directed by this Constitution, the county of Warren shall be entitled to one representative, the county of Claiborne to two representatives, the county of Jefferson to two representatives, the county of Adams to two representatives, the county of Franklin to one representative, the county of Amite to three representatives, the county of Pike to two representatives, the county of Lawrence to one representative, the county of Marion to one representative, the county of Hancock to one representative, the county of Green to one representative, the county of Wayne to one representative, the county of Jackson to one representative. The counties of Warren and Claiborne shall be entitled to one senator, the county of Adams to one senator, the county of Jefferson to one senator, the county of Amite to one senator, the counties of Franklin and Pike to one senator, the counties of Lawrence, Marion, and Hancock to one senator, the counties of Green, Wayne and Jackson to one senator.

Sec. 9. The governor may appoint and commission an additional judge, or one of the former judges of the superior court, whose commission shall expire so soon as appointments can be made under the Constitution. It shall be the duty of the judge so appointed, or one of the former territorial judges to hold superior courts in the counties of Jackson, Green, Wayne, and Hancock at the time heretofore prescribed by law. Provided, that if either of the former territorial judges in addition to his duty in the western counties perform such duty and no additional judge be appointed, he shall receive an extra compensation proportioned to the amount of his salary and term of service rendered. If an additional judge be appointed, he shall receive the same compensation for his services as the other judges of the superior court.

Sec. 10. The sheriff of Warren county shall within ten days after the election make return of the number of votes for senator in his county to the sheriff of Claiborne county, who shall be the returning officer for the district. The sheriff of Pike county shall within ten days after the election make return of the number of votes for senator in his county to the sheriff of Franklin county, who shall be the returning officer for the district. The sheriffs of Hancock and Lawrence counties, shall within ten days after the election, make return of the number of votes for senator in their respective counties to the sheriff of Marion county, who shall be the returning officer for the district. The sheriffs of Jackson and Wayne counties shall within ten days after the election make return of the number of votes for senator in their respective counties, to the sheriff of Green county, who shall be the returning officer for the district.

ORDINANCE.

Whereas it is required by the act of congress under which this convention is assembled, that certain provisions should be made by an ordinance of this convention.

Therefore—This convention, for and in behalf of the people inhabiting this State, do ordain, agree and declare, that they forever disclaim all rights or title to the waste or unappropriated lands

lying within the State of Mississippi and that the same shall be and remain at the sole and entire disposition of the United States, and moreover, that each and every tract of land sold by congress shall be and remain exempt from any tax laid by the order, or under the authority of this State, whether for State, County, Township, Parish, or other purposes whatever, for the term of five years, from and after the respective days of sale thereof, and that the lands belonging to citizens of the United States residing without this State shall never be taxed higher than the lands belonging to persons residing within the same; that no taxes shall be imposed on lands the property of the United States, and the river Mississippi and the navigable rivers and waters leading into the same, or into the Gulf of Mexico, shall be common highways, and forever free, as well to the inhabitants of this State as to other citizens of the United States, without any duty, tax, impost, or toll therefor imposed by this State.—And this ordinance is hereby declared irrevocable without the consent of the United States.

Done in Convention, at the town of Washington, the 15th day of August in the year of our Lord 1817, and in the forty-second year of Independence of the United States of America

DAVID HOLMES, President,  
and Delegate from Adams County.

- |                     |                           |
|---------------------|---------------------------|
| Adams County,       | Henry Hanna,              |
| Josiah Simpson,     | Thomas Batchelor,         |
| James C. Wilkins,   | John Burton,              |
| John Taylor,        | Thomas Torrence,          |
| Christopher Rankin, | Angus Wilkison,           |
| Edward Turner,      | William Luginore,         |
| Joseph Sessions,    | Jackson County,           |
| John Steel,         | John McLeod,              |
| Jefferson County,   | Thomas Bilbo,             |
| Cowles Mead,        | Pike County,              |
| H-zekiah J. Baleb,  | David Dickson,            |
| Joseph E. Davis,    | William J. Minton,        |
| Claiborne County,   | James Y. M'Nabb,          |
| Walter Leake,       | Lawrence County,          |
| Thomas Barnes,      | Harmon Rumiels,           |
| Daniel Burnett,     | George W. King,           |
| Josiah G. Clark,    | Marion County,            |
| Wayren County,      | John Ford,                |
| Henry D. Downs,     | Dougal McLaughlin,        |
| Andrew Glass,       | Hancock County,           |
| From Franklin,      | Noel Jourdan,             |
| James Knox,         | Amos Barnet,              |
| Wilkinson County,   | Wayne County,             |
| George Poindexter,  | James Patton,             |
| Daniel Williams,    | Clinch Gray,              |
| Abram M. Scott,     | Greene County,            |
| John Joor,          | Laughlin M'Kay,           |
| Jerard C. Brandon,  | John M'Rea,               |
| Joseph Johnson,     | LOUIS WINSTON, Secretary. |

Foreign Articles.

GENERAL AFFAIRS.

Mr. Gallatin, minister at Paris, passed through Ghent on the 22d of July, on his way through Brussels to Holland.

Many of the rivers of Europe have overflowed their banks and exceedingly damaged the crops. The general prospect of the harvest, however, was good. The lake of Constance had risen to a very uncommon height, by which great damages were sustained.

A col. Brun, said to have been one of the chiefs in the "Grenoble conspiracy," in France, has been arrested at Genoa, on the eve of embarking for the United States, with some of his associates.— Here we see an operation of the principle applied by the allied powers to the case of Lucien Bonaparte. All laws and usages of nations, as sovereign and independent powers, are made to give way to the personal concerns of kings. If some convulsion does not overturn the present system, history will say that Europe lost her liberties when Napoleon was shipped to St. Helena. But many, and especially the British, are now heartily ashamed of their former talk about the "freedom of the world," as connected with that man's downfall. Slavery, instead of freedom, is the manifest result of it.

ENGLAND, &c.

The British covet more ground in India, and a new war is expected. Lord Amherst has returned home from his unsuccessful embassy to China.

Lord Castlereagh has been bitten by a dog. He was attempting to pat the animal, which, being above bribery or coaxing, turned upon and severely in-

jured his right hand. We have all the *particulars* of the important affair in the London papers.

It is said that captain *Broke*, who commanded the Shannon when she took the Chesapeake, has never recovered from the wound he received in the head at that time, but continues an invalid, and at times, has his mind affected.

In a late Dublin Evening Post a Mr Edward Ball advertises that he "will exhibit, after six days notice, for the sum of 300,000*l.* that long wished for perpetual motion, now going in its rapid velocity, without the aid or assistance of man or beast, springs, weights, or balances, steam, wind or water, or any other visible assistance, and will continue in its rapid velocity as long as a body of any substance lasts. This art, he observes, had hitherto defeated every attempt, but he achieved it at the first trial, with a few minutes study and three hours' labor.

Mr. Sadler, the younger, ascended in a balloon from the Cavalry Barrack, near Dublin, on Tuesday the 22d, at 40 m. p. 1, P. M. and landed about a mile and a half from Holyhead, at 7 P. M. having crossed the Irish channel in five hours and twenty minutes.

*Emigration.*—A late London paper says—"The numerous emigrations from Ireland to the United States of America, are much to be regretted: there are, at this time, three ships at one port in Ireland about to sail—Surely it would have been better, as these persons are determined to quit their native country, to have given them their passage out free of expence, to British North America."

[The emigrations are more numerous from England than from Ireland—the latter seems now to be the least distressed country; not that Ireland is distressed less than she was, but because England is distressed more; thanks to Irish rule in the cabinet.]

*Antiquities.*—In cutting through Gallows Hill, for the purpose of improving the road from this town to Garstang, the workmen this week discovered two coffins, in which, there is no doubt, the headless bodies of two partisans of the Stuarts were deposited, after suffering as traitors, for supporting the doctrines of divine right, or, in modern phraseology, the principle of legitimacy, in the year 1715. No skull was met with in either of the coffins; a circumstance which tends to confirm the tradition, that the heads of the individuals who suffered on this occasion, were exposed on polls in front of the Town-Hall, for some time afterwards. Near the spot where the coffins were found, a piece of timber was also discovered, which, in all probability formed part of the gallows on which the execution took place.

*Lancaster (Eng.) Gazette.*

#### FRANCE.

There are several rumors that the royal family of France has not treated Mr. Gallatin and his lady with the respect due to their situation at the court. It is said that the duchess of Angouleme addressed a few words to Mrs. Gallatin in French, who replied "I do not speak French, princess." On which the princess said, "I do not speak English;" and turned her back on Mrs. Gallatin.

The best bread, of the new crops of grain, was selling in the south of France, at 12*lbs.* for about 20*d.* sterling.

*Laws.*—The following case has occurred:—An English nobleman retired to France to keep clear of the payment of his debts. Among his creditors was a certain Frenchman, a resident of London, who had received letters of denization, and held considerable estates in England, who caused him to be

arrested in France, and he was thrown into a very filthy prison. Bail was refused to the Englishman, as by law bail cannot be accepted except by consent of the creditor. When the case came before the court, it was plead that as the debt was not contracted in France, the action must be dismissed—but it was decided that the debt was due to a Frenchman, and therefore ought to be recovered. The renunciation of allegiance to France, and letters of denization, were then proved—to which it was answered, that a Frenchman could not withdraw his allegiance from his sovereign, &c. so the nobleman remains in jail, and must pay the debt or remain there.

#### BONAPARTE.

At the latest accounts from St. Helena, the emperor was well. He permits no person to visit him but those of his own suite; and very seldom goes out of his house. The measures to prevent his escape seem to have increased vigilance. What a man is this, to terrify all the kings of Europe! How would his escape make the legitimates tremble? Even the "Holy alliance" would prostrate itself before him, and pay its homage to the voice of the people, rallied round his person. How is it that so bad a man as Napoleon is said to be, should have such an influence in the world? Nobody would be frightened about the prince regent of England, if he was held as Bonaparte is. Every body would say—let him loose, what harm can the thing do?

#### SPAIN.

As we anticipated, the brave gen. Lacey was murdered on his arrival at Majorca, by order of Ferdinand. It will be recollected that he was sent to that island that he might be put to death in security.

Letters from Spain mention that 11 men are to be taken from each regiment of the line in Spain to be sent to South America. The whole force will amount to 6000.

#### ITALY.

It is stated in a Paris paper that an English frigate had arrived at Leghorn to take on board five millions of dollars, the amount of the reimbursement made to England by the king of Sardinia for the expences of the war.

#### NETHERLANDS.

The state of the Swiss at Amsterdam, having left their country to seek an asylum in America from starvation, is represented as dreadfully distressing. Many perish with hunger—some have been shipped off at the cost of the city police. They appear to be very numerous. But the account may be exaggerated from *political* motives; for it contains a falsehood, saying "even America will not have any more of these emigrants." America has not refused them, or any others desirous of coming hither.

#### PRUSSIA.

The celebrated mineralogist, Warner, who lately died at Dresden, bequeathed to the king of Prussia his valuable collection of Minerals estimated at 150,000 crowns.

#### SWEDEN.

*Stockholm, July 15.*—Yesterday his majesty sent for the hereditary prince Oscar, in order to take his seat next his majesty in the council of state, and in future to be present at its deliberations. The hereditary prince was introduced by the crown prince, his father, upon which his majesty addressed him in the following remarkable and excellent speech:

*My Grandson.*—It is a solemn and effecting moment for me, when I see you take the place at my



side, in which you are to witness the deliberations upon the welfare of the people whose future fates heaven has determined to be your care. My age and infirm health do not allow me to say on the occasion all that my tenderness for you, and my long experience make me desirous of expressing. I will merely remind you, that you will one day become the chief of two free nations. Show them by your respect for their rights, how you would have them respect yours. It is the constant equipoise between these rights that in free states produces order and strength, and it is the part of the sovereign by justice, humanity, courage and judgment, to direct and develop this principle for the highest object—the general welfare. Never forget, my grandson, that I this day impose upon you a sacred and cherished duty, namely, that of paying when I shall be no more, my debt to your father for all the warm love, the kind attention, and the unwearied tenderness which he has shown me from the very first hour of his connexion with the kingdom. Be to him what he is to me; be his support as he is mine; press your heart to his, as he presses himself to mine. My country, your father and you, this, my son, is what you shall read in my countenance as long as my heart shall beat; but when my voice, already faint, shall have become for ever silent, may the Almighty protect, thee; may he guide thy steps according to his laws, and permit thee, in the course of ages, to behold from higher regions thy name, the honor and the delight of the earth.

The crown prince also made in this a solemn address to the king and to the prince, his son.

#### TURKEY.

*Constantinople, July 29.*—The representation of the Russian minister, count Von Stroganoff, which was founded on the most reasonable and just demands of Russia, seem not to have led to any thing decisive in the divan. The influence of the grand Vizier over the Reis-Effendia and the Tefterdar, had hindered it. The Sultan, who, on the other hand, earnestly desired a good understanding with Russia, addressed on the 3d of March to the grand Vizier the following energetic and remarkable rescript.—

*Halti-Sheif.*—“There have been many and long deliberations already held upon the note which the Russian Ambassador has delivered; yet no journal of your sittings has yet been laid before us. It is now about 40 days since this business was laid before you for discussion. Why have you not yet come to any resolution upon it? From this delay we must believe that you employ yourselves in your sittings only in things of no consequence.—Will you then wait till the Russian Ambassador is angry, and proceeds to threats? If you believe that war is unavoidable, think on the means of defence; show us minutely the necessary causes of war, and the extent of the resources which you will employ. But, on the other hand, if time and circumstances do not allow us to undertake a war, prevent the discontent of the Russian Ambassador as soon as possible by a suitable answer.”

The impression which this rescript made on the Divan was easily to be foreseen. It gave occasion to a second, which was in the following terms:—

“As my ministers, after mature consideration of all the circumstances, have considered it necessary to give up all thoughts of war, and embrace the wise part of reconciliation, it is absolutely necessary that the conferences should be immediately opened, and that the note in question should be delivered without delay by the Reis Effendi to the

Russian Ambassador; but the greatest care must be taken that this note be well and clearly drawn up; and not like the first, in which there was no sense at all, in order to give Russia to understand that it is our intention to arrange matters amicably.”

The inclination of the grand Seigneur to peace, and this decisive language, were sufficient to cause the fall of the opposite party. The grand Vizier received a severe reprimand, but his instrument, the Reis Effendi, was disgraced, and his office given to the Djanil Effendi, a man who has already frequently filled that place.

#### EAST INDIES.

The following vessels have been built at Bombay for the service of the British government.

	Guns.	Guns.
Minden,	74	Zebra, brig, 18
Cornwallis,	74	Sphinx, do. 10
Wellesley,	74	Camelion, do. 10
Melville,	74	besides the Achar, 36
Salsette,	36	and Ceylon of 28
Doris,	36	transferred from the
Amphitrite,	38	company to govern-
Victor, brig,	18	ment

The head builder is Jamsejee Romanjee, a native of the country. The Melville 74 is just finished—“she is the first ship built at Bombay on the plan of binding or attaching the beams with wooden chocks and iron plate knees, thereby avoiding a great expenditure of crooked timber.”

#### BARBARY STATES.

The bey of Tunis is said to have hung the capt. of one of his corsairs with the *flag* which he compelled a British vessel to strike.

#### BRITISH AMERICA.

A Boston paper observes.—Some documents lately published by the English parliament make it clear, that the British colonies in America are much harder bargains to the mother country, than generally is supposed; and that she is grossly imposed upon in the charges for their support. *Per example*—The annual charge of the *civil* government of Nova Scotia (to say nothing of the military charge) is 30,440l. sterling (upwards of \$135,000.) Now, Nova Scotia is not one third so extensive in territory as Massachusetts, and has not one ninth of her population; yet the above is larger than the *whole annual tax* of Massachusetts for the support of all her departments!

The civil expence of New Brunswick is 6250l. of Upper Canada 11,335l. and the other dependencies in proportion. Bating the article of *pride*, Great-Britain reaps every little benefit from these colonies; and she would be a gainer in the end (besides removing a cause of war in a future day) were she to declare them independent or cede them to the United States. As economy is the order of the day in England, who knows what may happen!

*Fishing vessels restored.*—By a decision in the admiralty court this day (says a Halifax paper of the 29th ult) the twenty sail of American fishing vessels brought into this port on the 17th of June last, by H. M. S. Dee, captain Chambers, are to be restored to the claimants.

They (the claimants) to *pay costs*—which will *not be heavy*: the king's advocate (R. J. Uniacke, esq.) having relinquished his fees on the occasion. An appeal, however, it is said, will be entered on the part of the captors—the original owners taking their vessels on bonds to meet the event, which will probably be decided between the two governments, Great Britain and the United States, as a matter of public interest.



## HAYTI.

There was exported from cape Henry, in seventy one vessels, from the first of January to the 10th August, 17,084,000 livres worth of sugar and coffee.

*Cape Henry, August 13.*—The funeral service of his late royal highness FRINCE JOHN, duke of Port-Margot, was performed yesterday in the Metropolitan Cathedral church, by a great concourse. The grand dignitaries of the kingdom, and the officers of the civil, administrative, and judiciary bodies, attended it in deep mourning. The church was hung with black, and the coffin placed in the middle of a magnificent *Catafalque*, raised for the purpose, and encompassed by thousands of wax-candles.

The right rev. father Jean-de-Dieu Gonzales, almoner to the queen, performed a grand mass for the dead, and pronounced with great unction and eloquence the funeral sermon of the deceased. The auditory were sensibly touched; sorrow was depicted in every countenance; the remembrance of a loss so recent and so considerable as that just sustained; the sight of the remains of the object of their encomium; the sanctity of the place; and the sacred furniture, combined to give this religious ceremony, a gloomy and melancholy aspect.

Prince John, nephew to the king, grand marshal, grand admiral, grand cross of the royal and military order of St. Henry, died at the waters of Port-a-Piment, in the 37th year of this age. Endowed with the greatest bravery hereditary in his *august* family, his continual regrets during his long indisposition were, that he could not employ his time and his care in the service of his prince and his country, and pour out his blood for the objects of his affections; and we are sure, that was the only regret that disturbed his last.

Eminently patriotic, his last words were: Let Haytians combat with their last breath for liberty and independence, and be rather all exterminated than return under the yoke of their oppressors.

His body was embalmed, and transported to Gonaves.

The Royal Haytian Gazette contains the address of a certain Louis Lubin to "the men of color of the south and west" inviting them to leave the service of *Peñon*, "and the injustice under which they groan" and seek safety with king Henry, "the *legitimate* chief," as he himself had done; "who welcomed him as a stray child coming to his paternal home."

## SPANISH-AMERICA.

The privateer Congress, has captured two Portuguese Indiamen—the ships *Gras Para* and *Carolina*. The Portuguese will repent their attack upon Monte Video. Their commerce, as well as that of Spain, is suffering excessively by the Buenos Ayrean privateers.

We have accounts that the people of *New-Granada* have rallied again and gained an important victory over the royalists on the plains of Casanare, killing their general and many other officers.

Five men have been taken up at Boston, and examined by Judge Davis, of the U. S. district court. It appears that they belonged to the Buenos Ayrean privateer Congress, capt Almeida; who having captured a Spanish ship from Havana for Tenerife, laden with colonial produce of great value and 60,000 dollars,—which last were taken out and the ship manned with a prize crew and ordered for Buenos Ayres. But, that finding the ship unfit for such a voyage they bore away for the United States, into which, it so would appear, they may have smuggled a part of their cargo. After the privateer had left them they discovered another large sum in specie,

the possession of which led to a suspicion of them. The Spanish ship was supposed still to be off the coast—and is said to have been seen with many small vessels near her. The men were committed for trial at the court to be held in October, and the specie in their possession (5000\$) ordered to await the decision then to be made.

Our accounts from Margareta and the Main are so contradictory, that we reject them altogether.

It is understood that Morillo has received orders from Ferdinand, to murder every inhabitant—*man, woman and children*, of the island of Margareta—which, however, it does not appear that he has yet conquered. We trust that he never will. "PERISH THE INVADERS."

*From the Porto Rico gazette, 17th May, 1817.*

## CARACAS.

By Don Manuel Vincent de Maya, priest, doctor of both rites and of the holy divinity, principal canon of his holy metropolitan church, counsellor of the Tridentine seminary, syndical examiner, professor, vicar general and governor of the archbishopric in absence of the most illustrious lord, Dr. D. Narciso Coll y Prat, most worthy archbishop of this diocese, one of the counsel of his majesty, &c. &c.

To all believers in Christ, living and inhabiting in this diocese, greeting in the Lord.

Our most holy father, Pius VII. pope, has been pleased to direct to the venerable clergy, both secular and regular, of America, a letter of exhortation, of which we give you a literal copy as follows:

"To the venerable archbishops and bishops, and to the beloved sons of the clergy of America, subject to the catholic king of Spain—Pius VII. pope: Venerable brothers and beloved sons, greeting with our apostolical blessing:

"Although we are separated by immense spaces of land and water, we are well acquainted with your piety and your zeal in the practice and preaching of the most holy religion you profess, one of the principal and most beautiful precepts of which, enjoins submission to the superior authorities. We do not doubt that, amidst the disturbances of those countries, which have been so bitter to our heart, you have not ceased to instil into the minds of your flock the just and steady hatred with which it ought to regard them. Notwithstanding our being in this world the representative of the God and peace—who announced by his angels at the moment of his birth that he was coming to deliver the world from the tyranny of the devils—we have thought it incumbent on our apostolical duties, (howsoever unworthy we be of the occupation of them) to admonish you more and more by this letter to spare no exertion to root away and destroy completely the fatal causes of troubles and rebellions which the enemy of mankind has sown in those countries.

"You will easily obtain this very holy object, if each of you demonstrate to every individual of your flocks, with all the zeal in your power, the terrible and awful destruction arising from rebellion: If they represent the illustrious and singular virtues of our most beloved son in Jesus Christ, Ferdinand, your catholic king, who holds nothing more valuable than religion and the happiness of his subjects: And lastly, if they bring to their view the sublime and immortal examples which the Spaniards have given to Europe, in overlooking their lives and fortunes, in order to show their invincible attachment to their faith, and their loyalty to their sovereign. Endeavour, then, venerable brothers and beloved sons, to correspond with pleasure to our paternal exhortations and wishes, by recom-



mending with the greatest steadiness the fidelity and obedience due to your monarch: Render the greatest service to the people entrusted to your care: you will so increase the affection which your sovereign and ourselves profess towards you; and your pains and solicitudes will in the end obtain the reward promised by him who pronounces blessings on the peace-maker, as on the son of God.

"Meanwhile, venerable brothers and beloved sons, after assuring you of the most complete success in so illustrious and fruitful an enterprize, we give you with the greatest love our apostolical blessing.

"Given in Rome, in Santa-Maria Maggiore, with the fisherman's seal, the 30th day of January, 1816—of our pontificate the sixteenth.

#### DOMINGO FESTA."

[The above, though dated more than a year ago, has only just found its way to the public—we are indebted for the translation to the *Columbian*. It is an improper interference—the practice of mingling ecclesiastical with secular affairs, has produced more evils than were fabled to have been confined in Pandora's box, and been the great bane of religion itself; but there is a mildness in this bull very different from those which used to be thundered from Rome, and for so much we are pleased with the reformation.]

#### MEXICO.

A letter from New Orleans states, that the marquis de Moncada, one of the most influential characters in Mexico, has placed himself at the head of 10,000 republicans. Gen. Mina is going on prettily well in Santander.

#### FLORIDA.

We have accounts from Amelia island of the 6th inst. The dream of conquest is ended. Col. Posey and Parker resigned on the 4th, and on the 6th, *McGregor*, himself, abandoned the expedition, and embarked on board his brig with his family, &c. The temporary command devolved on Col. Erwin; his remaining force was less than 100 men, an attack from the Spaniards was immediately expected. Whether a battle would be risked or not was uncertain. The U. S. brig *Saranac* had arrived off *St. Mary's*, and was to be stationed there—These are the facts—the particulars we suppose, will reach us hereafter.

### Statistical scraps, &c.

*Sale of Public Lands.* By accounts from Washington, we learn that the public sales of Alabama lands, at Milledgeville, Georgia, from August 4 to 23, amounted to 647,371 dollars 94 cents. The quantity sold was about 121,000 acres at prices from two dollars to seventy; the greatest part at two dollars. The average price was about five dollars thirty-five cents an acre.

*Improvement in Bedsteads.*—Every housekeeper who has had frequent occasion to take down bedsteads, and again to put the parts together, well knows the trouble of this process, and that frequently screw drivers are mislaid, or the screw heads so worn, as to increase the difficulty. To all such it will be pleasing to learn, that an improvement has been for some time used in England, and is now introduced into this city, by which all the former inconvenience is obviated. It consists simply of a set of cast iron *dove-tails*, which are firmly screwed on the several joints of the bedstead. Those who put up a bedstead have no more to do than to drop each part of the frame into its corresponding socket, all which is the

business of only one or two minutes. Another advantage of this improvement is that most of the crevices and all the holes which bugs frequent are dispensed with.—*N. Y. Com. Adv.*

*Bank of Newfoundland.*—Captain Leslie, of the ship *Persia*, arrived at New-York, informs that he has ascertained, by repeated observations, that the grand bank of Newfoundland, in latitude about 45° 1-8 N. is only two degrees broad instead, of four, as laid down in most charts. The eastern edge in that parallel, being in longitude about 49°, 12m. west, and the western in about 51° 12m.

*ASIATIC MOUNTAINS.*—The heights of the principal Himalaya mountains hitherto inaccessible to Europeans, and long supposed in India to be the most elevated in the world, have been lately measured by observations; the mean results are nearly as follows:

	Eng. feet.
Dhawalagiri, or Dholagir,	26,462
above the sea,	26,852
A mountain supposed to be Dhaibur, (above the sea,)	24,740
A mountain not named, (above the sea)	22,769
Ditto, (above the valley of Nepal, which is 4,600 higher than the sea)	20,025
above the sea,	24,625
Another near it (above the valley of Nepal	18,662
Above the sea,	23,262
A third in its vicinity, (above the valley of Nepal,)	18,452
above the sea,	23,052

The Himalaya chain is visible from Patna on the southern bank of the Ganges, as a continued well-defined line of white cliffs, extending through more than two points of the compass, at a distance of about sixty leagues, while at an equal distance, Chimborazo, the highest of the Andes, is seen at a single point, the rest of the Cordillera being invisible. The peak of Chamalisi, near the frontiers of Thibet, is visible from various stations in Bengal, the most remote of which is not less than 232 English miles.—*Chr. Ob. June 1817.*

*STEAM-BOATS.*—Captain *Stiles*, the respected and excellent mayor of Baltimore, has started his steam boat, *Surprise*, as a packet to run to and from several places on the Chesapeake bay. Her engine is propelled on the "rotary motion, and she moves with more ease and swiftness than any steam boat in the United States." The construction is so simple that, it is said, independent of the boilers, the machinery will not cost more than one-tenth of the usual expence of machinery constructed in the ordinary manner.

*BOTANY.*—M. Humbolt, in the introduction to his new *Genera and Species of Plants*, has computed that the ancient Greek, Roman and Arabian writers have not named and described above 1406 plants; there are now reckoned 38,000 in the different quarters of the world; in Europe 7000; in the temperate regions of Asia, 1500; in Asia, near the tropics and islands, 4000; in Africa, 5000; in the temperate regions of both Americas, 4000; in America, between the tropics, 13,000; in New-Holland and in the isles of the Pacific Ocean, 3000—total 38,000.

[*Jour. du Com.*

*Northampton, (Mass.) August 20.*—In passing through the upper part of the town of Hadley, on Friday last, the attention of the traveller was invited to a very pleasing exhibition, though rarely, if ever before seen, in this part of the country.

On a fine afternoon, in a field of about 20 acres, pleasantly situated on the western declivity of Mr. Warner, were seen thirty-seven reapers all in hand.

some order, led by two aged gentlemen, both rising of seventy, who were followed by their children, grand-children and neighbors, assembled to offer this tribute of affection to the owner of the field, for occasional services gratuitously rendered in his profession.

One of the gentlemen mentioned was followed, I was told, by four sons, ten grand-sons, and two sons-in-law.—Led by curiosity, to ascertain the breadth of the work which they carried, I found it to be fifteen rods. At evening I understood the greater part partook together, with cheerful hearts, of refreshments provided for them, and retired at a seasonable hour, in the most perfect harmony, sobriety and good order.

All belonged to a neighborhood of about a mile in extent.

D. HUNTINGTON.

*Uncommon Perseverance.*—The Worcester (Ohio) paper informs us, that Joseph Eicker, having penetrated through a rock *four hundred and forty feet*, has at length obtained salt water, so strong that 100 gallons will yield a bushel of salt. An idea is prevalent in the western states that salt water may be obtained at any place by penetrating the earth to a certain depth; and that when the crust, as they term it, which covers the salt strata, is broken the water will rise to the surface. It must be confessed that facts and experiments seem, in a measure, to warrant the correctness of this theory.—Salt water has been found in a great many places, where no indications of it appeared upon the surface, by boring through the rock to a certain depth. The vast salt works upon the Great Kanhawa, are supplied from 300 perforations through rock, to the depth of from 150 to 400 feet. Successful attempts have been made in various other places. A gentleman, from Lake Erie, informs us that an individual has expended about 4,000 dollars in boring upon the banks of that lake. He penetrated more than 300 feet, when his means were exhausted; but so strong was the confidence of success on penetrating 400 feet, that a subscription was filing to enable him to complete it. We do not remember to have heard of any instance, before, where the experiment was persevered in to the depth of 440 feet.

*Unparalleled perseverance.*—The Chatauque Gazette informs us that Mr. Jesse Buffington, of the town of Portland, in that county, has perforated a solid rock to the depth of *five hundred and thirty feet*, in quest of salt water. As yet he has not attained his object, but perseveres with confidence of final success. He has expended about 4000 dollars.

[*Albany Register.*]

*EXPERTNESS OF SEAMEN.*—From the *Boston Patriot*. The gallant captain Harper, of his majesty's ship Wye, after having captured a small fishing schooner belonging to Newcastle, in N. H. and got her safe into Digby, fearing that the crew would retake her, had her dismantled, by taking out the masts and unhooking her rudder. The operation, with the assistance of his officers and crew, was performed in one hour and three quarters. When the schooner was dropping astern of the ship, the officers, who were looking at her over the railing of the quarter-deck, and laughing at her naked appearance, sneeringly asked one of the fishermen, if he thought the yankees could strip a vessel so expertly. The fisherman replied, he thought it had been done in a short time for them—but, said he, I once assisted in taking three masts out of your frigate Java, and we did it in just half the time.

*Hindoo opinion.*—The New-York Daily Advertiser contains a letter from Jouranain Ghoshaul, a Hindoo

of distinction, to the British bible society, dated Benares, April 26, 1810; of which the following is an extract:—

"To the committee of the bible society.

"Honorable Sirs.—I am no Christian, nor wish to be one, as my own pure religion, which we call Reestobe, or the worship of one eternal God through a Saviour, whom we call Garoo, or Krishnoo, is enough for us, if we could do the duty incumbent on us well; and I think a good and real christian and a Hindoo Reestobe, are the same; also I think Christ and our Krishnoo are one person."

#### LIFE OF KING HENRY VIII.

FROM THE MEMOIRS OF WM. SAMPSON, ESQ.

He was born in 1491, and began to reign in 1509. He raised his favorites, the instruments of his crimes from the depth of obscurity to the pinnacle of grandeur, and after setting them up as tyrants, put them to death like slaves. He was pre-eminent in religion; first quarreling with Luther, whose doctrines he thought too republican, he became defender of the catholic faith, and then quarreling with the pope; who stood in the way of his murders, he was twice excommunicated. He made creeds and articles, and made it treason not to swear to them; he made others quite opposed to them, and made it treason not to swear to them; and he burned his opponents with slow fire. He disputed with a foolish school master on the real presence, and burned him to convince him. He beheaded bishop Fisher and Sir Thomas Moore, for not swearing that his own children were bastards. He robbed the churches, and gave the revenue of a convent to an old woman for a pudding. He burned a lovely young woman, (Anne Ascue) for jabbering of the *real presence*.

He was in love as in religion, delicate and tender. He first married his sister-in-law, and because her children died, divorced her, married her maid of honor, and made parliament and clergy declare he had done well. He beheaded the maid for letting her handkerchief fall at a tilting, and two or three gentlemen with her to keep her company, threw her body into an old arrow case, and buried it therein, and the very next day married a third wife, and his parliament and his clergy made it treason not to say it was well.

He next proposed to Francis I. to bring two princesses of Guise, and a number of other pretty French ladies, that he might choose a fourth wife among them. The French king was too gallant to bring ladies to market like geldings, so he fell in love with the picture of a Dutch lady, and married her without seeing her. When she came, he found she spoke Dutch, and did not dance well. He swore she was no maid, called her a Flanders mare, and turned her loose; and as he had destroyed cardinal Woolsey, when he was tired of his former wife, so he beheaded Cromwell when he was suited with this one.

He married a fifth wife, with whom he was so delighted that he had forms of thanksgiving composed by his bishops and read in the churches, and then condemned her, her grand mother, uncles, aunts, cousins, about a dozen in all, to be put to death. Having done all this, and much more, he died of a rotten leg, in the 38th year of his reign, and in the 56th of his life, a royal *peep-of-day boy*, and a very memorable brute.

#### CHRONICLE.

The president of the United States returned to the seat of government on Wednesday last, having completed his tour of observation. He was received



ed in form by the people and conducted to the house prepared by the nation for the residence of its chief magistrate, now sufficiently repaired of its Gothic damages to accommodate him and his family; though not yet wholly finished or furnished.

*The marine corps.*—It will be recollected that a court martial lately decided on its own incompetency to hear and decide upon certain charges made against lieutenant-col. Wharton, of the marines; and the *National Intelligencer* of Saturday last says—"The army court martial, convened in this city for the trial of certain charges preferred against an officer of marines, yesterday adjourned *sine die*, having decided, under the 63th article of the rules and articles of war, that they were incompetent, alone, to try a marine officer, though officers of the army might be placed on a court with marine officers for that purpose. This appears to be a question heretofore undecided, and which it may prove beneficial to the service to have now definitively settled."

*Naval warfare.*—A volume in boards with plates, price 20s. has just been published at London to "conquer facts by argument" and show the superiority of the British in their war with the United States, by sea.

*Mediterranean squadron.*—Capt Cox, arrived at Norfolk from Gibraltar, informs, "that the United States sloop of war *Peacock*, Capt *Rodgers*, arrived at Gibraltar some time in June last, from Algiers, for the purpose of procuring provisions: as the plague was known to be raging at Algiers, the *Peacock* was compelled to ride quarantine, and it so happened that when she was permitted to have communication with the shore, there was not an article of salt provisions to be purchased in the whole port of Gibraltar. Immediately, however, at the request of the American consul, the governor of that place, Gen. Dox, supplied Capt *Rodgers* with whatever he required, out of the public stores, requiring only that the same should be replaced by our consul as soon as convenient. The *Peacock* sailed from Gibraltar up the Mediterranean, on the 28th of June.

The conduct of Gen. Dox, in this instance, accords with his usual deportment to our countrymen, which we have frequently heard spoken of in the warmest terms of commendation."

We have seen a letter from a gentleman at Gibraltar says the editor of the *New-York Gazette*, dated June 21, stating that the writer had conversed with an officer belonging to the United States ship *Peacock*, just arrived at that place from Algiers and Tunis. From the latter place they had brought our consul, Mr. Anderson, who was induced to leave there, owing to his having been treated in a manner that would not justify his remaining longer the representative of the United States.—The bey, for some time previous to his departure, would not allow him to come into his presence, in consequence of his refusing to kiss his highness' hand. He has also detained there an American citizen, for demanding payment for property sold his highness' to the amount of several thousand dollars. The *Peacock* left them getting their fortifications in order, and it is the general opinion that there will be a brush with them, soon after her joining the squadron at Marseilles. She will sail as soon as she can get in a supply of provisions and water.

[The editor of the *National Advocate* doubts the above report, at least as to any offence being taken at the ceremony of kissing hands, which has been constantly observed at Tunis by the agents of every civilized nation. "We should rather imagine, that the cause was unlawfully imprisoning an American

citizen, as violating our treaty in some shape. Mr. Anderson is a very efficient, and, we believe, spirited officer, and therefore, not disposed to submit to any national insult. The present bey of Tunis is a very quiet respectable man, and not in the least, disposed to quarrel with us; he has however two sons that are finished rascals, and who, unfortunately, have great influence in that government. We can make no further impression on the Tunisians than to capture their squadron, which is extensive, and to blockade their ports, as there is not a sufficient depth of water for our large vessels to approach sufficiently near to their principal fortress; and the city of Tunis is near eight miles from the sea. They have much to lose, however, in a contest with us; and we have something to gain, not only by the formation of a new treaty, more honorable than the present one, but by destroying a very extensive commerce which is carried on with that power".]

*United States' six per cent. stocks* have sold at 110, during the present week, in Baltimore!—The cause of this is a foreign demand. Our's are the only stocks in the world above par; our's is the only civilized government that is not borrowing money.—How glorious is the "tide of successful experiment!"—how sweet the practical evidence of the fact, that man is best fitted to govern himself!—May we cherish our republican institutions, and every day be strengthened in our love of them.

*Cash*—The specie for the U. States' bank, agreeably to the late arrangements made in Europe, is rapidly pouring in from London, Lisbon, and the West Indies. 800,000, or a million, of dollars arrived within the last 8 or 10 days, for the bank, besides considerable quantities to private individuals.

Died, at Westport, Ms, on the 7th inst. Paul Cuffee, a very respectable and well known man of color, as a merchant, sea-captain, and philanthropist. He was a member of the society of Friends, or Quakers, and much esteemed by all classes of people, for his morality, truth and intelligence.

*Shameful.* It is stated that a concert "under the patronage of several respectable gentlemen" is to be given at Philadelphia, at "the superb rooms of Washington Hall" for the benefit of Mary Baker, or Miss *Carraboo*, the infamous impostor, that lately arrived there from England. We hope this is not true. If she must have a concert, let it be held in some place fitting her character and conduct; not in *Washington Hall*.

*Plattsburg, Sept. 6.*—It has long been regarded of the first importance to the interest of the northern section of this state, that the intercourse between lake Champlain and the river St. Lawrence and lake Ontario, should be facilitated by good roads. The events of the late war have forcibly demonstrated the necessity of a good road from this place westward, in carrying on a frontier war. And it is with much pleasure we state that this work is going on, in pursuance of orders from the president of the United States, as mentioned in our last paper.—About 230 of the 6th regiment, under the immediate command of Lt. col. Snelling, have been engaged with the utmost zeal and activity, since Friday, the 29th ult. The troops will work until the 1st of November, and it is calculated that 16 miles of the road will be completed the present season. It is the determination of the officers engaged in this service, to make a permanent road—one that shall do honor to the regiment, and be of service to the country, and as far as they have already gone this determination has been rigidly adhered to.

# NILES' WEEKLY REGISTER.

NEW SERIES. No. 5—VOL. I.] BALTIMORE, SEPTEMBER 27, 1817. [No. 5 - VOL. XIII. WHOLE No. 317

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM. PAYABLE IN ADVANCE.

For an explanatory address respecting the agencies of the WEEKLY REGISTER, see page 69. It is of some interest to many of them, and I hope it will be generally read by my subscribers.

The editor, again, most respectfully tenders his thanks to the gentlemen that have so liberally met his request about forwarding their subscription-money in advance. The relief thereby afforded is easier felt than described; though its happy result, if universally adopted, is yet but partially experienced. He hopes that all may be immediately induced to follow so good, so kind, an example; and that he may be prevented the necessity of stopping the papers of any, through their own neglect; for he feels pretty confident that none of his friends will seriously object to help him on the present occasion. To conduct a paper like this, as it ought to be conducted, its editor should have a mind at ease; which he may easily have—if his subscribers will it.

Upwards of sixty new subscribers are gratefully acknowledged to have been received in the present month. There is reason to believe that twice that number will be received in the next four weeks.

**PAOLI MONUMENT.** A pious act has been performed. An appropriate monument has been erected over the remains of those who "fell a sacrifice to British barbarity," at Paoli, in the night of the 20th September, 1777.

We have been furnished with what may be esteemed as an official account of the ceremonies, &c. that took place on this interesting occasion, with a description of the monument. We offer our thanks to the gentleman that communicated it, but have to regret that it did reach us in time for this paper. It shall be published in our next.

"NILES vs. COBBETT."—The editor of a paper published at Petersburg Va. called the "American Star," has inserted my letter to Mr. Cobbett, and directed the attention of his readers to it by the following remarks:—"Mr. Niles, it seems, has thrown the gauntlet down to the formidable Mr. Cobbett. Should the latter take it up, the political world may look for rare sport, in the contest that will ensue betwixt these veteran *chevaliers de la plume*. When Weekly Register meets Weekly Register, "then comes the tug of war." But who knows, (considering the good understanding heretofore existing betwixt these two gentlemen) but this is only the beginning of a mock fight, concerted betwixt themselves, to promote the sale of their respective Registers?"

The editor of the "Star" is pleased to insinuate an *ingenuity* to me far beyond my deserts. My calculation rather went to the opposite side. I never have had any private correspondence whatever with Mr. Cobbett, except one letter to and one from him, when in England, respecting an exchange of the volumes of our REGISTERS. Nor do I know that I have "thrown the gauntlet" to Mr. Cobbett—I have only professed a willingness to take up that which he had thrown down—and to attempt to vindicate my country against his attacks upon it; and I thought that peculiar circumstances imposed this as a duty upon me.

VOL. XIII.—4.

## Error of Punctuation.

The following letter from Com. PORTER to the editor, affords a singular demonstration of the importance of a correct punctuation.

That gallant officer is kind enough to believe that the error did not originate with us. This is the fact. The letter referred to was copied from the *National Intelligencer*, of July 19, 1814—on turning to which we find that it was copied correctly. The error, most probably, was made in the hasty transcription of the official letter for the press; and it has such a character that no man, without a knowledge of the facts of the case, could detect it.

We are glad, even at this late day, to be the instrument of an act of justice to the parties concerned.

Washington, Sept. 24, 1817.

SIR—In page 352, Vol. VI. of your Register, I discover an error in the publication of a letter from me to the secretary of the navy, dated New York, July 13th, 1814. As it stands now, I am made to say what it was very far from my intention to say—and to assert what it would not be correct for me to assert. I am very far from wishing to do an injustice to com. Hillyar, (who I believe to be one of the most honorable of British naval officers); but in its present shape it would appear that he has said, what he never, to my knowledge, uttered. I must beg of you to correct the error as far as may be in your power. The sentence of which I complain, beginning at the fourth line, should run thus:

On com. Hillyar's arrival at Valparaiso, he ran the Phœbe close along side the Essex, and enquired politely after my health. Seeing that his ship was cleared for action and his men prepared for boarding, I observed, "sir," &c. &c.

The mistake did not, I am sure, originate with you—and the reason why I make this request of you is, that as the error is, by means of your paper, likely to reach posterity, I wish the correction to go with it.

With great respect, your obedient servant,  
D. PORTER.

H. Niles.

## Retrograde Politics.

In some of the great principles which ought to distinguish us as a nation of republicans, we appear to have retrograded within a very few

\*The sentence as originally published reads thus—"On commodore Hillyar's arrival at Valparaiso, he ran the Phœbe close along side of the Essex, and enquired, politely, after my health, observing that his ship was cleared for action, and his men prepared for boarding. I observed, sir, if by any accident, you get on board of me, I assure you that great confusion will take place; I am prepared to receive you, but shall only act on the defensive."—[Com. Hillyar disavowed any such intention, &c.]



years—though in many, and, perhaps, in the most material points, we have much improved within the last *two or three*: but I would that we were every way consistent and perfect in a *national character*. It seems that no absurdity can be got up in *England*, without having its disciples here—from the doctrine about the “legitimacy of kings,” to the almost as contemptible affair of “*Miss Curraboo!*”—We seldom heard any cant about the former until very lately, when we learnt it from lord *Castlereagh* and the rest, who have labored so much to “*restore the liberties of Europe!*”—I have asked several old men concerning it, and they all agree, that no man, during the revolution, ever dared to breathe any thing about it, without a *suspicion*, almost amounting to *proof*, that he was an “*incorrigible tory.*” The right of a people to change their rulers was solemnly recognized by the declaration of Independence, and supported by *Washington* in the field and *Franklin* in the cabinet, as a “self evident truth,” at the risk of their lives and fortunes. Nay, in the early political discussions of my own short life, I do not recollect ever to have heard it mentioned, as being seriously believed in by an American, that there was such a thing as a “divine right” in kings—now so openly advocated as to have become a common talk of the day. The doctrine was rejected by *Washington*, during his presidency, by his prompt reception of a minister from the French *republic*. The first president of the United States was not a man that acted hastily, nor was he led away by enthusiasm.—Few persons ever weighed cause and effect with more coolness than he did—and he plainly saw, that to maintain a “divine right” in *Louis* to the throne of France would be to *illegitimize* himself, and make out his countryman a nation of *rebels*, of which he was the chief. A consciousness of his own rectitude, and a reverence for the holy cause of revolution, forbade any leaning to it, and, as on all other occasions, he rejected it. I well recollect when the French minister *Adet* presented to him the tricolored flag, three years after the death of the king. He received the emblem of liberty *tearfully*, and replied to the address of the minister in terms that ought to shame all that have since prated of “legitimacy.”—An extract from that reply is annexed, for the use of those that cannot immediately refer to it: it possesses a degree of *animation* seldom to be found—hardly any where else, perhaps, to be found, in his speeches, addresses or correspondence. The nonsensical stuff was mainly *imported* when *England*, hard pressed by *Napoleon*, first raised the *halloo* to alarm the princes of the continent, and made tools of the Spaniards to fight her battles against him. All then became “patriots” who took part against the emperor of France, and *legitimacy* was their rallying word. *England*, who had murdered one king

and kicked two others out of house and home, and is now governed by a family whose claims to the throne are built upon the “usurpation” *vi et armis*, of the assassin of the *clan of Glencoe*, William III—set herself up a champion for a “divine right” in them; and she was not wanting thousands in *republican America* to feel a deep interest in *this*, her cause. Where are the “Spanish patriots”—“the immortal men, that earned for themselves the applause of the world?” The weak, but wicked and perjured thing they fought for, violating not only his oaths, but bursting every bond that fastens society together, has secretly murdered them, or given them up his accursed *inquisition*, to be racked to pieces, for having served his cause.

*Gouverneur Morris* has the credit, if there is any credit in it, of having been the first man in the *United States* (I know of) that fairly, openly, and *fully* acknowledged the “divine right” of kings. Every body has seen his mad oration about the restoration of the *Bourbons*, delivered before a numerous assemblage of the people of New York. Every principle held forth in that oration is libellous of the *United States*, and of all that participated in our revolution—in some degree, libellous even on its author himself. With a consistency in right, he might have rejoiced at the fall of *Napoleon*, and the raising up of *Louis*; the choice betwixt the two was a matter of opinion; but to prefer the latter on account of a supposed superior claim to the throne by reason of his *birth*, was monstrous, and ought not to have been listened to by an *American* audience.—But how have such *notions* spread since that day, because they have the more and more prevailed in *Europe*?—Are we forever to *import* ideas of “religion and law” from *England*, as we do pins and needles; and follow the lead of her corrupt and corrupting government, in all its twistings and turnings? Really, it seems high time that we should set up for ourselves; or, at least reject such foreign *wares* as are incompatible with the system of things we profess to admire. I say *PROFESS*—for no man can any more recognize the principles of the *constitution of the United States* AND the *claims of legitimacy*, than serve God and the devil. It is not our business to dictate a form of government for European nations—“let them manage their own affairs in their own way;” but it is a solemn duty on us to oppose the introduction of any set of opinions that are hostile to the stability of our own, under which we have prospered beyond example. No man becomes instantly vile; but, familiarized with crime by conversation, he, daily, becomes more and more willing to act in it. Even death itself loses its terrors by frequently witnessing it; and a soldier may become *mechanically* brave just as a person learns the trade of a carpenter or shoemaker. Hence the danger of

those opinions, and the frequent necessity of exposing their madness and folly. Good may result from the prevailing evil—for the time must come when if a person shall speak of a natural right in one man to govern millions of others without their consent, all the rest present will affirm it to be as correct as that—“the moon is made of green cheese.” Treating it as a thing to be laughed at—or listening to it only as “the tale of an idiot twice told.”

*Extract from president WASHINGTON'S reply to the minister of the French republic, Adet—on his receiving the national flag, presented by order of the French republic.*

“To call your nation brave, were to pronounce ‘but common praise. Wonderful people! ages yet to come will read with astonishment the history of your brilliant exploits!’

“I rejoice that LIBERTY, of which you have been ‘the INVINCIBLE DEFENDERS, now finds an asylum in the bosom of a regularly organized government.—On these GLORIOUS EVENTS, accept, sir, MY SINCERE CONGRATULATIONS.

“In delivering to you THESE SENTIMENTS, I express not my own feelings only, but those of my fellow citizens, in relation to THE COMMENCEMENT, THE PROGRESS AND THE ISSUE OF THE FRENCH REVOLUTION.”

☞ Observe—there is nothing in this about “regicides”—the hobby-word of a certain class of politicians of the day.

## Naval Anecdotes.

GENUINE AND ORIGINAL.

[I have inserted many national anecdotes—not to raise a laugh, but to assist in exciting a just pride in my countrymen, which we have not had enough of; and, probably, there is no way better calculated to effect this purpose than by an union of wit with sentiment.]

*How to catch the Constitution.* One of the editor's acquaintances, then master of a fine American ship, the first that arrived in a certain port in England after the late peace, was invited on the ensuing day to dine with his merchant, who had a little party of friends at his house. When the cloth was removed, the entertainer said to the American, “Well, your Constitution has been playing her old game since the peace; she has had a battle with two of our best sloops of war.” “And they took her I suppose,” returned he, archly. “No, by—she took both of them.” “Why, then,” said he, “don't you catch her?” “We had like to have caught her,” replied the former—“she was chased by the Newcastle of 50 guns and some three or four frigates, all together. but she out sailed the whole.” “I will tell you,” said the American, “if you will promise never to give the name of your informer (for really I would not willingly be thought a traitor) how you may catch the Constitution, though she sails so well.” He said this with a very grave face, and the curiosity of *John Bull* was on tiptoe; the promise was made, and the plan earnestly requested. “Indeed,” then continued he, “it is very simple—send out, and

ALONE, the best 50 gun ship that you have, manned by admirals, if you please, and if she has the luck to fall in with the Constitution, I'll be—if she don't catch her.” At first the company looked rather displeas'd; but they had magnanimity enough soon to join in a hearty laugh, at what they agreed was a true joke.

## ANOTHER.

*How to get 'em out.* It was the fortune of the gentleman referred to in the above, to recapture an American vessel, on board of which a lieutenant of the Ramilies, 74, (one of the blockading squadron off New London,) was prize master: he was a “right clever fellow,” and, of course, was treated in the best possible manner, according to American custom—always pleased to find a private gentleman in a public enemy. The conversation oftentimes turned on the blockade; and the lieutenant seemed almost reconciled to his captivity—because he was so tired of a stationary condition. He frequently said, “we can't get 'em out,” alluding to the frigates United States and Macedonian, and the sloop Hornet, lying at New London. “You may easily get them out, if you please,” said the American captain. “How?” “Let the heavy ships retire, and lay off the port only twenty four hours with two frigates and a sloop of war, and if the wind will permit, you will surely get 'em out.” “No, no.”—said the lieutenant, “that won't do—would you have us to fight two of the largest and best frigates in the world, with two of ours?” “I have always unde stood,” returned the American, “that things grew very fast in America; but I hardly thought that your late frigate, the *Macedonian*, had grown into a 74 in disguise, in so short a time!”

## Ecclesiastical Anecdotes.

The following anecdotes are communicated by a gentleman as things that came under his own personal knowledge, or immediate observation—he wishes them published that the people of his present country may have a clearer view of the blessings of monarchy, as manifested through an established church.

The parish of Wickham is about three miles west from Newcastle, England, situate on the Tyne. The burial ground of this parish was so small and had been so many years in use, that a deceased person could not find a grave in it without disturbing the bones of another long since dead. In consequence, and with much exertion to provide the means for it, an adjoining piece of ground was purchased, and the old and new lots enclosed by a common wall. But the new ground could not be broken.—no good christian, in priestly phrase, could hope to rest quietly in it after death, unless it were “consecrated”—i. e. made holy by certain ceremonies; to administer which was the right and province of the bishop, by himself, or his journey-men. It was in the diocese of the



bishop of Durham, (whose revenue and perquisites are equal to the amount received by the president of the United States and the four secretaries, of state, treasury, war and navy, united) distant about fourteen miles from the residence of the prelate, to whom application was made for his blessing, so that the dead might be easy in the new place assigned for such. He offered to perform the task of making the ground "holy," or to consecrate it, for the moderate sum of fifteen hundred pounds, paid into his list, before he moved a peg. The parish, exhausted by its late expenditures, could not pay him the money; and, fearing the vengeance of the "right reverend father in God," as bishops of established churches are comically called, they yet go on in the old way: digging up the bones of great grand-fathers to make room for their descendants. The people of Wickham are to be pitied—if they could act freely, and were fools enough to act thus, they ought only to be laughed at. For the thing is as ridiculous in itself as that of the old woman who objected to the interment of a person, who had died of the small pox, near her husband, —because the latter, dead some twenty years before, had never had the disease!

This same good bishop, in the winter of 1796-7, when bread-stuffs were so dear, gave the people a great deal of advice, but neither 'meal nor malt.' He was particularly instructive as to the art and mystery of making *potatoe* bread, entering into all its detail like an experienced cook—further saying that he himself (gracious condescension!) had tasted such bread, and it would do very well: he also wrote and published several essays on the subject. But one day, a poor wretched creature happening to say, that the people were not so deficient in the art of cooking as they were in the means of getting the *potatoes* to cook—the "right reverend father" was grievously offended, and thereafter was as niggard of his *advice* as he had been of his *money*, to assist the laboring poor.

There is something in these anecdotes, (if the fact stated are true, and I seriously believe that they are so) so *superlatively impudent* as to amuse and astonish us. But the soul sickens at the humiliation of character that makes it possible for rational men to submit to such impositions. What an idea is it, to imagine a man with a face like the full-moon, and a belly like a hogshead, descanting on the art of cooking *potatoe-bread!*

### Godfrey's Quadrant.

FROM THE CATSKILL RECORDER.

Most of our readers are well acquainted with the conflicting claims of England and our country, to the invention of the Reflecting Quadrant; and it is generally set down as a fact, that a countryman of the former has robbed us of the credit of the invention by a surreptitious but heretofore acknowledged claim.

Mr. Thomas Godfrey was a citizen of Philadelphia, a skilful tho' self taught mathematician, and one of the early companions of Franklin; to him Americans believe the world to be indebted for the invention of the Quadrant. John Hadley, esq. was vice president of the royal society of London, and in 1731, communicated to that society this result of his alledged invention.

Our readers will recollect that we some time since published an extract "from remarks on a Review of Inchinquin's letters," accompanied by some prefatory observations by a correspondent. This extract, which was an account of the manner in which Hadley is said to have fraudently obtained the invention from Godfrey, went to establish the claim of the latter. The extract above alluded to, has found its way into *Niles' Register*, and is republished with some remarks by the editor, highly censuring the conduct of Hadley, and recommending, that in all legal proceedings in the state of Pennsylvania, and in the transactions on board public vessels, the said Quadrant shall be called *Godfrey's Quadrant*, and that this procedure be sanctioned by the legislature of Pennsylvania and by the secretary or commissioners of the navy.

The "Remarks" above mentioned, were in reply to one of the most infamous and scurrilous attacks upon our country, that was ever uttered; and altho' they were penned by a gentleman, now deceased, who was long in the first rank of the literati of our country, and whose means of procuring the necessary data were as extensive as his literary acquirements; they may yet be exaggerated, or something "set down" in the spirit of replication. They are moreover unaccompanied by any documentary test whatever.

Some few facts relative to the claims of *Godfrey* and *Hadley* may not be uninteresting. Godfrey's first account of his invention was sent to the royal society in 1734, altho' it is said to have been written in 1732. Mr. James Logan says that Godfrey constructed his instrument in the winter of 1730, that it was taken to sea and brought back in 1731. The claim of Hadley is founded on a paper in the philosophical trans. dated May, 1731, describing "a new reflecting instrument for taking Angles at sea—by John Hadley, esq." accompanied by an instrument made of wood, and a demonstration of the optical and geometrical principles of the mechanism. These data bring the times of the alledged invention so near together, that it is difficult to assign it to one of the claimants in preference to the other,—unless we admit the fraud of Hadley,—which is presumable, but certainly not positive. Dr. Rittenhouse declared that "he had no doubt that both were original inventors; that both instruments depended on the same principles; and that Hadley's was more convenient in practice." It is not known that Godfrey entertained any suspicions of plagiarism on the part of Hadley, or, at least, never accused him of that crime.

We have noticed these facts, not for the purpose of weakening our claim, but to promote enquiry. It must be obvious, that the assertions of the fact on the bare authority of oral tradition, without documentary evidence to support it, is vanity; and to legally alter the name of the instrument without conclusive proof of the justice of such a course, would be an unwarrantable absurdity. We agree with the editor of the *Weekly Register*, that in regard to our National Character, we should exact from others every trifle that shall justly favor it. But let us do justice; let us give credit to others, if they deserve it. The scantiness of information

on the subject before us is to be regretted. Should Mr. Niles, or any other person who has the means within his reach, collect such attestations of the several facts as shall establish the priority of Godfrey's claim,—and that this would be the result of a minute examination cannot well be doubted,—he would have no small claim on the gratitude of his country.

## A FEW REMARKS.

The editor of the WEEKLY REGISTER copied the extract alluded to from a newspaper, without any thing to direct him to the authority from whence its facts were derived—because those facts were stated as he had always before seen them stated in print, and a thousand times, perhaps, heard them repeated by individuals of Philadelphia; some of whom, and of the first respectability, had personally known our ingenious countryman, Godfrey.

To assist in ascertaining the truth, we have inserted the preceding from the *Catskill Recorder*. The facts stated are interesting, and deserve further investigation. But, if it is admitted that both Godfrey and Hadley were "original inventors" (and we are morally certain that the former was) the force or propriety of our remarks on the subject remains unchanged. The quadrant, even on this ground, is as much Godfrey's as Hadley's; and we, at least, from self-respect, should call it after him.

Many gentlemen in Philadelphia, very probably, have means within their reach to establish the claim of Godfrey to the invention—and such, if zealous to build up a national character, will not neglect the present opportunity to assist in the glorious work. I will thank them for any information on the subject.

Since the preceding was written, the editor has been favored with a letter (on business) from the editor the *Catskill Recorder*, in which he takes the opportunity to observe—

"In the last 'Recorder' you will discover some notice of the original invention of the *Quadrant*.—I mention this solely for the purpose of adding,—what is not generally known,—that the 'Remarks on a Review of Inchinquin's letters,' from which the extract in regard to 'Godfrey's Quadrant,' lately published in your Register, was copied, were from the pen of the late President Dwight. His evidence is no small authority in favor of Godfrey. But the subject needs investigation, and not any one is better qualified to make such investigation than yourself."

The subject is worthy of investigation; but, while the editor thanks Mr. Crosswell for his compliment, he disavows any pretension to a peculiar qualification for it.

The "American Philosophical Society," at Philadelphia, ought to take it up—they have, no doubt, within themselves, every fact needful for the investigation that is now to be obtained; and we do hope that that respectable association will examine into the affair, and favor the public with the result of their enquiries: which, we are entirely confident, will go to establish an indisputable right in Godfrey to the invention of the Quadrant.

## My own affairs.

I always regret an apparent necessity that compels me to occupy any part of the WEEKLY REGISTER with my own affairs. It seems as if, by right, they ought not to have a record in it; and yet there are occasions when silence might be an act of injustice to myself, or to others.

In some book not recollected, I remember to have read a poem entitled the "Converse of Devils,"—in which each demon was made to claim pre-eminence for the peculiar vice or crime that he presided over, with much spirit and at considerable length. The superiority of treason, murder, rape—revenge, malice, envy, &c. for distinction, and the favor of the "Old Gentleman," who presided over the debate, were severally urged—but before any conclusion was had, the president of the club extolled the sin of IGNORANCE with so much force and fervency as to win all devilish hearts, and raise a shout of applause that was heard in the uttermost regions of darkness. Whatever allowance may be made for the *symplocy* of demons to their chief, as is customary on earth, I believe that the sin so applauded was entitled to all the credit it received. With this impression of its heinousness, it may well be supposed that I would not willingly be guilty of it, or make myself liable to a suspicion of being so. A letter just received gives me an opportunity, and, in fact, imposes a necessity, of an explanation, due to my own feelings and interest, as well as to the feelings of some most worthy gentlemen. The resolution published on the 9th of August last, to suspend the agencies for the WEEKLY REGISTER, was adopted after much reflection on the subject. I was apprehensive that some might feel hurt at the procedure; and I guarded against it by the strongest language that I could use—a general measure was to be effected, and it seemed to me that it could be effected only by general means. A hundred agents, perhaps, had so neglected my business as to render me wholly ignorant of the real state of my affairs at their several offices, to a very extensive injury of them, though often entreated, and, with statement after statement, most seriously requested, to let me know who were indebted to me and who were not; that measures might be taken to close the accounts. In several of the agencies the amount of the bills apparently due exceeded \$500, and, in many, they amounted to from 100 to \$300, at places where there remained only from 5 to 10 present subscribers! Some of these had been over, and over, and over again invited to forward a statement of their proceedings and resign; without obtaining any satisfaction. What was to be done? I had no proof that those had defrauded, or intended to defraud me—I charitably hoped they were only negligent; and, if I had thought that they were of the former character, how should I have justified myself in proclaiming them dishonest to the people of their respective neighborhood, by PARTICULARIZING the agencies that I had violently stopped? It was impossible to do this. The only alternative was preferred; which I endeavored to qualify so as to avoid just cause of offence to any. Most of those I have heard from, since the new arrangement, appear to have seen it as I desired to have it viewed; but a few, and among them three or four of the very best friends that I have, have regarded it differently. The letter, from which some extracts are inserted below, is from one of these; and the remarks which apply to it are alike applicable to the case and feelings of others. I never have seen, nor do I ever expect to see, the writer of it—he resides in Georgia; but I seriously declare, that I would sacrifice this



establishment and all that I possess, or hope to enjoy, rather than wantonly wound the feelings of such a man as he has proved himself to be. I have thrice written his name, and as often struck it out—I wish publicly to express my grateful sense of his kindness, but fear that he would not like to see his name used without his previous approbation; and besides, it would localize a explanation which I wish to be considered *general*, by all that have dealt candidly with me. And the subscribers, in the respective neighborhoods of *all* such, will soon ascertain what my opinion is, (if my opinion is worth any thing) by the presentation of the bills through the former agents, in all cases wherever those agents have favored me even with a *statement* (and much more so, with a *SETTLEMENT*) of the respective accounts sent to their charge, if they are willing still to act for me. A variety of causes "too tedious to mention," and, probably, not worth it, have yet prevented the forwarding of the bills to all these, and so far defeated my arrangements; but we are rapidly preparing the whole for a general settlement, and, in a few days, they will have been forwarded to every place to which it was, or is, designed to forward them. The complexity of some of the agents' accounts has been a chief cause of this much-to-be regretted delay, in passing through our books regularly.

*Extracts from the letter.*

"I inclosed you on the 27th Aug. last, twenty dollars [from gentlemen named] for the Weekly Register up to Sept. 1818, before I received your number in which, by a single dash of the pen, you have tumbled headlong to oblivion all your agents, both righteous and unrighteous, if I may use the expression. Agreeably to this arrangement, I might take a final adieu to you, but hoping it is not possible that the editor of a paper who has gained so great a patronage should mean to hurt the feelings of his faithful agents, I am emboldened to address you again and enclose [20\$ more, in advance. And he then states that he had endeavored to obtain money that he thought would best suit me.]

"Wishing that ample justice may be done to you by your former agents, and old subscribers,—and that you may receive every cent that you have so fairly earned—that your further arrangements may meet your most sanguine expectations—that you may outlive all ill luck and misfortune—and, after a long life of usefulness, meet your dissolution with tranquility, is the sincere wish of"

### From the Mediterranean.

[A gentleman lately attached to our squadron in the Mediterranean, has favored the editor of the WEEKLY REGISTER with copies of sundry public papers—treaties, &c. among which we only observe the following which seem to require an insertion by us. The first—the *treaty between Great Britain and Tunis*, from the present conduct of the latter, has considerable interest;—the second, a royal Neapolitan decree for rewarding those concerned in capturing *Murat*, shews the importance attached to the failure of his mad attempt to regain the kingdom.]

#### TREATY BETWEEN GREAT BRITAIN AND TUNIS.

Declaration of his highness, Mamouda Bashaw, chief bey of Tunis, the well guarded city and abode

of happiness, made and concluded with the honorable Edward, baron Exmouth, knight, grand cross of the honorable military order of the Bath, admiral of the blue squadron of the fleet of his Britannic majesty, and commander in chief of all the vessels in the Mediterranean belonging to the said Majesty:—

In consideration of the high interest expressed by H. R. H. the prince regent of England, for the abolition of christian slavery, his highness the bey of Tunis, in testimony of his serene desire to maintain inviolably his friendly intercourse with Great Britain, and in return also of his friendly disposition and high respect for the European powers, with all of which he wishes to be at peace,—declares, that in case of a future war with any European power, (which God forbid) none of the prisoners made by either party will be kept in slavery, but on the contrary treated with all humanity as prisoners of war until the moment of exchange, as the custom is in Europe in such cases, and that hostilities having ceased they will be returned to their respective country, without ransom.

Made in duplicate in the palace Bardo, in the neighborhood of Tunis, in the presence of the Omnipotent God, the 17th of April, in the year of Jesus Christ 1816, and the 19th day of the moon Jumed Ovell, of the year of Hegira 1231.

(Seal of the Dey.) (SEAL) EXMOUTH,

Adm'l and com'dr in chief, &c. &c. As per copy—EXMOUTH.

(Signed)

RICH'D OGLANDER,

Agent and consul of H. B. majesty to the Bey of Tunis.

#### ROYAL DECREE.

*Ferdinand IV. by the grace of God, king of the two Siciles &c. &c. &c. &c.*

Seen our royal decree of the 18th, October of last year, 1815, by which, after having rewarded our most faithful town called Pizzo for having preserved the kingdom from revolt and civil war, which Joachim Murat with his people attempted to excite, we reserved ourselves in the VII article, to give particular signs of our royal satisfaction, to those individuals who have distinguished themselves particularly in that circumstance:—after the information we obtained from the superior authorities of Pizzo

#### HAVING DECREED, &c. &c.

Art. 1st. Conferring to the field marshal *Munziant* the title of marquis, for him and his descendants, besides a yearly pension of 1500 ducats for life.

Granted to colonel Gregory *Trentacapilli* the dignity of knight, commander of the royal order of Saint Ferdinand and of the Merit, besides a yearly pension for life of 1000 ducats.

Nominated the baron Cæsar *Malecrinis*, Raff'l *Trentacapilli* and Gregory *Pelligrino*, knights of the grace of the royal order of Constantiano, granting to each of them a yearly pension for life of 300 ducats.

Nominated also, knights of the grace of the royal order of Constantiano, Francisco *Alcala*, John *La Camera*, Roy, procurators at the criminal court of *Catanzaro*.

Granted the benefice of royal patronage under the title of Annunziato de Bagaldi to the canon D. G. B. *Malecrinis*, nominating him also knight of the grace of the royal order of Constantiano, and the benefice of royal patronage, under the title of the Holy Ghost di Riaci to the canon Anthony Jannaci.

Now follows a list of 23 individuals to whom a yearly pension for life is granted which varies from

150 to 72 ducats; All these may also wear in their button hole a red ribbon (Bourbon red) fixed to a silver medal, like that of gold which has been coined for the Syndic of the town of Pizzo.

Art. 2nd. All the pensions granted in the preceding article are understood to begin from the 8th of October, 1815.

Art. 3rd. Our secretaries of State &c. &c. &c. are charged with the execution of the present decree, &c.

## General Andrew Pickens.

General Pickens, who died in South Carolina on the 11th ultimo, was of French descent: his ancestors were driven from France by the revocation of the edict of Nantz; they first settled in Scotland, and afterwards in the north of Ireland. His father emigrated to Pennsylvania; the deceased was born in Bucks county, in that state, on the 13th September, 1739. The family removed to Augusta county, Virginia, and soon after to the Waxhaws in this state, before he had attained the age of manhood.

Like many of our most distinguished officers of the revolution, he commenced his military services in the French war, which terminated in 1763: when he began to develop those qualities for which he was afterwards so eminently distinguished. In the year 1761, he served as a volunteer, with Moultrie and Marion, in a bloody but successful expedition under lieut. col. Grant, a British officer sent by general Amherst to command against the Cherokees. After the termination of the war, he removed to the Long Cane settlement, and was wholly engaged for several years in the usual pursuits of a frontier country—hunting and agriculture.

At an early period he took a decided and active stand against the right claimed by Great Britain, to tax her colonies without their consent; and at the commencement of the revolution was appointed captain of militia. The distinguished part which he acted in the struggle for independence, has been recorded by the historian, and the principal events can only be alluded to in the present sketch. His zeal and skill were rewarded by his country, by his being rapidly promoted to the respective commands of major, colonel, and brigadier-general. In the most despondent time, when this section of the union was overrun by the enemy, and suffered from the tories all the horrors of civil war, he remained unshaken; and, with Marion and Sumpter, kept up the spirit of resistance. He commanded in chief in the expedition against the Cherokees, in 1781; and such was his success, that in a few days, with an inconsiderable force, he subdued the spirit of that then powerful nation, and laid the foundation of a peace so permanent, that it has not since been disturbed.

At Kettle-Creek his conduct was equally distinguished and successful; with half the force, he defeated, after a severe contest, a large body of tories, under the command of col. Boyd. The results of this victory were highly important. It broke for the time the spirit of the tories, and secured the internal peace, for a considerable time, of the interior of the Carolinas and Georgia. No less conspicuous was his conduct at the Cowpens. He there commanded the militia forces; and animated by the spirit and courage of their commander in that important battle, they fairly won an equal share of glory with the continentals, under colonel Howard. For his gallantry and conduct on that occasion, congress voted him a sword. At the Futau he

commanded; with Marion, the militia of the two Carolinas; but in the early part of the action received a severe wound in his breast by a musket ball. His life was providentially saved by the ball striking the buckle of his sword.

Peace being restored, the voice of his country called him to serve her in various civil capacities; and he continued, without interruption, in public employment until about 1801. By the treaty of Hopewell, with the Cherokees, in which he was one of the commissioners, the cession of that portion of the state now called Pendleton and Greenville, was obtained. Soon after he settled at Hopewell, on Keowee river, where the treaty was held. He was a member of the Legislature, and afterwards of the convention which formed the state constitution. He was elected a member under the new constitution, until 1794, when he became a member of congress. Declining re-election to congress, he was again returned a member to the legislature; in which post he continued until about 1811. Such was the confidence of general Washington in him, that he requested his attendance at Philadelphia, to consult with him on the practicability and best means of civilizing the southern Indians; and he also offered him the command of a brigade of light troops under the command of general Wayne, in his campaigns against the northern Indians; which he declined. In 1794, when the militia was first organized conformable to the act of congress, he was appointed one of the two major-generals; which commission he resigned after holding it a few years. He was employed by the United States as a commissioner in all the treaties with all the southern Indians until he withdrew from public life.

Determining to enjoy that serenity and tranquillity which he had so greatly contributed to establish, with the simplicity of the early times of the Roman republic, he retired from the busy scenes of life and settled on his farm at Tomassee,\* (a place peculiarly interesting to him) where he devoted himself with little interruption to domestic pursuits and reflection until his death. In this tranquil period, few events happened to check the tenor of his happy and virtuous life. Revered and beloved by all, his house, though remote from the more frequented parts of the state, was still the resort of numerous friends and relations; and often received the visits of the enlightened traveller.—Such was the gentle current of his latter years; still, of earthly objects, his country was the first in his affections. He viewed with great interest our late struggle, and the causes which excited it, distinctly perceiving, that in its consequences the prosperity, independence and glory of his country were deeply involved; he was alive to its various incidents. In this hour of danger the eyes of his fellow citizens were again turned to their tried servant; without his knowledge he was again called by the spontaneous voice of his fellow citizens into public service.—Confidence thus expressed could not be disregarded; he accepted a seat in the legislature in 1812, and was pressed to serve as governor at this eventful crisis, which, with his characteristic moderation and good sense, he declined. He thought the struggle should be left to more youthful hands.

In his domestic circumstances he was fortunate: by industry and attention he soon acquired a competency, and never desired more. He married in

\*At this place in 1779 he fought the most desperate battle he was ever engaged in, with the Cherokees.



early life, has left a numerous and prosperous offspring, and his consort, the sister of John E. Calhoun, formerly a senator in congress, died but a few years before him.

Of the private character of the deceased little need be said; for among its strongest features was simplicity without contrariety or change; from his youth to age he was ever distinguished for a punctual performance of all the duties of life. He was from early life a firm believer in the Christian religion, and an influential member of the Presbyterian church. The strong points of his character were decision and prudence, accompanied, especially in youth, with remarkable taciturnity. He was of middle stature, active and robust; and enjoyed, in consequence of the natural goodness of his constitution, and from early and continued temperance and activity, almost uninterrupted health to the last moments of his life.—He retained much of his strength and nearly all his mental vigor in perfection; and died, not in consequence of the exhaustion of nature, or previous sickness; for the stroke of death fell sudden; and while his personal acquaintance were anticipating the addition of many years to his life.—*Pennington Mess.*

### Honor to the living.

*From the Detroit Gazette of Aug. 22.*

#### MILITARY REVIEW BY THE PRESIDENT AND PRESENTATION OF A SWORD TO GEN. MACOMB.

The military review on Thursday, the 14th inst. was peculiarly attractive and interesting. The troops were paraded, agreeably to orders, at 8 o'clock A. M. on the esplanade in front of the cantonment, under the command of Lt. Col. Smith, and formed in close column. As the president approached they were displayed into a line, and, when he came opposite the standard, paid the accustomed salute. It was a moment of deep and indescribable emotion. To see the first magistrate of the country—the elected chief of a great people, receiving in uncovered majesty this martial tribute of respect, was a noble and impressive spectacle. Every soldier's eye glistened like his polished arms; and when the standard bowed, and the drums rolled their ruffles, every heart swelled with pride and acknowledged its devotion. He was mounted on an elegant Arabian, and surrounded by heroes, whose splendor could be eclipsed only by such a presence.—The conquerors at Niagara and at Plattsburg formed his suit; the one, like Marcellus, as a sword; the other, like Fabius, as a shield, in the hour of danger.

The president rode up and down the line, and after having received the marching salute, saw the troops execute various movements, in a style that reflected great credit on their commanding officer. When these were finished, he dismounted, and was pleased to attend the following ceremony.

The sword which the legislature of New-York had voted to maj. gen. Macomb, having been transmitted by gov. Clinton to gov. Cass for presentation, his excellency selected this very appropriate occasion to discharge the honorable trust. No scene could have been more striking and characteristic. 'Twas in the field, and at the head of troops that the meed had been deserved, and 'twas there it was now presented and received. Col. Wool, and several other officers who had participated in the perils and honors of the achievement, were now present to behold it rewarded. Gen. Brown, who has so often been crowned with the laurelled testimonials of his countrymen, now saw a brother in arms share in

the same gratitude and approbation. But the most illustrious witness was the president of the United States, whose presence seemed to stamp a nation's approval upon the munificence of a state. Surrounded by this assemblage, his excellency, presented the sword with the following elegant and pertinent address.

"MAJ. GEN. MACOMB—On the 22d day of October, 1814, the legislature of the state of New-York unanimously declared, for your conduct at the battle of Plattsburg, you were entitled to the gratitude of your country, and directed that you should be presented with a sword.

The governor of New-York has been pleased to assign to me the honorable duty of conveying to you the sentiments of the legislature of that great and liberal state, and of presenting to you the splendid testimonial of their approbation—in the execution of this trust, I feel that the presence of the chief magistrate of the republic, who, as a reward for a life of exertions in the field and in the cabinet, now reposes upon the affections of his countrymen; and of the distinguished officer, who in our second struggle for independence, bore his country's standard to victory; while it adds interest to the occasion, adds likewise to the difficulty under which I labor, of discharging this duty in a manner worthy of them, of the subject, and of the enlivened legislature, whose liberal patriotism furnished the opportunity for the address.

In reflecting upon the splendid military achievements, for which this trophy has been awarded to you, we are led to consider the situation of our country at the eventful period of its accomplishment.—Pressed by a powerful foe, with a scattered population, and with an extensive and defenceless frontier, our enemies were enabled by circumstances, to assail us with numerous and veteran armies. It was at this period that the brilliant succession of victories commenced, which have acquired for our country honor and prosperity, and for their authors imperishable renown. Among these, your repulse of the enemy from Plattsburg, will occupy one of the fairest pages in history. The governor general of the Canadas at the head of a powerful and well appointed army, invaded our frontiers and penetrated to your position. The disparity of force left to the most sanguine little room for hope. Your works were hastily thrown up, your troops suddenly collected together, and the prospects of relief distant and uncertain. But by the most judicious arrangements, by the most fortunate combination of skill and valour, his prospects were destroyed, and he was defeated and driven back upon his own territories.

But great as was the political importance of this victory to our country, its moral interest constitutes its fairest features. It adds another to the number of defensive victories, which demonstrated that the energies and exertions of republics increase, as the pressure of circumstances increases upon them.—This, like the kindred actions of antiquity, which illumine the dark pages of history, offers the consoling reflection, that the superiority of force in the invasion of free countries, affords no hope for victory: and that physical strength must yield to moral energy. It is this consideration which establishes the stability of republics, and this lesson you have been enabled to teach to your countrymen.

I am happy therefore, sir, in being able to communicate these sentiments of a grateful country, and to present to you this testimonial of its approbation. It will be to your descendants a memorial of your services, when the actors in the scene shall

have passed away. But your victory will live in history, as long as the memory of gallant exploits shall give confidence to the people or stability to republican institutions."

To which gen. Macomb made the following reply.

Sir—Overcome by the impressive manner in which you have presented to me this testimonial of the approbation of my conduct in the defence of Plattsburgh, I am unable to express all that my feelings dictate. As the gift of a munificent and eminently patriotic state. It will be invaluable; and having been presented and received in the presence of the chief magistrate of our republic, and of the distinguished commander of the division, it will ever be preserved as one of the proudest memorials of my services.

To you, sir, I offer my thanks for the grateful mode of this presentation, and for your flattering expressions of individual respect and esteem."

They were both spoken with an eloquent impressiveness, which reached the heart of every spectator.

After this ceremony, the president inspected the barracks and hospitals. In the latter his benevolent feelings were frequently called into action, and always expressed with an unaffected tenderness and sincerity. A veteran and discharged soldier, who has long "wept o'er his wounds," was particularly noticed by him, and received assurances of continued kindness and support. These are traits which truly ennoble a great man: when he bends down from the concerns of nations to sympathize in the afflictions of an humble individual, he exhibits a pattern worthy the imitation of kings, and the admiration of mankind. There is nothing perhaps, which the human mind contemplates with so much serenity and satisfaction, as the union of those eminent talents which adorn exalted stations, with the amiable qualities that are supposed to flourish only in private life. The duties and conflicts of an elevated political career, while they enlarge and invigorate the mind, generally repress and narrow the mild influences of the heart, and ultimately form a lukewarm, shrewd and inaccessible character. That our chief magistrate, while ascending to that attitude of greatness which he has now attained, and gathering experience and powers that should fit him to rule the destinies of a hemisphere, has preserved unimpaired those feelings and manners which attemper the splendor of dignity, the spontaneous voice of the whole country through which he has passed, will probably now be ready to attest.

### American Fishermen.

*Decree, pronounced by the Honorable MICHAEL WALLACE, Judge of the Vice-Admiralty Court, on Friday, the 29th ult. in the case of American fishing vessels, seized and detained by his majesty's ships of war, in the harbors, and on the coast of Nova Scotia.*

This case is of great national importance.—Under that impression, it has had as much consideration on my part, as my humble talents are capable of giving it.

I entirely accede to the principle laid down by the Advocate General, that the American government when it commenced hostilities against Great Britain, cut their cord on which their treaty of 1783, with our government hung, and thereby dissolved every condition, obligation and privilege it contained. But as American subjects have long

enjoyed, under that treaty, the privilege of fishing on our coast: and there being no specific notification from our government that I know of, since the treaty of Ghent, published on the subject for me to have recourse to; I cannot adopt so serious a measure as the condemnation of the property of individuals who seem generally ignorant of the intentions of our government with respect to the prohibition: Besides, it does not appear to the court that any of them were found in the act of catching fish, or trading with the inhabitants in any of our bays, or harbors, but merely seeking shelter from the weather; which under existing circumstances I cannot view in the light of an infringement of our rights.

Independent of this consideration, were I inclined to enforce the principle of national law against the claimants in this case, I should be at a loss what penalty to pronounce upon the aggressors.

In all other cases in which foreigners are seized for unlawful traffic, there are positive acts of parliament inflicting a forfeiture of the property and other penalties for the offence.

Is it a matter of course in this instance, that these vessels are to be condemned and forfeited to his majesty? I cannot think so.

I have no law to guide me in my judgment, no proclamation or orders in council, no instructions of any kind, by which I can measure the punishment to be inflicted for this infringement of our colonial rights.

It is totally a new question, and one that I conceive to be involved in much doubt and difficulty, in consequence of the silence of the treaty of Ghent on this very important subject.

I am not ignorant that negotiations have been carried on respecting the fishery in question, between our government and that of America: Those negotiations were broken off in January last 'tis true; but it is equally true that they have been renewed and are still pending.

Under which circumstances therefore, I do not consider myself justified in condemning this property to his majesty: but shall decree the vessels and property belonging to them be restored to the claimants on paying costs: from which decree if the seizers are dissatisfied, they are at liberty to appeal to a superior court, where it is probable the subject has been under the discussion of able minds, and where the intentions of our government with respect to it can be fully ascertained.

### Indian affairs.

*Extract of an official letter.*

Cherokee Agency, 29th July, 1817.

GOVERNOR CLARK:

Sir—We have the pleasure to inform you, that we have succeeded in getting a treaty signed with the chiefs of the Cherokee nation yesterday, some of the provisions of which we conceive important for you to know.

It is stipulated that a census of the Cherokees east and west of the Mississippi, shall be taken in the month of June, 1818, and both parts of the nation bind themselves to cede to the United States so much land on the east side of the Mississippi, including a small cession now made on the east side of Chatahoochy, and north of Tennessee, as shall amount to the proportion to which the Arkansas Cherokees are entitled, in proportion to the numbers now there, and those who may emigrate to that country previous to the taking the census.—The Cherokees on the Arkansas are also to receive so much of the annuities as they are entitled to, in



proportion to their numbers. The United States engage, in return, to cede to the Cherokees west of the Mississippi, as much land on the Arkansas and White rivers as they receive east of the Mississippi, which is to "commence on the north side of the Arkansas, at the mouth of Point Remove, or Budwell's old place, thence by a straight line northwardly to strike Chatanuga mountain, or the hill first above Shield's ferry, on White River, running up and between the said rivers for compliment; the banks of which rivers to be the line." The United States also bind themselves to remove all white persons now settled within or above said line, to prevent future encroachments in this way: Mrs. P. Lovely, excepted. It will be well, therefore, to notify all persons by proclamation of this provision in the treaty.

We are, sir, with sentiments of esteem, your obedient humble servants,

ANDREW JACKSON,  
JOSEPH M'INN,  
D. MERRIWETHER.

*Extract of a letter from Return J. Meigs, Indian Agent, to Gov. Clark, dated, Cherokee Agency, 24th July, 1817*

Emigration is commencing, and may be expected to be considerable, between this and the winter coming. Several boats are now on the point of descending this river. Upwards of 700 have ingested themselves already for removal.

It is probable, that within a few years, the principal part of the Cherokees will be within your superintendance. The tide is setting strong that way, and as all is peace and quietness in our national concerns, there is no danger of a counter-current to emigration. White and red are pressing towards the Pacific Ocean, and that alone can set bounds to it.

I have the honor to be, with great respect, your obedient servant,

RETURN J. MEIGS.

*Governor Wm. Clark.*

CHEROKEE VILLAGE, 11th July, 1817.

*The Governor of Missouri Territory,*

Sir—It is our duty to inform you of our conduct toward the Osages. We made peace with them several times, knowing it to be the wish of the President of the United States, our Great Father; but they will not be at peace with us. For nine years and more, we have been trying to make friends, all to no purpose; it appears that the more friendly we talk to them the more they impose on us; now we are prepared we will meet our enemies; we lie down with our arms at our sides. We wish you to pity us, for the Osages are deaf to all we can say or do. To raise our crops for the support of our families has been our wish, but it has not been in our power; it is not we that are in the wrong, it is the Osages; they have stolen all our best horses, and have reduced us to work with our naked hands. With the few horses we have left, we intend to go to the Osages and hunt for those horses taken; we are going to do mischief. We are but a few Cherokees; our father knows us well, and we therefore beg that he will not scold us; the Osages have also insulted the whites; we are vexed, and have become deaf to their talks. Please to inform the President of all this; tell him that we promised not to spill blood if we could help it, but that at this time the rivers are red with the blood of the Cherokees.—We hope that the President our father will take our case into consideration, for he well knows that we are not the aggressors. Since our last talk to you, we have lost two of our young men, killed by the Osages; we

have never attempted to take any revenge whatever, until now.

This is all we have to say for the present, intending to inform you of all occurrences hereafter. Your children,

TOLLENTBSKEE,  
TAKETOKA,  
THE BOLD  
SHANANNANI,  
HUMMING BIRD,  
KATIKOI,  
JOHN M'LAMORE,  
TRANSLATE,  
JOHN BOGS.

## Antique Glasses,

*Discovered in Hamburg, Niagara county, N. Y.*

FROM THE UTICA PATRIOT AND PATROL.

An opinion is entertained by many well informed persons in the United States, that this country has at some remote period, been inhabited by a civilized people, prior to its settlement or subjugation by the savages: and to the many evidences furnished to strengthen this opinion by the remains of fortifications, tumuli, &c. may be added the discovery of a number of pieces of glass, of singular workmanship, lately made in Hamburg, Niagara county.

I have been favored with an opportunity of examining one of these glasses, and on the authority of my informant, am enabled to remark that they were taken up about two months ago, from an ancient barrow in the town of Hamburg; where they were found deposited in an earthen pot. Contiguous to this pot, were also found a skull and some other bones of the human frame. This barrow, or supposed repository of the dead, is situated in an uncultivated part of the town, and several trees were growing upon it, at the time this excavation was made; some of which were judged to be to upwards of two feet in diameter.

The glass which I had an opportunity to examine, (and I am informed they are all alike) is in the form of a barrel-shaped bead; consisting of a tube of transparent green glass, covered with an opaque coarse red enamel. Its length 9-10ths of an inch; its greatest width six and an half tenths of an inch; and the bore of the tube 2-10ths of an inch. Near the circle of the bore of this tube is an aperture, of the size of a large needle, perforating the tube from one end to the other. The enamel which covers the tube of transparent glass, appears to have been ornamented with painting, in figures resembling a spindle, or two inverted sections of a circle; but they are now hardly perceptible, as the bead appears to have been considerably worn. But the circumstance most indicative of art in the making of this bead, is a species of enamelling that has been performed both on the external and internal surfaces of the tube, previous to its being covered with the coarse red enamel. This second enamel is white, and as the external surface of the tube was not smooth, but parallel *strie*, or veins, exhibits the appearance of a white vein between the green tube and the red enamel. This enamelling appears to me, to have been done, not by melting on any vitrious composition, as is practised at the present day, but by the effect of calcination for some time in a low red heat. This, it is known, will deprive glass, especially green glass, of its transparency, and render the surface white to a certain depth.

The composition of the tube of glass, I have judged to be simply a silicious sand and an alkali;

probably with a small addition of lime, or vegetable ashes. It is hard, and will not receive scratches like the lead glasses; and I conclude from this circumstance, that there is no lead in the composition. Its color seems also owing to the impurity of the materials employed, like the common window and bottle glass, and is probably caused by a minute portion of iron, combined, in the state of an oxid, with the sand and alkali.

The red enamel, covering the tube, and the pot in which these glasses were found, seem to have been constructed of similar materials, as they differ very little in color, texture, or other external character. Probably a very fusible brick clay, highly impregnated with oxyd of iron, and pulverized fragments of green glass, are the principal ingredients of both. The earthen pot is manifestly constructed of different materials from those employed for brown pottery at the present period. It is a more imperishable substance, of a close texture, and vitreous appearance.

I shall not presume to speculate in opinions which discoveries of this interesting nature are calculated to create; it may however here be added, that the fabrication of these glasses would suppose a perfection in the arts which none of the Indian tribes, inhabiting this country at the period of its discovery, had arrived to. That if introduced by the French from Canada in their communications with the Indians inhabiting the western part of this state, there would hardly have been sufficient time elapsed, between that period and this, for the growth of such trees as are growing on the barrow or mound from which these relics were taken. And that if not introduced by the French at the period alluded to, we must refer their manufacture back to a very remote date; and one, on which Indian tradition is wholly silent. SILEX.

### Saving of Fuel.

From the Vermont Intelligencer, a paper lately established at Bellows-Falls, and edited by Thomas Green Fessenden, esq. we copy the following article, which, if attended to, would doubtless introduce a great economy in the consumption of fuel, which is every year growing an article of greater importance in the United States.

When there is a general complaint of the hardness of the times, and the difficulty of meeting expenses necessarily incurred, it is highly important that economy should not only be studied, but should also be put into practice, and perhaps there is no item in the yearly bill, where less economy is apparent, than in the article of wood, notwithstanding the article is so great which is annually required for fuel in this cold region. A late writer on the subject of forest trees, says, "wood seems to be composed of water, air, oil, salts and earth, in the decomposition, become ashes." Attention to the different kinds of wood used for fuel, to the time when felled for that purpose, and to the action of fire upon it when consuming, will strengthen, if not fully confirm the above position. Among the various kinds of trees produced in New-England, hickory or walnut contains a greater portion of oil, and probably less fluid, than almost any other, and burns more freely when green: Several kinds of wood, if used when green, emit a thick disagreeable smoke, reject the flame, and yield to no heat till the watery particles have principally passed off in this smoky vapour. It is bad management to burn

walnut wood green, and vastly worse to burn maple or birch in that state, particularly if felled in spring or summer. When the sap is ascending in the month of March, if the weather is favorable, a large sugar maple will yield five gallons, and a birch of the same size, from fifteen to twenty-five gallons in twelve hours. Many other kinds of trees used for fuel, perhaps, contain as much fluid as the maple or birch. Hence the absurdity of felling them when full of sap, for timber or fuel. A cord of green wood contains at least 30 gallons of water or fluid, if cut between the months of March and October, and if immediately used, this fluid must be discharged into the atmosphere by the dull process of seasoning the wood over the coals, causing much loss of time, great inconvenience and perplexity. Wood felled at any season of the year, is much better for drying; but if cut when full of sap, and suffered to remain long in the open air, exposed to the sun, a portion of the oil escapes with the watery fluid, which renders the wood less valuable. The writer of this article is fully convinced, by actual experiment, that three cords of wood, felled in the winter, and properly secured, is worth as much for fuel, as four felled in the spring or summer, and immediately used, or suffered to remain exposed to the air and sun till the following winter. Here is an actual loss of twenty-five per cent. besides the difference in the value of labor in summer and winter. The labor of the husbandman is required in the spring for preparing the earth, and casting seed in it; in the summer for maturing and bringing forward the rising crops, and in gathering the early harvest—and the autumn demands his whole attention to prepare the ground for a further crop, and secure the later harvest, while the winter seems to be the season to which nature points as the proper period to fell timber, and prepare fuel for all necessary purposes during the year. W.

### Military Academy—West Point.

The following, we believe, to be the present organization, and numbers, of this seminary.

Gen. SWIFT, as colonel in chief of the corps of engineers, governs the institution, *ex-officio*.

The other officers are—Jared Mansfield, professor of natural and experimental philosophy, David B. Douglas, assistant do. Andrew Ellicott, professor of mathematics, J. Wright, assistant do. Alden Partridge, professor of the art of engineering. [*This gentleman is said to have been removed, and major Thayer (of the corps of Engineers) appointed in his place.*] Samuel Welsh, surgeon, Adam Empic, chaplain, Claudius Barard, teacher of French language, C. E. Zoeller, teacher of drawing. Pere Thomas, sword master. The distribution of the Cadets are as follows:—

New-Hampshire, . . . . . 2	South-Carolina, . . . . . 11
Massachusetts, . . . . . 20	Kentucky, . . . . . 8
Rhode-Island, . . . . . 2	Tennessee, . . . . . 4
Connecticut, . . . . . 2	Ohio, . . . . . 6
Vermont, . . . . . 7	Michigan, . . . . . 3
New-York, . . . . . 55	Indiana, . . . . . 2
New-Jersey, . . . . . 10	Missouri, . . . . . 1
Pennsylvania, . . . . . 12	Columbia District, . . . . . 21
Delaware, . . . . . 6	Valparaza, . . . . . 4
Maryland, . . . . . 29	Louisiana, . . . . . 1
Virginia, . . . . . 38	
North-Carolina, . . . . . 9	



## Foreign Articles.

QUEER—FUNNY ARTICLE.

The following is so ridiculously malicious—and so laughably impudent—so comically inconsistent, that we cannot be displeas'd with it. What!—is England, who has colonies in every part of the world that she can set her foot upon, on any terms, alarmed at a negociation by us to obtain a place in the Mediterranean for a naval rendezvous?—Pshaw—pslaw—yet she is alarmed, most abominably, most laughably, alarmed. But she has no danger to fear on this score—she may rest satisfied that the United States have no thought of possessing colonies. Independent of the impropriety of the thing itself from the principles of our government, we have seen too much of the cursed effects of colonies on Great Britain to wish any of them. May heaven, as one of its best blessings to my country, forever forbid its possessing a colony, to mix it in the quarrels and intrigues of corrupted Europe!

From the *London Courier* of Aug. 12.—The foreign journals state that the American government has sent certain bags full of dollars to purchase the island of *Elba* from the Italian states, in order that, as they have been disappointed of *Lampedosa*, they may have some other commercial depot in the Mediterranean. And this news is given in English journals, without the least expression of surprize or indignation!! Yet when the great sovereigns of Europe, with a view to the good government of their states, the happiness of their subjects, and the general tranquility, have made or proposed to make, any exchanges of territory, what an outcry has been raised against them by the opposition in parliament and their daily echoes! Then we heard of trampling on the rights of man, of transferring countries like farms, and people like cattle! But when America, for the mere purpose of self aggrandisement, wishes, not to make an exchange, but to obtain an accession of territory by absolute purchase, not a word is said against her. But she is a republic; and every thing must be excusable that she does. She may go with her filthy dollars, and truck for the little empire of the ci-devant great emperor. The late subjects of the darling Bonaparte may all be bartered for cotton and tobacco, without remonstrance or complaint! Nor was a syllable heard against Bonaparte, when basely betraying France, he sold a great empire, Louisiana, to the United States. No: he might transfer dominions, and America might receive them, without murmur or remark, because he was the child and champion of Jacobinism, and she was the bantling of revolution, holding out the encouraging example of successful rebellion. That republics have at least as great a taste for augmenting their territorial possessions as monarchies, the negociations which are going on with the Indians, for the extension of the Georgian frontier, afford an additional proof.

ENGLAND, &c.

*London papers of August 12.*

The papers are very barren. The account of the harvest seems the most interesting. It had commenced in England with fine weather, and would probably be very productive. Those of Germany, France, Italy and the Netherlands are spoken of in the like formidable terms.

The papers contain repeated notices of improvements in the condition of the manufacturing districts, from the great increase of employment.

A transport ship had just arrived at an English port, having on board the original Stuart papers

lately discovered at Rome, presented by the pope to the prince regent.

Prices of stocks, *London Aug. 12.*—3 per cent. consols 81 1-8 a 81 1-4; Amer. six per cents. Aug. 8, 107.

Flour at *Liverpool Aug. 14*, was 48s. dull: patashes 50s. pearl 58 a 67; cotton, Georgia, 1s. 6d. a 1 9: do. New Orleans 1s. 9d. a 1s. 11d. rice 31s. a 32.

A great dinner was given at the Crown or Anchor tavern to celebrate the acquittal of Mr. Watson and his companions—Mr. Hunt, in the chair. Watson, &c. were present. The toasts were decided for reform.

The ship *Two Friends*, with upwards of 100 officers, Englishmen, to join the revolutionists in Spanish America, sailed from Portsmouth, England, Aug. 1. Facilities were afforded by gen. Menzies, the agent of the Venezuelan Republic. The *Two Friends* has on board 10,000 stand of arms, 10,000 cutlasses, &c. and cleared for St. Thomas.

A London paper of August, 12, says.—Government having adopted the resolution of fitting out armed vessels for the protection of the trade of England against the acts of piracy similar to those which the merchantmen of other countries have experienced from privateers bearing the South-America flag, the ships of war appointed to this necessary service will be shortly ready to sail. Their first destination is supposed to be the Rio de la Plata.

A large society for the protection of the cotton trade has been projected in London. It is to establish correspondents in most foreign countries, to obtain information connected with its interests, to confer with ministers, &c. It was remarked that the price of weaving some cotton articles had fallen 75 per cent.

The consumption of cotton wool in England in the present year, is estimated at 92 millions of pounds. Last year it was 75 millions.

A solar micro cope has been constructed in Glasgow upon so large a scale that hundreds of insects were discovered by it devouring the body of a gnat, and scores that had lived luxuriously for several months, on the leg of a moth!!!

A Beacon is erecting on Carr Rock, at the entrance of the Frith of Forth, and a bell is to be continually tolled by clock work, which is to be wound up by the rising of the tide.

Richard Soaper, a Scavelman, in the Plymouth dock-yard, has been rewarded by the navy-board, with the sum of 20 guineas, for his ingenuity in inventing a method of stopping leaks or shot holes, under water. The board have also directed that he shall receive promotion.

Roger O'Connor, esq. a gallant, distinguished, and highly accomplished and wealthy Irishman, has been acquitted of the charges against him. His great fault was that, by his liberality and goodness of heart, he was too much beloved by the people; his influence was feared, and, to get rid of him, a pack of rascals were hired to swear he had robbed a mail coach many years before! Though the charge was so ridiculous as to have made it a subject for laughter in other circumstances—though the gentleman was prepared to prove a negative as clearly as a person at *Nootka Sound* could have done, if he had been charged with it—still it hung over him for a long time, and he had great difficulty to get a trial—he was tried, and instantly acquitted. In respect to this gentleman we observe the following in the *New-York Columbian*—

“When one reflects on the present system of the

British government, it furnishes not a little cause for triumph, that innocence should occasionally triumph (even in Ireland;) over the best laid plans for the destruction of those who have been suspected of attachment to that unfortunate country. Mr. O'Connor, confiding in his innocence, and with a spirit worthy of a man who has been so long in active opposition to the foreign rulers who have tyrannized over his country, did not suffer himself to doubt for a moment of the result of a *public trial by jury!* In this confident spirit of innocence he thus writes to a friend in this city, sometime before his trial.

"The bearer, ——— is about to quit this miserable wretched province for New-York, and is desirous of being known to some gentleman of respectability: he is well recommended to me, and I hope you will give him your countenance and advice as to the best mode to be adopted by a stranger for the attainment of the object he has in view.

"This country is no longer habitable! Perjury and villainy of every kind are completely organized, and it requires only a slight unsuccessful insurrection to introduce a complete confiscation of all the real estates that have been acquired since the relaxation of the penal laws. The present generation may possibly witness a renewal of those scenes that characterised the days of James the first and of William; if not of that celebrated British worthy, CROMWELL.

"Our people are well aware of this, and you may rely on it that the greater part of the population will, at no distant period, emigrate to the New World! I am only delayed by the impossibility of adjusting my affairs in a hurry—and trust that I shall have the pleasure of seeing you and my other friends in New-York early in the spring."

## FRANCE.

A further reduction of the foreign troops who have held the possession for king Louis, is spoken of—France cannot pay for them.

Letters from Rome announce the nomination of several French prelates to fill the high ecclesiastical functions which have been so long vacant.—Archbishop Talleyrand Perigord, duke "of Rheims, is appointed to the see of Paris!"

The expatriated Frenchmen, now resident in Flanders, are ordered to quit the country; the French government considering them dangerous neighbors, and that of the Netherlands troublesome visitors.

Among the emigrants who have lately reached the United States from France, is capt. Bailliard, who conveyed Bonaparte from Elba to France.

We are satisfied, that the reported incivility of the duchess of Angouleme to Mrs. Gallatin, as noticed in our last, is not true.

Among the old things restored in France, is the monopoly of tobacco. The total purchase by government in the present year, amounts to 7134 hlds.

## MARIA LOUISA BONAPARTE.

The London papers contain an article purporting to be a protest of the ex empress Maria Louisa, against the occupation of the French throne by the Bourbons. The Courier announces it to be a forgery; we believe it is one, and therefore do not publish it. The London papers seem now to be zealous to bring it about that the boy who passes for the son of Napoleon and Maria Louisa, is not the child of either.

## SPAIN.

The following is published in the Aurora as the copy of a letter from our minister at Madrid on the case of Mr. Meade, whose long and unjust imprisonment at Cadiz has so excited the public sympathy:

To his excellency Don Jose Pizarro, first secretary of state, &c. &c. Madrid.

Madrid, 29th June, 1817.

Sir—My last note to you on the case of R. B. Meade was on the 9th of May last; that representation, induced your excellency to repeat his majesty's orders to the council of war, to the end that it might forthwith execute the consulta which has been so long since demanded from it. It was to be expected that in a case of this urgency, when the liberty, fortune, health and domestic happiness of an innocent man had been wantonly sacrificed, that the tribunal would have hastened to repair the errors which it had fallen into, more particularly as in the name of my government, I had demanded the liberty of this individual. It was not however till the 16th May, that the fiscal's dictamen was given. That document, after a vain attempt to justify the anterior proceedings complained of, concludes in these words:

"But at present, when the deposit exists in actual cash, as the treasurer general states, and when the consulado assure us that it demanded Meade to make the deposit in the treasury of the rents, it appears that he having complied with those two extremes, his arrest ought no longer to continue."

The conclusion which the fiscal has thus arrived at, and the facts on which he has founded it, were as true twelve months ago, as they are now. In fine, here is a formal confession of the fiscal himself, according to which, there is no ground for continuing the imprisonment of Mr. Meade a single moment; but though this dictamen was given on the 26th May last, Mr. Meade has not been yet released; I therefore pray that your excellency would be pleased to order that the council act in conformity to it without the least delay. I renew to your excellency assurances of my most distinguished consideration.

(Signed)

GEO. W. ERVING.

[It is believed that the chief reason of Mr. Meade's confinement is because the government of Spain owes him a great deal of money—which they would torture him unto a relinquishment of his claims to.] Translation of another letter from a Spanish gentleman dated Madrid, 20th July, 1817.

"It is determined here to inflict capital punishment on all who were, however remotely, implicated in the affair of general Lacy, but with this cruel refinement of discrimination—some are to be shot to death in a military way—others to be strangled (*garrote*)—others are to be hanged on gibbets—and some are to be burnt alive; this is the age of civilization—and among the prisoners too there are many ladies of the first nobility." Aurora.

A letter from Madrid announces that St. Ignace de Loyola has just been named captain general of the Spanish armies and invested with the great cordon of Charles III. It is a new proof of the credit and favor the Jesuits enjoy in the kingdom.

## PORTUGAL.

The capture of the two Portuguese indiamen, off Lisbon, by a Buenos Ayrean privateer, has created much excitement there. They were valued at more than a million and a half of dollars, and owned by many individuals in small shares; attaching great blame on our government for not taking more prompt and effectual measures to prevent its citizens from engaging in such acts of "plunder and piracy." Our government cannot do any thing more in this business than it has done—our citizens may go where they please,—but if, as before observed, they fight under a foreign flag, they can look only to that flag for protection, and are every where amenable to the general laws of nations. As



citizens of the United States they are forbidden to engage in such enterprizes, and liable to punishment for it by law.

Transports with troops about 4000 men, have sailed from Portugal for Brazil.

#### GERMANY.

The elector of Hesse, and the Hanse towns, have acceded to the "holy alliance."

Madame Murat has sold so many diamonds at Vienna, that she has actually lowered the price from 100 florins to 70 per carat.

The Hessian government has discovered a very effectual way to prevent emigration. Many, who had sold off their property and were prepared to leave the country, were arrested as criminals, and sent to the house of correction. This is perfectly consistent with the principles on which the "liberties of Europe" have been "restored"—which have converted the people into *white-negro* slaves.

Austria has prohibited the exportation of warlike stores to all countries in a state of insurrection against their lawful government.

Vienna July 20.—The present state of the Austrian army has been officially published here. The principal officers comprise 465 generals and 380 colonels: of whom 321 generals and 163 colonels are unemployed.

The army consists of, 1st. infantry, 58 regiments of the line, 21 battalions of grenadiers, 17 frontier regiments, one regiment of Tyrolean chasseurs, 12 battalions of chasseurs, and five garrison battalions.—2d, cavalry, eight regiments of cuirassiers, six regiments of dragoons, seven regiments of light horse, 12 regiments of hussars, four regiments of hulans, and a corps of horse gendarmerie in Lombardy.—3d, artillery, five regiments of artillery, a corps of bombardiers, and 19 corps of garrison artillery.—4th, engineers, six generals, 30 staff officers, 102 superior officers, and corps of sappers and miners.

The Austrian corps forming part of the army of occupation in France, consist of six regiments of the line, two battalions of foot chasseurs, two regiments of dragoons, and two regiments of hussars.

The Austrian corps stationed in the kingdom of Naples consists of three regiments of infantry of the line, and a regiment of dragoons.

It is stated that according to a convention which has been concluded, the whole of the Austrian troops will have evacuated the kingdom of Naples by the 1st of October next; the evacuation will be made in three columns.

#### DENMARK.

It is said the Danish government are making extraordinary exertions for the re-establishment of their navy.

Denmark has obtained a loan of 3 millions of dollars at Genoa.

#### SWEDEN AND NORWAY.

The Prince Royal of Sweden and his son Oscar are expected at Christiana towards the end of July. The latter will be installed Viceroy of the usurped kingdom of Norway, by especial order of the king. It is not decided whether he will afterwards fix his residence at Christiana.

An obscure allusion is made in several of the German Journals, to an attempt at assassinating the Crown Prince of Sweden. It is said that six individuals were engaged in this conspiracy, who intended to obtain admission into the palace; but their project being discovered, every precaution was taken to render it abortive.

#### TURKEY.

At Constantinople a plot has been discovered, of which the aga of the Janissaries is supposed to have been the author. He was removed to a strong castle, and there he died—how, need not be told to those who understand the expeditious treatment of rebels in Turkey. It seems the grand seignor is determined to destroy the formidable power of the Janissaries. It will be an experiment of some difficulty and danger.

#### BARBARY POWERS.

An Algerine cruiser captured a Russian ship—but, leaving the captain and four of her crew on board, they recaptured the vessel, and drove all the pirates overboard.

#### EAST INDIES.

The British have captured the fort of Hatrass—it was bombarded with forty two mortars, besides Congreve rockets; the principal magazine blew up with tremendous effect, by which 200 men were killed. The British had only five killed and eight or ten wounded—the loss of the enemy including prisoners, appears to have been about one thousand. A part of the garrison escaped. Hatrass is a very strong fort, surrounded by a ditch 120 feet wide, and 80 feet deep—its capture has been followed by the surrender of Moorlan, and the submission of its rajah, *Bhuvant Singh*, one of the most powerful of the native kings.

There are some notices of various other military proceedings; the result of all tending more firmly to establish the despotism, and extend the already enormous power of the wholesale butchers of the east.

Two women lately burned themselves on the funeral pile of their deceased husbands. The British authorities compromised with the natives, that they might do it, if they would, being unbound—they ascended the pile firmly, and were consumed.

#### WEST INDIES.

A royal decree was issued at Madrid whereby the cultivation, sale and trade of all kinds of tobacco is declared free in Cuba.

#### HAYTI.

We have a translation of the funeral sermon occasioned by the decease of the late 'prince of the blood,' the duke of *Port Margot*, &c. whose death was noticed in our last. He appears to have been a clever black fellow, and probably was worth half a score of others of his rank in Europe. But the royal mummeries of these negroes are as ridiculous as—those of royalty in Europe. And they appear to understand the doctrine of "legitimacy" quite as well as the Bourbons or Guelphs. Either is sufficient to make a man laugh, even in the famous "*November weather*" of England, the season of suicide.

We have a curious statement of a contract made by Petion with the master of an American vessel, for a quantity of powder. He had purchased it at 75 cents, payable in coffee, at a certain rate—the coffee was delivered, and vessel ready to sail, when he said that he could purchase at 50 cents, elsewhere, and detained the vessel for an abatement. Thus the matter rests at present.

#### FLORIDA.

By a gentleman, passenger in the sloop *Hermit*, arrived yesterday morning from St. Mary's we have received the following intelligence:

On the 4th inst. general M'Gregor resigned the command of the patriot troops stationed on Amelia Island. He stated that his reasons for resigning were, that he had been deceived by the company who were to supply him with the means to carry on the war in Florida. He and his lady had gone.

on board the privateer General McGregor, bound to Baltimore. Colonels Posey and Parker, with a number of officers and men, had abandoned the cause. The force on the island was about forty officers and men. There were lying opposite the island, the Buenos Ayrean privateer brig Morgiana, of 18 guns and about 100 men, the national brig St Joseph, of 10 guns and 67 men; the privateer General McGregor, of 10 guns and 65 men. The Venezuelan privateer schooner Jupiter had arrived on the 9th inst. with a French hermaphrodite brig, a prize, loaded with sugar and coffee.

On the night of the 8th September about 350 Spanish troops, principally negroes, arrived on the island; and on the morning of the 9th attacked the patriots about a mile from the town of Fernandina, but were beaten off with the loss of a major and horse killed, and one taken prisoner. The loss of the patriots was two killed and four wounded. On the night of the 10th, they made another attack, and were again beaten off, without the loss of any on either side.

A small Spanish schooner arrived on the 11th inst. from the coast of Africa, with slaves: not knowing the place was in the hands of the patriots, went in and was taken possession of by the Morgiana.

[*So. Pat.*]

Several very valuable Spanish ships, prizes, have probably arrived at Amelia.

#### BRITISH AMERICA.

*Montreal Aug. 30*—By an official article which we have copied from the Quebec Gazette, we find that British North America lumber is to be put on the same footing, in respect to duties, in England, as that from foreign countries, which will, in the completest manner, prohibit us from participating in that valuable branch of trade.

#### "SPANISH AMERICA."

The patriots have full possession of the province of Guayana, of which Angustura is the capital.

The Spanish prize ship, noticed in our last as lying off the eastern coast, deserted by her crew, has been towed ashore at cape Elizabeth—and the articles remaining on board, which appear valuable, are in the possession of the proper authorities. Another vessel, a prize also, reported to be in a sinking condition, has been boarded off the coast by a fishing schooner, which was freighted with the most valuable effects, and has arrived with them.

The privateer True-Blooded-Yankee, capt. Jewett, has captured after a short action, a Spanish sloop of war.

The frigate that lately arrived at Havana from Vera Cruz, with upwards of three millions of dollars on board, has sailed for Cadiz.

We have accounts from *Buenos Ayres* of the 1st of July. They are of interest only as shewing that Chili is relieved of the royalists.

A Buenos Ayrean brig called the *Calypso*, mounting 12 long 18 pounders, a formidable vessel, lately appeared off Charleston, with a large prize ship in company, and proceeded to Amelia.

### CHRONICLE.

Maj. gen *Brown*, who accompanied the president in his western tour, arriving at Pittsburg, was there invited to and partook of a public dinner given by the citizens. The first of the regular toasts offered on the occasion was—"Our country; the abode of liberty and peace. The most tender recollections invite us to cherish that NATIONAL FEELING, which, whilst it advances her prosperity, will, at all hazards, maintain her honor."

The health of the general being drunk, he thanked the company, and gave the following toast—"My fellow citizens of the city of Pittsburg—distinguished in a great state, for intelligence and enterprise—may their efforts to add to national prosperity, receive, as they merit, national support."

Gen *Scott* has lately visited Quebec. A writer, in one of the papers there, referring to the injunction of Washington—"in peace prepare for war," is very anxious that he should not see too much. The British will hardly return the courtesy of too many of our officers, who, during the war, had so profound a respect for every thing English, that they exposed to prisoners, and others, every thing under their charge! But most of them learnt that so great hospitality was not justifiable, before the end of the contest.

*Gambling*.—Among the persons lately convicted at Albany of criminal practices, a certain William Kennedy was sentenced to fine and imprisonment for cheating in a game, called in the indictment, "*High cockney-rorum, or drop-the-pidgeon*."

A captain *Jacobson*, a native of Hamburg, we believe, but now a citizen of the United States, has been convicted before the circuit court of the U. S. judge Livingston presiding, of causing a vessel to be sunk at sea to defraud the underwriters, and sentenced to death.

*The Americans at Paris* celebrated, in great style, the anniversary of their country's independence—Mr. Brown, late senator from Louisiana, presided; Mr. Rodman, vice-president. Among the invited guests were generals *La Fayette*, *Miollis* and *St. Simon*. The set-toasts were good—the following are some of the volunteers:

By gen. *La Fayette*—The friends of liberty in both hemispheres—and may the doctrine of rights every where prevail over the doctrine of privileges.

By gen. *Miollis*—May the prosperity of the U. States, already great, continue to increase.

By gen. *St. Simon*—*The freedom of industry in the old and new world*—The source of national wealth and happiness.

By Mr. *Willhouse*—The high destinies of America rightly understood; the only government on earth which founds its glory upon the happiness, and not on the misery of the people.

By Mr. *Ely*—United States' six per cents.—at home above par—abroad above other stocks.

After Mr. *Gallatin* and gen. *La Fayette* had retired, they were very respectfully remembered in the flowing cup, and with "enthusiastic applause."

A very mortal fever prevails at Charleston and Beaufort, S. C. and New-Orleans.

*Prices current*.—At New-Orleans, Aug. 17—flour, 4 s. 6 s nominal; tobacco, 4 a 6, no sales; whiskey 62 a 70, no sales.—Flour at Halifax, September 11, 17½ dollars, and very scarce.

The tide of emigration to the United States is unabated. The editor feels confirmed in his opinion that the emigrants will amount to 30,000 for the year 1817.

*Vermont election*.—Gov. *Galusha* is re-elected, and the republican ticket has prevailed by an increased majority.

*Connecticut election*.—The republican ticket has prevailed in this state by a very large majority, and the contemplated reforms are expected to take place—the state will have a constitution. A letter to the editor says that the majority in the assembly will be upwards of forty "old fashioned republicans." They have also succeeded in the election of their council nomination—each branch of the government must, therefore, be republican. Later ad-



vices give the following statement of the representatives of the several counties—

	Rep.	Fed.
Hartford	13	19
New Haven	14	11
New London	19	3
Litchfield	16	22
Middlesex	12	2
Windham	15	10
Fairfield	28	0
Tolland	11	6
	129	73
Rep. maj.	56	

**Marine officers.**—The question respecting the court martial for the trial of certain charges against the commandant of the marine corps, is at length settled, and the court commenced the trial on Saturday, with the addition to its former members of col. JESSE of the army, and of two officers of marines, major SMITH and major WAINWRIGHT.—*Nat. Int.*

**United States Bank.**—There will probably be a branch of this bank in every state. The flourishing town of Fayetteville has been selected for one in North-Carolina.

**Washington monument.**—A vessel has arrived at New-York, which, some of the papers tell us, has brought from Italy the "Washington monument to be erected at Baltimore." This is a mistake—there is no vessel in the world big enough to carry this monument—it is erecting of native marble. The vessel has brought out some of the ornamental parts for the "Battle monument."

**Kidnapping.**—A fellow convicted of stealing a free negro boy and of selling him for a slave, detected in Virginia, has been brought to Baltimore, tried,—found guilty, and sent to hard labor in the penitentiary for five years.

**New-Orleans**—is sickly, the deaths are said to amount to twelve per day, exclusive of the Kentucky and other boat-men, who are said to disappear by "boat loads." We are happy to learn, however that the fever was abating.

**The 11th September.**—was celebrated by a ball at Plattsburgh. Gen. Scott, col. Totten and col. Snelling and their ladies, and col. Atkinson, and most of the officers of the 6th regiment, were present.

**Indian battle.** The St. Louis paper of the 23d of August contains the following account of preparatory movements for a great Indian battle.

By a gentleman just arrived from New Orleans, via river Ouachitta, we are informed that a formidable coalition of Indian tribes have assembled at the Cherokee villages on the Arkansas, consisting of Cherokees, Choctaws, Shawanoes, and Delawares from the east side of the Mississippi, and Caddo's, Coshattes, Tankawahs, Comanches and the Cherokees of the Arkansas, for the purpose of waging war against the Osages. The Coshattes, Tankawahs and Caddo's of Red river, and the Cherokees of the Arkansas, complain that the Osages are perpetually sending strong war parties into their country, killing small hunting bands of their people, and driving off their horses. Our informant travelled part of the distance between the Ouachitta and Arkansas rivers with a large party, going on to join the confederate troops. They had six field pieces with several whites and half breeds, who learned the use of artillery under general Jackson last war. They said they were informed that the Osages had built forts, to which they intended to retreat after the general battle, which it is thought will be fought near

Earhart's salt works on the Arkansas, on that cluster of streams called the Six-Bulls, and above the boundary line lately run between the interior counties of this territory and the Osage country.

The Osages are aware of the intended attack, but cannot believe they will be met by such a formidable force.

As they always fight the pitched battles on horse-back, it is probably they will be defeated in that broken country which they have chosen for the combat.

**Punctuality.**—The late Mr. Scott, of Exeter, who died a few days ago, travelled on business till about 80 years of age. He was one of the most celebrated characters in the kingdom for punctuality, and by his methodical conduct, joined to uniform diligence, he gradually amassed a large fortune. For a long series of years the proprietor of every inn he frequented in Devon and Cornwall knew the day and the very hour he would arrive. A gentleman being on his journey in Cornwall stopped at a small inn at Port Isaac to dine. The waiter presented him with a bill of fare, which he did not approve of, but observing a fine duck roasting, "I'll have that!"—said the traveller. "You can't, sir," said the landlord, "it is for Mr. Scott, of Exeter."—"I know Mr. Scott very well," rejoined the gentleman; "he is not in your house."—"True, sir," said the landlord, "but six months ago, when he was here last, he ordered a duck to be ready for him this day precisely at 2 o'clock," and to the astonishment of the traveller he saw the old gentleman, on his Rosinante, jogging into the inn yard about five minutes before the appointed time. [*London paper.*]

**The bible society** at Petersburg had lately a meeting, at which prince Gallitzin stated that the whole number of societies, established to promote the circulation of the word of God, amounted to at least a thousand, of which 700 are in Europe.

**Newtonian theory.**—The French general Alix has published a work in the French language, at Frankfurt and Leipsic, in which he pretends to point out the true structure to the universe, and to overturn the theory of Newton respecting attraction.

**An Elm Tree** is standing near Providence, R. I. which measures, four feet from the ground, 21 feet in circumference. There are 18 main branches, averaging six feet three inches in circumference; the circumference of the whole outline of the branches is 378 feet!

**Something singular.**—A large substance, resembling tallow, has been dug out of the ground in this village, about two feet under the surface of the earth. It is two and a half feet long, and from two to three inches in diameter; its surface of a reddish mould, and appears to have been a long time in the earth. [*Chautauque Gazette.*]

**Five Franc Pieces.**—By the act regulating the currency of the United States, Five Franc Pieces of coin are fixed at the value of 93 cents and 3 mills.

**Origin of Bankers.**—The mint was formerly used by merchants in England to lodge their money in, till the king made free with it in 1640; after which, trusting to servants, till too many run to the army, they lodged it with gold-smiths, whose business was to buy and sell plate and foreign coins, who at first paid four pence per cent. per diem, but loaned to others at higher interest, and so became the first bankers in the year 1645.—*London paper.*

**Washington, (Penn.) August 25.**—We broke ICE this morning, 25th of August, as thick as common soal leather, which had froze during last night.

# NILES' WEEKLY REGISTER.

NEW SERIES. No 6--Vol. I.] BALTIMORE, OCTOBER 4, 1817. [No. 6--Vol. XIII. WHOLE No. 318

THE PAST--THE PRESENT--FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

## Demonstrations of Expenditure.

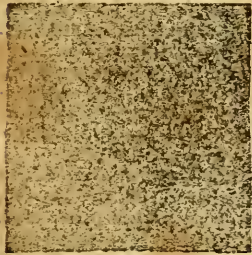
### GREAT BRITAIN AND THE UNITED STATES.

The first set of the diagrams given below, are copied from the "*Liverpool Courier*." Each square is said to "shew the extent and proportion of the different branches of public expenditure of the British empire;" its object is to demonstrate that relief promised from the abolition of *pensions* and *sinecures* is wholly fallacious, and to point out the necessity of striking at the great causes of expenditure, especially that on account of the *national debt*.

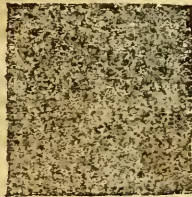
The second set, relating to the United States, have been drawn by the editor of the *WEEKLY REGISTER*, on the *same scale* as those laid down for Great Britain, that a comparison may at once be made. It should, however, be observed, that in the amount of the annual expenditure of the United States, and in the cost of the debt, is included an *actual regular reduction* of the national debt of about *five millions* per annum--or, equal to nearly *5 per cent.* of the present capital;\* while that of Great Britain is *increasing*.

### GREAT BRITAIN AND IRELAND.

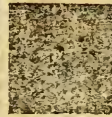
Total annual expenditure of Great Britain and Ireland.



Total annual expense of the national debt.



Army's



Navy's



Total of the government of Ireland.



Miscellaneous services.



Civil list



Pensions and sinecures.



### UNITED STATES.



Total annual expenditure of the U. States.



Public debt, including an *actual* reduction of 5 per cent. on the capital.



Army's



Navy's



Civil list, including miscellaneous expenditures, pensions to invalids, and every other disbursement.

Besides the above, the British editor should have added poor-rates and tythes; which, according to the preceding *scale*, would stand about thus:



Poor rates.



Tythes--England only

The last, the tythes, *alone*, being as large as the diagram shewing the *whole* disbursement of the government of the United States.

The scale is so small that, as it applies to the United States, it is hardly possible to make it mathematically just--but it is sufficiently so to answer the purpose of a general comparison, for which it is designed, though coarsely done.

\*The *actual* reduction of the debt is equal to about one-fifth of the *whole* expenditure of the United States.



The colonization scheme.

To say that I would be a zealous friend of any rightful and reasonable scheme that could be adopted to ameliorate the condition of our black population, or lessen their number, would be superfluous. Those who have read the WEEKLY REGISTER, I flatter myself, have found me *consistent*. I never have made one rule of right for one set of men, or for one country, and advocated its opposite as applicable to another. The doctrine of *expediency* is the doctrine of tyrants—the fertile source of most of the evils of the human race—yet necessity may supercede law: and, perhaps, even acts of violence are sometimes justified to repress, or extinguish, a greater and more permanent evil. But who shall settle boundaries to power? Who restrain the impetuosity of man armed with a little brief authority?—*Hic labor, hoc opus est.*

I entirely dislike the cynical spirit that finds fault without offering a substitute for the thing condemned. Yet, while I profess myself without any hope of success in the colonization project I freely acknowledge that I have nothing better to offer. I am only afraid that, by having our attention directed *abroad*, we may neglect our means at *home*. This is the operation of things in too many important particulars in the United States. *It is in ourselves, and by ourselves only*, that we have to expect any important or permanent improvement of our condition, in any respect. *Foreign* affairs are as one of the many items that conduce to these; we would not disregard them—but the people have placed too great a value upon them.

I am not prepared to say that the annexed estimate is too high. If it is so, and we deduct *fifty per cent.* from it, the amount still left is formidable enough to repress every expectation of success in the project. If, at so much cost and trouble, we find 15,000 annually *willing* to go to a strange land, and effect their transportation, what is the consequence?—in the mean time we shall have had 55 or 60,000 such persons born amongst us, and no sensible effect will be to be discerned.

*Let us look at home.* Let the talents, the zeal, the influence and the wealth excited in behalf of the plan for *foreign* colonization, be *domesticated* to the relief, protection and advancement of the unfortunate race—and *something*, I know not what, perhaps, may be fallen on to bring about an object so much to be desired, as an amelioration of their condition, if not a remote, but ultimate, change of their circumstances.

In the *West Indies*, this wretched race of men are regarded exactly in the same light that we regard horses; and are, in like manner

branded by a hot iron with their owner's name!—Their situation in any part of the United States is much better than it is in the *West Indies*; but we blush at the manifestation of a *disposition* to treat them as bad, and to forbid the probability of their ever becoming useful, *except as slaves*. There are laws existing (we believe) to punish persons for teaching them to read—and those who commend such laws rail at the “degeneracy” and “brutality” of the blacks! A bishop of an *established church* would not do more than this—produce a *cause* and condemn the *effect!*

No question that ever presented itself to my mind, was so much hedged by difficulties. I have thought much upon it, for I have believed that “God is just;” but never yet was able to fix upon any thing even agreeable to my own mind, regarding, alike, the rights and safety of the two parties concerned in the affair. To effect this, would be to me a greater glory than to have won the victory of Waterloo—but it has *bothered* wiser heads than mine. *Something* that will very gradually, but constantly, conduct us to the desired end, may possibly strike a philanthropic mind—and, I would only add, that that *something* must be looked for at home.

*From the United States' Gazette.*

Estimate of the time and expenses of transporting, maintaining, and establishing, exclusive of the charges of governing and protecting a colony of free people of color, in Africa, as proposed by the American Colonization Society.

In the United States, there are now, 1,500,000 people of color (of whom 1,200,000, are slaves.) If it is contemplated to remove but one third of this number, to the colony, at least 34 years will be required for that purpose, as not more than 15,000, can be transported in any one year.

To remove 15,000 in one year, will require about 60 ships or vessels, as it would be dangerous and oppressive to send on board of any one vessel, more than 250 persons.

The transportation of 15,000 persons in 60 ships, in each year, will cost \$75 for each person, being for the 15,000 persons \$1,125,000

The expenses of clothing and fitting each colonist for the voyage, as it is known almost every one will be unprovided for such an expedition, will be at least \$25, each, making for 15,000 375,000

It is contemplated, by the present plan of the American colonization society, to find each colonist with food for one year, after his arrival in Africa, the charges for which, as provisions must be sent from America, will not be less than \$75 for each, making for 15,000 1,125,000

It is also contemplated, and admitted to be necessary, by the advocates of

\*The following are examples of the manner of advertising runaways in Jamaica—“Deborah, a creole, marked C. M. on right shoulder”—“Tom, a creole, marked H. W. L. on right breast”—“William, a manningo, marked I. W. on his breasts.”

this plan, to clothe each colonist for two years after his arrival in Africa, the expenses of which, may be computed for each year \$25, being \$50 for every colonist in the two years, and making for 15,000 750,000

The purchase of land, supposing for every family of 10 persons, one hundred acres are procured, will require every year for 15,000 colonists 150,000 acres, which will cost not less than twenty cents per acre, and will amount to 30,000

The cost of agricultural instruments, articles for domestic purposes, the erection of buildings for each family, and of mills for the preparation of the products of their industry for food or market, will not be less for each family than \$75, and for the 1,500 families will be 122,500

Amounting to an aggregate annual expenditure of 4,797,500

And to the aggregate expenditure for the 500,000 colonists of 163,115,000

By the period the 500,000 are completely colonized, the remaining coloured population of the United States will have increased to 3,000,000, and to colonize them at the rate of 90,000 per year, will require 34 years and 360 ships, each transporting 250 persons, and the annual expenses of these colonists according to the foregoing estimate, will be 28,795,000

And the aggregate cost of colonizing the whole of those persons, including the expenses of the first colony of 500,000, will \$979,030,000

**Paoli Monument.**

At a meeting of the "Republican Artillerists of Chester county," held on the fourth of July, 1817—ISAAC D. BARNARD, esq. presiding, and Dr. WM. DARLINGTON, acting as vice president; after the proceedings in honor of the day had been gone through, the following preamble and resolutions were submitted to the consideration of the company, and unanimously adopted:—

On the 20th of September next, it will have been forty years since a number of our revolutionary heroes, commanded by the gallant gen. WAYNE, were massacred in the most savage manner by the British, in a night attack, near the Paoli. The soil which has been consecrated by the remains of these patriots, is exposed to the invasion of every rude and careless footstep, with no enclosure to protect it—without even the humble memorial of a stone to designate the spot, where sleep our brave defenders. Yet a few short years, and conjecture alone could point to the turf which wraps the men, who laid down their

lives that we might live free and independent.

Moved by sensibilities which these reflections call forth, and which they can never wish to repress,—the *Republican Artillerists* of Chester county, believe it would be highly becoming in them, to attempt such measures as will enable them to pay a tribute of respect, which has so long been due, to the memory of departed merit: They therefore

*Resolve*, That Isaac D. Barnard, Joshua Evans, jr. and Joseph Pearce, esquires, be a committee to make arrangements for enclosing, in a durable manner, the graves of the brave men who perished in the massacre, near the Paoli, on the 20th September, 1777; and also to procure a stone, with an appropriate inscription, to be placed in such part of the enclosure as shall be deemed most expedient.

*Resolved*, that it be enjoined upon said committee to confer with such of our surviving revolutionary patriots as can conveniently be consulted, with respect to the most eligible mode of performing this duty; and also that the committee be directed to open a subscription paper for the purpose of defraying the expense of the same; to which our fellow-citizens generally are hereby respectfully invited to contribute.

*Resolved*, that so soon as the said committee shall be enabled to go on with the work, they be directed to have the same executed in the best possible manner; and, if practicable, to have it in such a state of forwardness that it may be completed, in the presence of the company, on Saturday the 20th September next.

*Resolved*, that in case the undertaking can be accomplished by the time aforesaid, this company will assemble at the Paoli, on the anniversary of the catastrophe, and proceed from thence to the place of burial, to close the ceremony with the usual military honors.

In conformity with these resolutions the committee proceeded to the performance of the duty assigned them. The *tumulus*, or cluster of graves, in which the soldiers were interred, was enclosed by a substantial stone wall, forming an oblong square, from north to south, sixty-five feet long by twenty feet wide, with a gate in the middle of the western side-wall. A handsome marble monument, eight feet and an half in height, was then procured and erected in the centre of the enclosure. Upon the four sides of the *die* of the monument, which is a solid block of marble four feet in height, and twenty inches square, the following inscriptions are engraved:—

(On the west side—fronting the gate.)

SACRED  
to the memory of the  
PATRIOTS  
who on this spot fell a sacrifice  
to  
BRITISH BARBARITY,  
during the struggle for



## AMERICAN INDEPENDENCE,

on the night of the  
twentieth September  
1777.

(On the south side.)

Here repose  
the remains of fifty three  
AMERICAN SOLDIERS,  
who were the victims of  
cold-blooded cruelty

in the well known  
"MASSACRE AT THE PAOLI,"

while under the command  
of  
GENERAL ANTHONY WAYNE,  
an officer

whose military conduct, bravery and humanity,  
were equally conspicuous  
throughout the

REVOLUTIONARY WAR.

(On the north side.)

THE  
ATROCIOUS MASSACRE  
which

this stone commemorates  
was perpetrated

by  
BRITISH TROOPS,

under the  
immediate command  
of

MAJOR-GENERAL GREY.

(On the east side.)

This memorial  
IN HONOR OF  
REVOLUTIONARY PATRIOTISM,  
was erected

September 20, 1817,  
by the

REPUBLICAN ARTILLERISTS  
of Chester county,  
aided by the

contributions of their fellow-citizens.

It being ascertained that the work would be accomplished in due time for the purpose, the *artillerists* prepared to close the proceedings with appropriate military honors, on the anniversary of the massacre.

The surviving officers and soldiers of the revolutionary war; the rev. *David Jones*, who served as chaplain to gen. Wayne's brigade throughout that contest, and *Isaac Wayne*, esq. the only son of the general, were particularly requested to honor the company with their presence on that day. The officers of the 3rd division of Pennsylvania militia, were also requested to attend--and the *volunteer corps* of Chester, and the adjacent counties, were invited to co-operate with the *artillerists* on that interesting occasion.

These several invitations were accepted in a manner the most gratifying to the company who had undertaken the laudable and pious work. The *attendance* evinced that the me-

emory of the men of '76 is still cherished with a holy fervor; and that the spirit of those times is still emphatically the spirit of the American people. The numbers, brilliancy, and respectability of the assemblage at the *Paoli*, on the the morning of the 26th September, has probably never been equalled on any occasion, in Chester county. Upwards of four hundred volunteer troops, of different descriptions, appeared completely equipped; and the concourse of citizens was immense. The zeal and spirit displayed by the *Junior Artillerists of Philadelphia*, and the volunteer corps from *Montgomery* and *Delaware counties*, in attending from such a distance, deserve particular notice and acknowledgment.

At 11 o'clock, the procession was organized by colonel *Cromwell Pearce*, late of the 16th regt. U. S. infantry, who acted as *officer of the day*;--and the line of march was taken up in the following order:--

Capt. Harris' "*Union troop of Chester and Delaware,*"  
in advance.

Col. Pearce,  
officer of the day.

Revolutionary officers.

Isaac Wayne esqr. Rev. David Jones.  
Officers of the U. S. navy.

"*Republican Artillerists of Chester county.*"  
commanded by maj. Barnard,  
(with an elegant brass field piece.)

Captain Cooper's "*Junior Artillerists,*"  
from Philadelphia.

Captain Wersler's "*Chester county volunteer light infantry.*"

Capt. Holdgate's "*Montgomery Blues.*"

Capt. G. G. Leiper's "*Delaware Fencibles.*"

Brig. gen. Brooke, and staff--and  
officers of the 3rd division,  
Pennsylvania militia.

Field officers of militia, from Philadelphia.

Capt. Holstein's troop of cavalry,  
from Montgomery county.

Capt. Smith's Delaware county troop.

Contributors  
and

Citizens generally.

The column moved in this order up the Lancaster turnpike road as far as the *Warren* tavern where it wheeled to the left, and proceeded to the scite of the monument, which it approached with solemn music, performed by two *bands*, attached to capt. Harris' troop, and the *Republican Artillerists*, respectively, and accompanied by the music of the other corps. By this circuitous route, (about three miles in extent,) the whole ground of the scene of action, on that disastrous night, was included.

Having arrived at the place of interment, the troops, and others, took the several stations assigned to them; and an appropriate address was delivered by major *Barnard*. The committee of superintendance then proceeded to put the last hand to their labors, by adjusting the pyramid which crowns the monument.— This was succeeded by an interesting account of the massacre, by the rev. *David Jones*, the former chaplain to those ill-fated warriors, who was on the ground at the time of that event. It did indeed excite emotions of peculiar interest, to hear the voice of the venerable companion of *Wayne*, now in his eighty-second year, who had served throughout the revolutionary contest; and who again repaired to the standard of his country, in order to animate his youthful compatriots, during the late war with the same vindictive enemy. When he had finished his remarks, the ceremonies were concluded by twenty rounds from the field-piece, by the Republican Artillerists, and several volleys of musquetry, from the light troops.

The procession was then resumed; and, having retired some distance, the several companies were dismissed—and the business of the day terminated in the most decorous and becoming manner. The scene throughout was solemn and imposing; and the impression upon the public feeling was, as it should be, of the most gratifying and salutary character.

## Constitution of the State of Indiana.

ADOPTED IN CONVENTION, AT CORYDON, ON THE TWENTY NINTH DAY OF JUNE, IN THE YEAR OF OUR LORD, EIGHTEEN HUNDRED AND SIXTEEN, AND OF THE INDEPENDENCE OF THE UNITED STATES THE FORTIETH.

We, the representatives of the people of the territory of Indiana, in convention, met at Corydon, on Monday the tenth day of June, in the year of our Lord, eighteen hundred and sixteen, and of the independence of the United States, the fortieth, having the right of admission into the general government, as a member of the union, consistent with the constitution of the United States, the ordinance of congress of one thousand seven hundred and eighty seven, and the law of congress, entitled, "an act to enable the people of the Indiana territory to form a constitution and state government, and for the admission of such state into the union on an equal footing with the original states," in order to establish justice, promote the welfare, and secure the blessings of liberty to ourselves and our posterity; do ordain and establish the following constitution or form of government; and do mutually agree with each other to form ourselves into a free and independent state, by the name of the state of Indiana.

### ARTICLE I.

Sec. 1. That the general, great, and essential principles of liberty and free government may be recognized, and unalterably established: *We declare*, That all men are born equally free and independent, and have certain natural, inherent, and unalienable rights; among which are, the enjoying and defending life and liberty, and of acquiring, possessing,

and protecting property, and pursuing and obtaining happiness and safety.

Sec. 2. That all power is inherent in the people; and all free governments are founded on their authority, and instituted for their peace, safety, and happiness. For the advancement of these ends, they have, at all times, an unalienable and indefeasible right to alter or reform their government in such manner as they may deem proper.

Sec. 3. That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their consciences. That no man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent: That no human authority can, in any case whatever, control or interfere with the rights of conscience: And that no preference shall ever be given by law to any religious societies, or modes of worship; and no religious test shall be required as a qualification to any office of trust or profit.

Sec. 4. That elections shall be free and equal.

Sec. 5. That in all civil cases, where the value in controversy shall exceed the sum of twenty dollars, and in all criminal cases, except in petit misdemeanors, which shall be punishable by fine only, not exceeding three dollars, in such manner as the legislature may prescribe by law, the right of trial by jury shall remain inviolate.

Sec. 6. That no power of suspending the operation of the laws shall be exercised, except by the legislature, or its authority.

Sec. 7. That no man's particular services shall be demanded, or property taken or applied to public use, without the consent of his representatives, or without a just compensation being made therefor.

Sec. 8. The rights of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Sec. 9. That the printing presses shall be free to every person who undertakes to examine the proceedings of the legislature, or any branch of government; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man; and every citizen may freely speak, write, and print, on any subject, being responsible for the abuse of that liberty.

Sec. 10. In prosecutions for the publication of papers investigating the official conduct of officers or men in a public capacity, or where the matter published is proper for the public information, the truth thereof may be given in evidence; and in all indictments for libels, the jury shall have a right to determine the law and the facts, under the direction of the court, as in other cases.

11. That all courts shall be open, and every person, for an injury done him, in his lands, goods, person, or reputation, shall have remedy by the due course of law; and right and justice administered without denial or delay.

Sec. 12. That no person arrested, or confined in jail, shall be treated with unnecessary rigor, or be put to answer any criminal charge but by presentment, indictment, or impeachment.

Sec. 13. That in all criminal prosecutions, the accused hath a right to be heard by himself and counsel, to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, to have compulsory process for obtaining witnesses in his favor; and



in prosecutions by indictment or presentment, a speedy public trial by an impartial jury of the county or district in which the offence shall have been committed; and shall not be compelled to give evidence against himself, nor shall he be twice put in jeopardy for the same offence.

Sec. 14. That all persons shall be bailable by sufficient sureties, unless for capital offences, when the proof is evident, or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless, in case of rebellion or invasion, the public safety may require it.

Sec. 15. Excessive bail shall not be required, excessive fines shall not be imposed, nor cruel and unusual punishments inflicted.

Sec. 16. All penalties shall be proportioned to the nature of the offence.

Sec. 17. The person of a debtor, where there is not strong presumption of fraud, shall not be continued in prison after delivering up his estate, for the benefit of his creditor or creditors, in such manner as shall be prescribed by law.

Sec. 18. No ex post facto law, nor any law impairing the validity of contracts, shall ever be made, and no conviction shall work corruption of blood, nor forfeiture of estate.

Sec. 19. That the people have a right to assemble together, in a peaceful manner, to consult for their common good, to instruct their representatives, and to apply, to the legislature for a redress of grievances.

Sec. 20. That the people have a right to bear arms for the defence of themselves, and the state; and that the military shall be kept in strict subordination to the civil power.

Sec. 21. That no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Sec. 22. That the legislature shall not grant any title of nobility, or hereditary distinctions, nor create any office, the appointment to which shall be for a longer term than good behavior.

Sec. 23. That emigration from the state shall not be prohibited.

Sec. 24. To guard against any encroachments on the rights herein retained, we declare, that every thing in this article, is excepted out of the general powers of government, and shall forever remain inviolable.

#### ARTICLE II.

The powers of the government of Indiana shall be divided into three distinct departments, and each of them be confided to a separate body of magistracy, to wit: Those which are legislative, to one; those which are executive, to another; and those which are judiciary, to another: And no person, or collection of persons, being of one of those departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted.

#### ARTICLE III.

Sec. 1. The legislative authority of this state shall be vested in a general assembly, which shall consist of a senate and house of representatives, both to be elected by the people.

Sec. 2. The general assembly may, within two years after their first meeting, and shall, in the year eighteen hundred and twenty, and every subsequent term of five years, cause an enumeration to be made of all the white male inhabitants above the age of twenty-one years. The number of representatives shall, at the several periods of making such enumeration, be fixed by the general as-

sembly, and apportioned among the several counties, according to the number of white male inhabitants above twenty-one years of age, in each; and shall never be less than twenty-five nor greater than thirty-six, until the number of white male inhabitants, above twenty-one years of age, shall be twenty-two thousand; and after that event, at such ratio that the whole number of representatives shall never be less than thirty-six nor exceed one hundred.

Sec. 3. The representatives shall be chosen annually, by the qualified electors of each county, respectively, on the first Monday of August.

Sec. 4. No person shall be a representative, unless he shall have attained the age of twenty-one years; and shall be a citizen of the United States, and an inhabitant of this state; and shall also have resided within the limits of the county in which he shall be chosen, one year next preceding his election, if the county shall have been so long erected; but if not, then within the limits of the county or counties out of which it shall have been taken, unless he shall have been absent on the public business of the United States, or of this state, and shall have paid a state or county tax.

Sec. 5. The senators shall be chosen for three years, on the first Monday in August, by the qualified voters for representatives; and on their being convened, in consequence of the first election, they shall be divided by lot, from their respective counties or districts, as near as can be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the first year; and the second class at the expiration of the second year, and of the third class, at the expiration of the third year; so that one third thereof, as near as possible, may be annually chosen, forever thereafter.

Sec. 6. The number of senators shall, at the several periods of making the enumeration before mentioned, be fixed by the general assembly, and apportioned among the several counties or districts, to be established by law, according to the number of white male inhabitants of the age of twenty-one years in each, and shall never be less than one third, nor more than one half of the number of representatives.

Sec. 7. No person shall be a senator unless he shall have attained the age of twenty-five years, and shall be a citizen of the United States, and shall, next preceding the election, have resided two years in the state, the last twelve months of which, in the county or district in which he may be elected, if the county or district shall have been so long erected; but if not, then within the limits of the county or counties district or districts, out of which the same shall have been taken; unless he shall have been absent on the public business of the United States, or this state, and shall, moreover, have paid a state or county tax.

Sec. 8. The house of representatives, when assembled, shall choose a speaker, and its other officers: and the senate shall choose its officers, except the president; and each shall be judges of the qualifications and elections of its members, and sit upon its own adjournments. Two-thirds of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members.

Sec. 9. Each house shall keep a journal of its proceedings, and publish them. The yeas and nays of the members, on any question, shall at the request of any two of them, be entered on the journals.

Sec. 10. Any one member of either house shall have liberty to dissent from, and protest against,

any act or resolution, which he may think injurious to the public, or any individual or individuals, and have the reason of his dissent entered on the journals.

Sec. 11. Each house may determine the rules of its proceedings, punish its members for disorderly behaviour, and, with the concurrence of two-thirds, expel a member, but not a second time for the same cause; and shall have all other powers necessary for a branch of the legislature of a free and independent state.

Sec. 12. When vacancies happen in either branch of the general assembly, the governor, or the person exercising the power of governor, shall issue writs of election to fill such vacancies.

Sec. 13. Senators and representatives shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest, during the session of the general assembly, and in going to or returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

Sec. 14. Each house may punish, by imprisonment, during their session, any person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behaviour in their presence; provided such imprisonment shall not, at any one time, exceed twenty-four hours.

Sec. 15. The doors of each house, and of committees of the whole, shall be kept open except in such cases as in the opinion of the house, may require secrecy. Neither house shall, without the consent of the other, adjourn for more than two days, nor to any other place than that in which the two houses shall be sitting.

Sec. 16. Bills may originate in either house, but may be altered, amended, or rejected, by the other.

Sec. 17. Every bill shall be read on three different days in each house, unless, in case of urgency, two-thirds of the house, where such bill may be depending, shall deem it expedient to dispense with this rule: And every bill, having passed both houses, shall be signed by the president and speaker of their respective houses.

Sec. 18. The style of the laws of this state shall be, "Be it enacted by the general assembly of the state of Indiana."

Sec. 19. All bills for raising revenue shall originate in the house of representatives, but the senate may amend or reject, as in other bills.

Sec. 20. No person, holding any office under the authority of the president of the United States, or of this state, militia officers excepted, shall be eligible to a seat in either branch of the general assembly, unless he resign his office previous to his election; nor shall any member of either branch of the general assembly, during the time for which he is elected, be eligible to any office, the appointment of which is vested in the general assembly: *Provided*, That nothing in this constitution shall be so construed as to prevent any member of the first session of the first general assembly from accepting any office that is created by this constitution, or the constitution of the United States, and the salaries of which are established.

Sec. 21. No money shall be drawn from the treasury but in consequence of appropriations made by law.

Sec. 22. An accurate statement of the receipts and expenditures of the public money shall be attached to, and published with, the laws, at every annual session of the general assembly.

Sec. 23. The house of representatives shall have the sole power of impeaching; but a majority of all the members elected must concur in such impeachment. All impeachments shall be tried by the senate; and when sitting for that purpose, the senators shall be upon oath or affirmation, to do justice according to law and evidence. No person shall be convicted without the concurrence of a majority of all the senators elected.

Sec. 24. The governor, and all civil officers of the state, shall be removed from office, on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors; but judgment, in such cases, shall not extend further than removal from office, and disqualification to hold any office of honor, profit or trust, under this state. The party, whether convicted or acquitted, shall, nevertheless, be liable to indictment, trial, judgment, and punishment, according to law.

Sec. 25. The first session of the general assembly shall commence on the first Monday of November next; and forever after, the general assembly shall meet on the first Monday in December, in every year, and at no other period, unless directed by law, or provided for by this constitution.

Sec. 26. No person, who hereafter may be a collector, or holder of public money, shall have a seat in either house of the general assembly, until such person shall have accounted for, and paid into the treasury, all sums for which he may be accountable.

#### ARTICLE IV.

Sec. 1. The supreme executive power of this state shall be vested in a governor, who shall be styled, the governor of the state of Indiana.

Sec. 2. The governor shall be chosen by the qualified electors, on the first Monday in August, at the places where they shall respectively vote for representatives. The returns of every election for governor shall be sealed up, and transmitted to the seat of government, directed to the speaker of the house of representatives, who shall open and publish them in presence of both houses of the general assembly. The person having the highest number of votes shall be governor; but if two or more shall be equal, and highest in votes, one of them shall be chosen governor by the joint vote of the members of both houses. Contested elections shall be determined by a committee to be selected from both houses of the general assembly, and formed and regulated in such manner as shall be directed by law.

Sec. 3. The governor shall hold his office during three years, from and after the third day of the first session of the general assembly, next ensuing his election, and until a successor shall be chosen and qualified, and shall not be capable of holding it longer than six years in any term of nine years.

Sec. 4. He shall be at least thirty years of age, and shall have been a citizen of the United States for ten years, and have resided in the state five years next preceding his election; unless he shall have been absent on the business of this state, or of the United States: *Provided*, That this shall not disqualify any person from the office of governor, who shall be a citizen of the United States, and shall have resided in the Indiana territory two years next preceding the adoption of this constitution.

Sec. 5. No member of congress, or person holding any office under the United States, or this state, shall exercise the office of governor or lieutenant governor.

Sec. 6. The governor shall, at stated times, receive for his services a compensation, which shall



neither be increased nor diminished during the term for which he shall have been elected.

Sec. 7. He shall be commander in chief of the army and navy of this state, and of the militia thereof, except when they shall be called into the service of the United States; but he shall not command personally in the field, unless he shall be advised so to do by a resolution of the general assembly.

Sec. 8. He shall nominate, and by and with the advice and consent of the senate, appoint and commission all officers, the appointment of which is not otherwise directed by this constitution; and all officers which may be created by the general assembly, shall be filled in such manner as may be directed by law.

Sec. 9. Vacancies that may happen in offices, the appointment of which is vested in the governor and senate, or in the general assembly, shall be filled by the governor, during the recess of the general assembly, by granting commissions that shall expire at the end of the next session.

Sec. 10. He shall have power to remit fines and forfeitures, grant reprieves and pardons, except in cases of impeachments.

Sec. 11. He may require information, in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices.

Sec. 12. He shall, from time to time, give to the general assembly information of the affairs of the state, and recommend to their consideration such measures as he shall deem expedient.

Sec. 13. He may, on extraordinary occasions, convene the general assembly at the seat of government, or at a different place, if that shall have become, since their last adjournment, dangerous from an enemy, or from contagious disorders; and in case of disagreement between the two houses with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the time of their next annual session.

Sec. 14. He shall take care that the laws be faithfully executed.

Sec. 15. A lieutenant-governor shall be chosen, at every election for a governor, in the same manner, continue in office for the same time, and possess the same qualifications. In voting for governor and lieutenant governor, the electors shall distinguish whom they vote for as governor, and whom as lieutenant governor.

Sec. 16. He shall, by virtue of his office, be president of the senate, have a right, when in committee of the whole, to debate, and vote on all subjects, and when the senate are equally divided, to give the casting vote.

Sec. 17. In case of impeachment of the governor, his removal from office, death, refusal to qualify, resignation, or absence from the state, the lieutenant governor shall exercise all the powers and authority appertaining to the office of governor, until another be duly qualified, or the governor absent or impeached, shall return or be acquitted.

Sec. 18. Whenever the government shall be administered by the lieutenant governor, or he shall be unable to attend as president of the senate, the senate shall elect one of their own members as president for that occasion. And if during the vacancy of the office of governor, the lieutenant governor shall be impeached, removed from office, refuse to qualify, resign, die, or be absent from the state, the president of the senate pro tem. shall in like manner, administer the government, until he shall be superseded by a governor, or lieutenant governor. The lieutenant governor, while he acts as

president of the senate, shall receive for his services, the same compensation which shall, for the same period, be allowed to the speaker of the house of representatives, and no more: And during the time he administers the government, as governor, shall receive the same compensation which the governor would have received and been entitled to, had he been employed in the duties of his office, and no more.

Sec. 19. The president pro tempore of the senate, during the time he administers the government, shall receive, in like manner, the same compensation which the governor would have received had he been employed in the duties of his office, and no more.

Sec. 20. If the lieutenant governor shall be called upon to administer the government, and shall, while in such administration, resign, die, or be absent from the state, during the recess of the general assembly, it shall be the duty of the secretary of state, for the time being, to convene the senate for the purpose of choosing a president pro tempore.

Sec. 21. A secretary of state shall be chosen by the joint ballot of both houses of the general assembly, and be commissioned by the governor, for four years, or until a new secretary be chosen and qualified. He shall keep a fair register, and attest all the official acts and proceedings of the governor; and shall, when required, lay the same, and all papers, minutes, and vouchers, relative thereto, before either house of the general assembly; and shall perform such other duties as may be enjoined him by law.

Sec. 22. Every bill which shall have passed both houses of the general assembly, shall be presented to the governor: if he approves he shall sign it; but if not, he shall return it, with his objections, to the house, in which it shall have originated, who shall enter the objections at large upon their journals, and proceed to reconsider it. If, after such consideration, a majority of all the members elected to that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by a majority of all the members elected to that house, it shall be a law: but in such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for, and against the bill, shall be entered on the journals of each house respectively. If any bill shall not be returned by the governor, within five days (Sunday's excepted) after it shall have been presented to him, it shall be a law, in like manner as if he had signed it; unless the general adjournment prevents its return; in which case it shall be a law, unless sent back within three days after their next meeting.

Sec. 23. Every resolution, to which the concurrence of both houses may be necessary, shall be presented to the governor, and before it shall take effect, be approved by him, or being disapproved, shall be repassed by a majority of all the members elected to both houses, according to the rules and limitations prescribed in case of a bill.

Sec. 24. There shall be elected by joint ballot of both houses, of the general assembly, a treasurer, an auditor, whose powers and duties shall be prescribed by law, and who shall hold their offices three years, and until their successors be appointed and qualified.

Sec. 25. There shall be elected in each county, by the qualified electors thereof, one sheriff, and one coroner, at the times and places of holding elections for members of the general assembly. They shall continue in office two years, and until succes-

ors shall be chosen and duly qualified: *Provided*, That no person shall be eligible to the office of sheriff more than four years, in any term of six years.

Sec. 26. There shall be a seal of this state, which shall be kept by the governor, and used by him officially, and shall be called the seal of the state of Indiana.

ARTICLE V.

Sec. 1. The judiciary power of this state, both as to matters of law and equity, shall be vested in one supreme court, in circuit courts, and in such other inferior courts as the general assembly may from time to time direct and establish.

Sec. 2. The supreme court shall consist of three judges, any two of whom shall form a quorum, and shall have appellate jurisdiction only, which shall be co-extensive with the limits of the state, under such restrictions and regulations, not repugnant to this constitution, as may from time to time be prescribed by law: *Provided* nothing in this article shall be so construed as to prevent the general assembly from giving the supreme court original jurisdiction in capital cases, and cases in chancery, where the president of the circuit court may be interested or prejudiced.

Sec. 3. The circuit courts shall each consist of a president, and two associate judges. The state shall be divided by law into three circuits, for each of which a president shall be appointed, who, during his continuance in office, shall reside therein. The president and associate judges, in their respective counties, shall have common law and chancery jurisdiction, as also complete criminal jurisdiction, in all such cases, and in such manner, as may be prescribed by law. The president alone, in the absence of the associate judges, or the president and one of the associate judges, in the absence of the other, shall be competent to hold a court, as also the two associate judges, in the absence of the president, shall be competent to hold a court, except in capital cases, and cases in chancery: *Provided*, That nothing herein contained shall prevent the general assembly from increasing the number of the circuits, and presidents, as the exigencies of the state may from time to time require.

Sec. 4. The judges of the supreme court, the circuit and other inferior courts, shall hold their offices during the term of seven years, if they shall so long behave well, and shall, at stated times, receive for their services, a compensation which shall not be diminished during their continuance in office.

Sec. 5. The judges of the supreme court shall, by virtue of their offices, be conservators of the peace throughout the state, and also the presidents of the circuit courts in their respective circuits, and the associate judges in their respective counties.

Sec. 6. The supreme court shall hold its sessions at the seat of government, at such times as shall be prescribed by law: the circuit courts all be held in the respective counties as may be directed by law.

Sec. 7. The judges of the supreme court shall be appointed by the governor, by and with the advice and consent of the senate. The presidents of the circuit courts shall be appointed by joint ballot of both branches of the general assembly; and the associate judges of the circuit courts shall be elected by the qualified electors in the respective counties.

Sec. 8. The supreme court shall appoint its own clerk, and the clerks of the circuit court, in the several counties, shall be elected by the qualified electors in the several counties; but no person shall

be eligible to the office of clerk of the circuit court in any county, unless he shall first have obtained, from one or more of the judges of the supreme court, or from one or more of the presidents of the circuit courts, a certificate that he is qualified to execute the duties of the office of clerk of the circuit court: *Provided*, That nothing herein contained shall prevent the circuit courts, in each county, from appointing a clerk pro tem. until a qualified clerk may be duly elected: *And provided also*, That the said clerks respectively, when qualified and elected, shall hold their offices seven years, and no longer, unless re-appointed.

Sec. 9 All clerks shall be removable by impeachment, as in other cases.

Sec. 10. When any vacancies happen in any of the courts, occasioned by the death, resignation or removal from office, of any judge of the supreme or circuit courts, or of any the clerks of the said courts, a successor shall be appointed in the same manner as herein before prescribed, who shall hold his office for the period which his predecessor had to serve, and no longer, unless re-appointed.

Sec. 11. The style of all process shall be, "The state of Indiana." All prosecutions shall be carried on in the name, and by the authority, of the state of Indiana; and all indictments shall conclude, against the peace and dignity of the same.

Sec. 12. A competent number of justices of the peace shall be elected by the qualified electors in each township, in the several counties; and shall continue in office five years, if they shall so long behave well; whose powers and duties shall, from time to time, be regulated and defined by law.

ARTICLE VI.

Sec. 1. In all elections, not otherwise provided for by this constitution, every white male citizen of the United States, of the age of twenty-one years and upwards, who has resided in the state one year immediately preceding such election, shall be entitled to vote, in the county where he resides; except such as shall be enlisted in the army of the United States, or their allies.

Sec. 2. All elections shall be by ballot: *Provided*, That the general assembly may, (if they deem it more expedient) at their session in eighteen hundred and twenty-one, change the mode, so as to vote *viva voce*; after which time it shall remain unalterable.

Sec. 3. Electors shall, in all cases, except treason, felony, or breach of the peace, be free from arrest, in going to, during their attendance at, and in returning home from elections.

Sec. 4. The general assembly shall have full power to exclude from electing or being elected, any person convicted of any infamous crime.

Sec. 5. Nothing in this article so construed as to prevent citizens of the United States, who were actual residents at the time of adopting this constitution, and who, by the existing laws of this territory, are entitled to vote, or persons who have been absent from home on a visit, or necessary business, from the privileges of electors.

ARTICLE VII.

Sec. 1. The militia of the state of Indiana shall consist of all free, able bodied male persons, negroes mulattos and Indians excepted, resident in the said state, between the ages of eighteen and forty-five years; except such persons as now are, or hereafter may be, exempted by the laws of the United States, or of this state; and shall be armed, equipped and trained, as the general assembly may provide by law.



Sec. 2. No person or persons conscientiously scrupulous of bearing arms, shall be compelled to do militia duty: *Provided*, such person or persons shall pay an equivalent for such exemption; which equivalent shall be collected annually, by a civil officer, and be hereafter fixed by law; and shall be equal, as near as may be, to the lowest fines assessed on those privates in the militia, who may neglect or refuse to perform militia duty.

Sec. 3. Captains and subalterns shall be elected by those persons in their respective company districts, who are subject to perform militia duty; and the captain of each company shall appoint the non-commissioned officers to said company.

Sec. 4. Majors shall be elected by those persons within the bounds of their respective battalion districts, subject to perform militia duty; and colonels shall be elected by those persons within the bounds of their respective regimental districts subject to perform militia duty.

Sec. 5. Brigadier-generals shall be elected by the commissioned officers within the bounds of their respective brigades; and major-generals shall be elected by the commissioned officers within the bounds of their respective divisions.

Sec. 6. Troops and squadrons of cavalry, and companies of artillery, riflemen, grenadiers, or light infantry, may be formed, in the said state, in such manner as shall be prescribed by law: *Provided however*, that every troop or squadron of cavalry, company of artillery, riflemen, grenadiers, or light infantry, which may hereafter be formed within the said state, shall elect their own officers.

Sec. 7. The governor shall appoint the adjutant-general, and quarter-master-generals, as also his aids-de-camp.

Sec. 8. Major-generals shall appoint their aids-de-camp, and all other division staff officers; brigadier-generals shall appoint their brigade-majors, and all other brigade staff officers; and colonels shall appoint their regimental staff officers.

Sec. 9. All militia officers shall be commissioned by the governor, and shall hold their commissions during good behaviour, or until they shall arrive at the age of sixty years.

Sec. 10. The general assembly shall, by law, fix the method of dividing the militia of the said state into divisions, brigades, regiments, battalions and companies, and shall also fix the rank of all staff officers.

#### ARTICLE VIII.

Every twelfth year, after this constitution shall have taken effect, at the general election held for governor, there shall be a poll opened, in which the qualified electors of the state shall express, by vote, whether they are in favor of calling a convention or not; and if there should be a majority of all the votes given at such election, in favor of a convention, the governor shall inform the next general assembly thereof, whose duty it shall be to provide, by law, for the election of the members to the convention, the number thereof, and the time and place of their meeting; which law shall not be passed unless agreed to by a majority of all the members elected to both branches of the general assembly; and which convention, when met, shall have it in their power to revise, amend, or change the constitution. But, as the holding any part of the human creation in slavery, or involuntary servitude, can only originate in usurpation and tyranny, no alteration of this constitution shall ever take place so as to introduce slavery or involuntary servitude in this state, otherwise than for the punishment of crimes, whereof the party shall have been fully convicted.

#### ARTICLE IX.

Sec. 1. Knowledge and learning, generally diffused through a community, being essential to the preservation of a free government, and spreading the opportunities and advantages of education through the various parts of the country being highly conducive to this end, it shall be the duty of the general assembly, to provide, by law, for the improvement of such lands as are, or hereafter may be, granted by the United States to this state for the use of schools, and to apply any funds which may be raised from such lands, or from any other quarter, to the accomplishment of the grand object for which they are or may be intended: But no lands granted for the use of schools or seminaries of learning shall be sold by authority of this state prior to the year eighteen hundred and twenty; and the monies which may be raised out of the sale of any such lands, or otherwise obtained for the purposes aforesaid, shall be and remain a fund for the exclusive purpose of promoting the interest of literature and the sciences, and for the support of seminaries and the public schools. The general assembly shall, from time to time, pass such laws as shall be calculated to encourage intellectual, scientific and agricultural improvement; by allowing rewards and immunities for the promotion and improvement of arts, sciences, commerce, manufactures, and natural history; and to countenance and encourage the principles of humanity, industry and morality.

Sec. 2. It shall be the duty of the general assembly, as soon as circumstances will permit, to provide, by law, for a general system of education, ascending in a regular gradation from township schools to a state university, wherein tuition shall be gratis, and equally open to all.

Sec. 3. And for the promotion of such salutary end, the money which shall be paid as an equivalent, by persons exempt from militia duty, except in times of war, shall be exclusively, and in equal proportions, applied to the support of county seminaries; also all fines assessed for any breach of the penal laws shall be applied to said seminaries, in the counties wherein they shall be assessed.

Sec. 4. It shall be the duty of the general assembly, as soon as circumstances will permit, to form a penal code, founded on the principles of reformation, and not of vindictive justice: And also to provide one or more farms, to be an asylum for those persons who, by reason of age, infirmity, or other misfortunes, may have a claim upon the aid and beneficence of society, on such principles, that such persons may therein find employment, and every reasonable comfort, and lose, by their usefulness, the degrading sense of dependence.

Sec. 5. The general assembly, at the time they lay off a new county, shall cause at least ten per cent. to be reserved out of the proceeds of the sale of town lots, in the seat of justice of such county, for the use of a public library for such county, and, at the same session, they shall incorporate a library company, under such rules and regulations as will best secure its permanence, and extend its benefits.

#### ARTICLE X.

Sec. 1. There shall not be established or incorporated, in this state, any bank or banking company, or monied institution, for the purpose of issuing bills of credit, or bills payable to order or bearer: *Provided*, That nothing herein contained shall be so construed as to prevent the general assembly from establishing a state bank, and branches, not exceeding one branch for any three counties, to be established at such place, within such counties, as

the directors of the state bank may select; provided there be subscribed, and paid, in specie, on the part of individuals, a sum equal to thirty thousand dollars: *Provided also*, That at the bank at Vincennes, and the Farmers' and Mechanics' bank of Indiana, at Madison, shall be considered as incorporated banks, according to the true tenor of the charters granted to said banks by the legislature of the Indiana territory: *Provided*, That nothing herein contained shall be so construed as to prevent the general assembly from adopting either of the aforesaid banks as the state bank: And in case either of them shall be adopted as the state bank, the other may become a branch, under the rules and regulations herein before prescribed.

## ARTICLE XI.

Sec. 1. Every person who shall be chosen or appointed to any office of trust or profit, under the authority of this state, shall before entering on the duties of said office, take an oath, or affirmation, before any person lawfully authorised to administer oaths, to support the constitution of the United States, and the constitution of this state, and also an oath of office.

Sec. 2. Treason against this state shall consist only in levying war against it, in adhering to its enemies, or giving them aid and comfort.

Sec. 3. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or his own confession in open court.

Sec. 4. The manner of administering an oath of affirmation shall be such as is most consistent with the conscience of the deponent, and shall be esteemed the most solemn appeal to God.

Sec. 5. Every person shall be disqualified from serving as governor, lieutenant governor, senator, or representative, for the term for which he shall have been elected, who shall have been convicted of having given or offered any bribe, treat, or reward, to procure his election.

Sec. 6. All officers shall reside within the state; and all district, county, or town officers, within their respective district, counties, or towns, (the trustees of the town of Clarksville excepted) and shall keep their respective offices at such places therein as may be directed by law; and all military officers shall reside within the bounds of their division, brigade, regiment, battalion or company, to which they may severally belong.

Sec. 7. There shall be neither slavery or involuntary servitude in this state, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted. Nor shall any indenture of any negro or mulatto hereafter made and executed out of the bounds of this state, be of any validity within the state.

Sec. 8. No act of the general assembly shall be in force until it shall have been published in print, unless in cases of emergency.

Sec. 9. All commissions shall be in the name, and by the authority of the state of Indiana, and sealed with the state seal, and signed by the governor, and attested by the secretary of state.

Sec. 10. There shall be elected in each county, a recorder, who shall hold his office during the term of seven years, if he shall so long behave well: *Provided*, That nothing herein contained shall prevent the clerks of the circuit courts from holding the office of recorder.

Sec. 11. Corydon, in Harrison county, shall be the seat of government of the state of Indiana, until the year eighteen hundred and twenty-five, and until removed by law.

Sec. 12. The general assembly, when they lay off any new county, shall not reduce the old county, or counties, from which the same shall be taken, to a less content than four hundred square miles.

Sec. 13. No person shall hold more than one lucrative office at the same time, except as in this constitution expressly permitted.

Sec. 14. No person shall be appointed as a county officer, within any county, who shall not have been a citizen and an inhabitant therein one year next preceding his appointment, if the county shall have been so long erected; but if the county shall not have been so long erected, then within the limits of the county or counties out of which it shall have been taken.

Sec. 15. All town and township officers shall be appointed in such manner as shall be directed by law.

Sec. 16. The following officers of government shall not be allowed greater annual salaries, until the year eighteen hundred and nineteen, than as follows—the governor, one thousand dollars; the secretary of state, four hundred dollars; the auditor of public accounts, four hundred dollars; the treasurer, four hundred dollars; the judges of the supreme court, eight hundred dollars each; the presidents of the circuit courts, eight hundred dollars each; and the members of the general assembly, not exceeding two dollars per day each, during their attendance on the same; and two dollars for every twenty-five miles they shall severally travel, on the most usual route in going to, and returning from the general assembly; after which time, their pay shall be regulated by law. But no law, passed to increase the pay of the members of the general assembly, shall take effect until after the close of the session at which such law shall have been passed.

Sec. 17. In order that the boundaries of the state of Indiana may more clearly be known and established, it is hereby ordained and declared, that the following shall be, and forever remain, the boundaries of the said state, to wit: bounded on the east, by the meridian line which forms the western boundary of the state of Ohio; on the south, by the Ohio river, from the mouth of the Great Miami river to the mouth of the river Wabash; on the west, by a line drawn along the middle of the Wabash river, from its mouth, to a point, where a due north line drawn from the town of Vincennes would last touch the northwestern shore of the said Wabash river; and from thence, by a due north line until the same shall intersect an east and west line drawn through a point ten miles north of the southern extreme of lake Michigan; on the north, by the said east and west line, until the same shall intersect the first mentioned meridian line, which forms the western boundary of the state of Ohio.

## ARTICLE XII.

Sec. 1. That no evils or inconvenience may arise from the change of a territorial government to a permanent state government, it is declared by this constitution, that all rights, suits, actions, prosecutions, recognizances, contracts, and claims, both as it respects individuals and bodies corporate, shall continue as if no change had taken place in this government.

Sec. 2. All fines, penalties, and forfeitures, due, and owing to the territory of Indiana, or any county therein, shall inure to the use of the state or county. All bonds executed to the governor, or any other officer, in his official capacity in the territory, shall pass over to the governor, or other officers of the state or county, and their successors.



in office, for the use of the state or county, or by him or them to be respectively assigned over to the use of those concerned, as the case may be.

Sec. 3. The governor, secretary, and judges, and all other officers, both civil and military, under the territorial government, shall continue in the exercise of the duties of their respective departments, until the said officers are superseded under the authority of this constitution.

Sec. 4. All laws and parts of laws now in force in this territory, not inconsistent with this constitution, shall continue and remain in full force and effect until they expire, or be repealed.

Sec. 5. The governor shall use his private seal until a state seal be procured.

Sec. 6. The governor, secretary of state, auditor of public accounts, and treasurer, shall severally reside and keep all the public records, books and papers, in any manner relating to their respective offices, at the seat of government: *Provided, notwithstanding*, That nothing herein contained shall be so construed as to affect the residence of the governor for the space of six months, and until buildings, suitable for his accommodation, shall be procured at the expense of the state.

Sec. 7. All suits, pleas, complaints, and other proceedings now depending in any court of record, or justices courts, shall be prosecuted to final judgment and execution, and all appeals, writs of error, certiorari, injunction, or other proceedings whatever, shall progress, and be carried on, in the respective court or courts, in the same manner as is now provided by law, and all proceedings had therein, in as full and complete a manner as if this constitution were not adopted. And appeals and writs of error, may be taken from the circuit court, and general court, now established in the Indiana territory, to the supreme court in such manner as shall be provided for by law.

Sec. 8. The president of this convention shall issue writs of election, directed to the several sheriffs of the several counties, requiring them to cause an election to be held for governor, lieutenant-governor, representative to the congress of the United States, members of the general assembly, sheriffs, and coroners, at the respective election districts in each county, on the first Monday in August next: Which election shall be conducted in the manner prescribed by the existing election laws of the Indiana territory; and the said governor, lieutenant-governor, members of the general assembly, sheriffs, and coroners, then duly elected, shall continue to exercise the duties of their respective offices for the time prescribed by this constitution, and until their successor or successors are qualified, and no longer.

Sec. 9. Until the first enumeration shall be made, as directed by this constitution, the county of Wayne shall be entitled to one senator, and three representatives; the county of Franklin, one senator, and three representatives; the county of Dearborn, one senator, and two representatives; the county of Switzerland, one representative; and the county of Jefferson and Switzerland, one senator, and the county of Jefferson, two representatives; the county of Clark, one senator, and three representatives; the county of Harrison, one senator, and three representatives; the counties of Washington, Orange, and Jackson, one senator, and the county of Washington, two representatives; the counties of Orange and Jackson, one representative each; the county of Knox, one senator, and three representatives; the county of Gibson, one senator, and two representatives; the counties of Posey, Warrick,

and Perry, one senator, and each of the aforesaid counties of Posey, Warrick, and Perry, one representative.

Sec. 10. All books, records, documents, warrants, and papers, appertaining and belonging to the office of the territorial treasurer of the Indiana territory, and all monies therein, and all papers and documents in the office of the secretary of said territory, shall be disposed of as the general assembly of this state may direct.

Sec. 11. All suits, actions, pleas, complaints, prosecutions, and causes whatsoever, and all records, books, papers and documents, now in the general court, may be transferred to the supreme court established by this constitution: And all causes, suits, actions, pleas, complaints, and prosecutions whatsoever, now existing or pending in the circuit courts of this territory, or which may be therein at the change of government, and all records, books, papers and documents, relating to the said suits, or filed in the said courts, may be transferred over to the circuit courts established by this constitution, under such rules and regulations as the general assembly may direct

Done in convention at Coryden, on the twenty-ninth day of June, in the year of our Lord eighteen hundred and sixteen, and of the Independence of the United States, the fortieth.

In witness whereof we have hereunto subscribed our names.

JONATHAN JENNINGS,

*President of the Convention,  
and Delegate from the county of Clark-  
Clark County. Jefferson County.*

Thomas Carr,  
John K. Graham,  
James Lemon,  
James Scott,  
*Dearborn County.*

James Dill,  
Ezra Ferris,  
Solomon Manwaring,  
*Franklin County.*

James Brownlee,  
William H. Eads,  
Robert Hanna,  
Enoch McCarty,  
James Noble,  
*Gibson County.*

Alexander Devin,  
Fred. Rapp,  
David Robb,  
James Smith,  
*Harrison County.*

John Boone,  
Davis Floyd,  
Daniel C. Lane,  
Dennis Pennington,  
Patrick Shields,

Nathl. Hunt,  
David H. Maxwell,  
Samuel Snock,  
*Knox County.*

John Badollet,  
John Benefiel,  
Jno. Johnson,  
Wm. Polke,  
B. Parke,  
*Perry County.*

Charles Polke,  
*Posey County.*

Dann Lynn,  
*Switzerland County.*  
William Colton,  
*Washington County.*

John De Pauw,  
William Graham,  
William Lowe,  
Samuel Milroy,  
Robert McIntire,  
*Wayne County.*

Patrick Baird,  
Jeremiah Cox,  
Hugh Cull,  
Joseph Holman,

Attest,

WILLIAM HENDRICKS, *secretary.*

ORDINANCE.

*Be it ordained by the representatives of the people of the territory of Indiana, in convention met at Corydon, on Monday, the tenth day of June, in the year of our Lord eighteen hundred and sixteen, That we do for ourselves and our posterity, agree, determine, declare, and ordain, that we will, and do hereby, accept the propositions of the Congress of the United States, as made and contained in their act of the nineteenth day of April, eighteen hundred*

and sixteen, entitled, "an act to enable the people of the Indiana territory to form a state government and constitution, and for the admission of such state into the Union, on an equal footing with the original states."

And we do, further for ourselves and our posterity, hereby ratify, confirm, and establish the boundaries of the said state of Indiana as fixed, prescribed, laid down, and established, in the act of Congress aforesaid; and we do also further for ourselves and our posterity, hereby agree, determine, declare, and ordain, that each and every tract of land sold by the United States, lying within the said state, and which shall be sold from and after the first day of December next, shall be and remain exempt from any tax laid by order or under any authority of the said state of Indiana, or by or under the authority of the general assembly thereof, whether for state, county, or township, or any other purpose whatever, for the term of five years from and after the day of sale of any such tract of land; and we do moreover for ourselves and our posterity, hereby declare and ordain, that this ordinance, and every part thereof, shall forever be and remain irrevocable and inviolate, without the consent of the United States, in Congress assembled, first had and obtained for the alteration thereof, or any part thereof.

JONATHAN JENNINGS,

*President of the Convention.*

June 29th, 1816—Attest,

WILLIAM HENDRICKS, *Secretary.*

### Honor to the Brave.

*Philadelphia Sept. 23.*—Yesterday having been designated for the purpose of presenting to capt Stewart, the sword voted to him by the legislature of the state, arrangements were accordingly made on board the Franklin 74, lying off Chester. About 2 o'clock, gen. Duncan, accompanied by his aids, majors Ebering and Otto, were received on board of the Franklin with suitable honors. The members of the state legislature from the city, commodore Murray, captain W. Jones, gen Worrell, and a number of respectable civil characters were assembled on the quarter deck, when gen. Duncan addressed capt Stewart in the following words:—

*Captain Charles Stewart,*

Sir—Honored by his excellency gov. Snyder with the presentation to you of a sword, and other testimonials of the grateful sense entertained of your services, permit me to read the documents which I hold in my hand, in presence of this respectable auditory.

*Harrisburgh, Aug. 6. 1817.*

Sir—I am directed by the governor to inclose to you a copy of a resolution passed by the legislature, directing him to procure and present a sword to captain Charles Stewart—which copy, together with the inclosed letter, you will take the earliest opportunity of presenting to captain Stewart, at the same time you present the sword, as the governor requests you will do.

The sword is in the hands of Mr. Liberty Browne, on whom you will please to call for. On showing or reading to him the contents of this letter, he will, I presume, make no difficulty in delivering it.

Very respectfully, sir, your obedient ser<sup>vt</sup>.

N. B. BOILEAU, sec<sup>y</sup>.

Gen. Duncan

When presented to Charles Stewart, a native of Pennsylvania, and a member of the United States frigate Constitution, who has highly distinguished himself

by his valor and conduct, in capturing, at the same time, the British ships of war Cyane and Levant, and it is the desire of this commonwealth to evince the grateful sense entertained of his services, and present to him some suitable token of its approbation—

Be it resolved, by the senate and house of representatives of the commonwealth of Pennsylvania, that the governor be, and he is hereby requested to present the thanks of this commonwealth, to captain Charles Stewart, for his distinguished gallantry and skill, in the engagement between the United States frigate Constitution and the ships of war Cyane and Levant, and likewise procure for and present to him, in the name of the commonwealth, an appropriate sword.

REES HILL, speaker of the house of representatives.

JOHN TODD, speaker of the senate.

Approved the fifth day of March, one thousand eight hundred and sixteen. SIMON SNYDER.

SECRETARY'S OFFICE.

*Harrisburgh, Aug. 5, 1817.*

I certify, the within resolution to be a correct copy of the original, now remaining on the files of this office.

Witness my hand and seal, the day and year above mentioned.

N. B. BOILEAU, Sec<sup>y</sup>. (Seal.)

*Harrisburgh, 2d Aug. 1817.*

*To capt Charles Stewart,*

Sir—I have the honor to present to you (as you will perceive, by the enclosed legislative resolve,) the grateful thanks voted by the representatives of our fellow citizens, for your brave conduct in the capture during the late war, with an inferior force, under your command, of the British ships of war Cyane and Levant. As still more expressive of patriotic feeling, I present also as directed, in the name of the people of Pennsylvania, through my aid, general William Duncan, a sword, which you are asked to accept, in token of their full approbation:—and I add as commemorative likewise of that bravery, gallantry and skill, which has humbled a haughty and heretofore unconquered foe.

I shall feel myself honoured, if along with the general applause of our fellow citizens, you will accept assurances of high consideration, from

SIMON SNYDER.

After reading these documents gen. Duncan in presenting the sword, addressed capt. Stewart in the following terms:

*Capt. Charles Stewart,*

Sir—Pursuant to a resolution of the legislature of the commonwealth of Pennsylvania, and in obedience to the commands of his excellency governor Snyder, I have the honor to present this sword, with the accompanying documents, as testimonials of the grateful sense entertained of your highly meritorious services during the late war.

Whilst I duly appreciate the distinguished honor conferred on me, on this pleasing occasion, I beg to leave respectfully to mingle with the government and the united voice of a grateful, free, and enlightened people, the assurances of my high consideration and esteem.

To which capt. Stewart made the subjoined reply:

Sir—I except with the highest sense of respect and gratitude the distinguished honor conferred on me this day, by the constituted authorities of my native state, and consider it as a new pledge of our beloved country, that I shall ever be ambitious to deserve so signal a mark of her favor.



I shall preserve this sword in testimony of the liberal sentiments of the distinguished state of Pennsylvania, towards myself and late faithful comrades in arms, and as a token of approbation of the commonwealth, of the gallantry exhibited by those I had the honor to command.

I beg you, sir, to return my thanks to his excellency the governor, for the honorable manner in which he has presented through you the thanks of the representatives of our fellow citizens, together with his own personal approbation of our conduct.

You have been pleased, sir, to execute his excellency's commands, so highly flattering to me, that I solicit your acceptance of my thanks, with my assurance, that it will ever remain sensibly impressed on my heart."

The ceremony having been completed, the visitors were gratified with a complete view of the interior of this superb ship, which is pronounced, by competent judges, to be equal, if not superior, to any that floats on the ocean. Her crew, which consists of nearly seven hundred, are young, active and expert; and went through some of their evolutions to the great satisfaction of the party who had the honor of being on board. At about 4 o'clock the company sat down to a very elegant repast; and experienced from commodore Stewart, his worthy captain, Ballard, first lieutenant, Morgan, and other gentlemen officers, the most marked attentions and civilities.

The commodore gave as his first toast, the president of the United States. Captain Ballard gave the memory of general Washington.

The commodore, then, in reference to the occasion, offered the following, which was received with due approbation:

The commonwealth of Pennsylvania, enlightened, liberal and patriotic.

Gen. Duncan, taking advantage of a short absence of the commodore, proposed the following, which was received with unmingled applause:—

The gallant captain Charles Stewart, who, by the capture at the same time of the British ships of war *Cyane* and *Levant*, capped the climax of American naval superiority, and thus terminated a just war in a blaze of glory unsurpassed in the annals of the world.

"*Bene Meretur patria.*"

Having partaken of the hospitality and generosity of the occasion, and delighted with the nobleness and grandeur of the ship, and the discipline of her numerous crew, the party returned to the city under the pleasing reflection of having been associated in rendering suitable honors to a brave and worthy fellow citizen.

## Foreign Articles.

ENGLAND, &c.

As a woman was lately bargaining for a sheep's head, at a butcher's shop in London, a young man entered and saying, "ma'am you had better have a calf's head—I can let you have one at a cheap rate," he seized a large knife, and applying it to his throat, nearly severed his wind pipe in two! Care was immediately taken of him, but it was thought he would not live, as he had torn the bandages from his neck.

From 3000 to 3500 barrels of flour are every day carried from Liverpool into the interior. Yet the harvest is reported as good, and the crops though Europe, generally, as being very abundant.

A late English paper states, that the amount paid

for *Stationary alone*, for the different departments of the British government, last year, was 170,000 dollars.

*Syllogism.*—In answer to a query in the European Magazine, how "*nothing*?" can be a substantive, a writer remarks: I shall frame my answer by proving that nothing is something, and consequently that *nothing*, in grammar, has a legitimate claim to the appellation of substantive. What is a word? A word is something. Nothing is a word—therefore *nothing is something.*

FRANCE.

It seems strange to read of the depredations of *wolves* in an old settled country like France. We have an account that one of those animals lately rushed upon a group of children playing in front of a house, and carried off one of them, which was rescued, however, by the desperate intrepidity of its mother. In the United States, these animals are already rare—*fire arms* in the hands every man, have nearly exterminated them, even in the rudest parts of our country. *An armed people* is the best defence against all sorts of *wolves*.

The following anecdote is related in an interesting letter from an officer of our squadron in the Mediterranean—"One evening, whilst we lay in Marseilles, there was a boat with six or eight gentlemanly looking men in it, pulling round the ship, viewing her, when our band struck up the Marseilles hymn. You will recollect that in the time of the French revolution, this was, at one time, the national tune. They used to sing it throughout the ranks in action, and charge with it; it inspired them in the same manner the bagpipes do the Scotch highlanders. The leader and principal part of our band are French; and, I believe, struck up this tune intentionally, as it is treason to play it under the existing government. The tune was no sooner struck up than the people in the boat pulled off their hats, danced, beat time, clapped, cheered, and appeared frantic with joy; it gave them new life. The principal part of them, could well recollect the time when this tune was first brought in fashion; perhaps some of them had rushed on to victory with it in their mouths.—What ideas it must have brought into their minds! Once it was considered as a mark of a true-hearted Frenchman, to sing or play it; now, that of a traitor to his king. These trifling incidents tend to show the disposition of the people."

SPAIN.

Accounts are said to have been received at Havana, that the queen of Spain had been delivered of a son. We are sorry for it—we do not like the breed.

Without reflection, we mentioned that *Ignatius Loyola* had been appointed commander of the Spanish armies, as an evidence of the returning influence of the Jesuits. This personage was the founder of that famous order, whose intrigues and crimes have reached every corner of the earth, and has been dead about 300 years! He is a saint, as well as *St. Anthony*. The latter is commander in chief of the Portuguese. How if these leaders should be opposed in mortal strife?—O! that man should be abused with such abominable stuff!

DENMARK.

The *Petersburg*, Va. "*Intelligencer*" says.—The English editors remark, that the Danish government are making extraordinary exertions for the re-establishment of the navy. These editors made a similar remark concerning the same power about ten years ago, accompanied with a strenuous call upon "his majesty's government" for the utter annihilation of the Danish navy. The Danish navy was *que-*

without even the usual formality of a declaration of war previously taking place. The notorious Jackson was despatched, with a powerful fleet at his heels, to Copenhagen, with this very modest message—"That as the king of Denmark had thought proper to increase his navy without entering into any explanation with the British court as to his designs in so doing, his majesty the king of Great Britain demanded that the Danish navy should be entrusted to his keeping during the continuance of the war then existing between his majesty and the ruler of France." The proper answer being returned to this demand, and there could only one answer have been returned to a demand so unparalleled—the bombardment of Copenhagen immediately commenced. A great part of that splendid capital, churches, palaces, not excepting the royal palace itself, was involved in one common ruin.—The shipping in the harbor, and the whole of the royal navy, were either captured or destroyed! Let Denmark beware! Lest, forgetting this lesson, which ought to be engraved eternally upon her memory, by attempting a second time to extend her arm upon the sea, she provoke a second visit from the incendiaries of Copenhagen.

*Danish navy.*—By a gentleman recently from Copenhagen, we learn, that the following is all that the Danish navy now consists of, with the exception of some light vessels in the West Indies, and a few gun vessels.

Phœnix,	64 guns.
Princess Charlotte,	64
A new 74 ready to launch,	74
3 new frigates of	36
3 brigs of	14 to 18 each
1 74 and 1 64, whose keels had just been laid.	

It was evident to our informant, that the government were making very considerable efforts to re-establish their naval armament upon the footing that it was before it fell into the hands of their friends, the British. The 74's are building upon a new construction, being almost pink stern, so that they can fight their quarter guns at an angle of 30 degrees with the keel. [Bost. Pat.]

#### RUSSIA.

*St. Petersburg, June 20.*—Odessa is in an increasing state of prosperity. When the Duke of Richelieu was appointed governor of that colony in 1803, the duties from the customs only amounted to twenty-eight thousand rubles a year; they are now estimated at more than a million. Those on brandy were then but fourteen thousand; they are now three hundred and seventy-five thousand. The post-office department, which then produced three thousand rubles, now yields forty thousand. The Duke of Richelieu has immortalized himself by the services he has rendered to that colony.

#### BARBARY POWERS.

*Comma, July 5.*—"Yesterday, entered this port, the Tunisian sch'r that was some time ago at Camarinas, and last from Deal, and brought in as a prize: the Bremen ketch *Leda*, Weucke, master, from Bordeaux, with wine, brandy and drygoods, bound to Bremen; captured on the 14th ult. by said sch'r and a frigate her consort, off Ushant, and put in here for water and fresh provisions: both vessels were put under quarantine. Her name is stated to be the *Tufia*, and the commander's Arraviz Rais Osman Sakisly; her crew said to consist now of 42 persons. As soon as he gets supplied, or they are formally denied him, he will proceed with the prize to Tunis; of the ketch's crew only the mate is on board, the rest having remained on board the frigate."

"Purchasers have offered to buy the prize on condition that the crew is given up, to which last the commander will not consent, but is ready to sell vessel and cargo; the prize has already been greatly plundered."

#### WEST INDIES.

The tonnage on American vessels, entering the port of Havana last year, is said to have amounted to the enormous sum of \$180,000.

#### FLORIDA.

It is conjectured that *McGregor* has arrived in the Chesapeake. The report is again revived that the United States have made, or are about to conclude, a treaty with Spain for the purchase of the Floridas. The price is given at five millions of dollars. Whether in this, the claims for spoliations are to be settled or not, is not stated.

On the 13th of September the Spaniards attacked the town of Fernandina, (Amelia) with between 2 and 300 men—after a sharp contest with the bayonet, they were completely defeated, with the loss of several men, killed and wounded. The force of the "patriots" was about 150, all told; they did not suffer much. Many persons from Amelia had retired to St. Mary's. The infamous col. Woodbine was at the island—for purposes not stated.—Mr. Hubbard, late sheriff of New-York, seems to have much influence and authority. The people of Florida do not appear to have any love for the "patriots," and anxiously look for a transfer to the United States. Several very valuable prizes had lately arrived at Amelia, and the force, afloat, was respectable for its strength.—Com. Aury, with two large privateers, and a prize of great value, had arrived—he proposed a salute with the United States brig *Saranac*, but the request was passed over in silence. What is to be the issue of this little war we cannot guess; and, indeed, feel very indifferent about it. Those who fight for freedom, i.—to avenge the wrongs, or even to retaliate the grievances of their country, enlist us in their cause at once; but the affair at Amelia, whatever may have been its original design, seems to have degenerated in a mere asylum for privateers, and to be intended as a depot for smuggling into the United States. The *Saranac*, however, will take care that the "republic suffers no detriment."

#### "SPANISH AMERICA."

By the return of the U. S. frigate *Congress* from her cruise through the West Indies, and along the coasts of Venezuela, we have some interesting facts. The flag of freedom still flies at *Margareta*—the gallant people of that island had fought three hard battles with the bloody Morillo, in which he lost at least 1500 men, and compelled him to retire precipitately to the main; to which, perhaps, he was also induced by the progress of *Bolívar*, who is at the head of a very respectable body of patriots. The whole Spanish force in the several provinces of Venezuela, and in New Grenada, is estimated at 6000 Spaniards, and 2 to 3000 Creole and Indian troops. That of the patriots, embodied, estimated at from 4 to 8000; and it was thought they might attempt to capture the capital, Caracas. The country seems to have lost the half of its population by that sanguinary war that has so long been waged in it. *Extermination*, began by the royal butchers, is now the rule of both sides—and the state of those that survive is beyond description distressing.—Dreadful, indeed, must be the despotism of the government to lead so considerable a part of the people to seek liberty under such circumstances as they do.



## CHRONICLE.

*Mr. Adams.* We omitted to mention in our last, that Mr. Adams had commenced the duties of secretary of state.

*Mississippi.* David Holmes has been elected governor of, and George Poindexter, representative in congress from, the new state of Mississippi, without much, if any, opposition.

The Congress frigate, capt. Morris, has arrived at Norfolk. She visited Port au Prince and Cape Henry, and several places on the Spanish Main, and was every where received with the greatest respect.

Until last week, when the omission was pointed out by one of his friends, the editor thought that he had published the constitution of Indiana, at length. It is now inserted, and the REGISTER contains the constitutions of all the states and that of the United States, with their several amendments.

The whole number of deaths at New-Orleans for the week ending the 25th ultimo, was 73.

The British frigate *La Pique* has been spoken bound from Vera Cruz, to Jamaica, with ninety tons of specie on board. *A million of dollars will weigh about thirty tons.*

*Specie* flows in abundantly—on account of the Bank of the United States and for individuals. There is probably more in the country now than at any former period. A British government brig has arrived at New Orleans from Vera Cruz with a large quantity, for the merchants of that place.

Died, on the 22d ult. near the village of Cherry-Valley, N. Y. Mr. *Samuel R. Brown*, author of several useful works, and especially of one just finished, entitled the "Western Gazetteer." He was a very intelligent and useful correspondent of the editor of the WEEKLY REGISTER,—a sound patriot and a honest man.

*River Raisin.* The lands upon the River Raisin, (forever memorable on account of the massacre and burning alive of the wounded, in the late war, by allied savages) are rapidly settling. *Detroit* is a fine market for the products of this country. The prices current at that place on the 12th ult. were—Rour \$12 per barrel; pork 26; corn and wheat \$2 per bushel, and every thing else in proportion.

*The Seminoles.* Gen. Gaines, who has been ordered by Gen. Jackson to demand the delivery of certain murderers of the Seminoles—having some reason to believe that they may refuse to give them up, has arranged a concentration of his troops at Fort Scott, and requested of the Governor of Georgia a battalion of riflemen and another of light or mounted infantry, ready to assist him, if they should be wanted—to assemble at Fort Hawkins.

At Meath assizes, James Clarke, Patrick Clarke, Luke Clarke, and Bernard Finnegan, were convicted of the murder of W. Cosman, servant to Robt. Sallery, at Cleragly, and of burglary and robbery in Sallery's house. All but Finnegan were executed on Thursday week. The younger Clarke died in execrating and cursing the judge, the jurors, and the witnesses against him. The exhortations of the reverend priest who attended him had no effect on his hardened mind. He shocked every person present with horrible expressions, particularly this: "If my soul goes to hell, there, though burning in fire, I will curse every person concerned in bringing me to death." *London paper.*

*Rapid carriage.*—600,000 dollars were shipped in the steam boat at Norfolk, for Baltimore, on Monday last, the 22d inst. On Thursday last, Captain Willdin, of the Union steam boat line, arrived at Philadelphia, with 450,000 dollars of the above sum, which was immediately transferred to another

steam boat of the Union Line, and arrived at New York yesterday. Thus from 12 1-2 to 16 3-4 tons of silver, were transported 470 miles in four days and a half. *N. Y. paper.*

*The Tiger and the Lioness.*—The savage disposition of the tiger was exemplified in this town, (says a Boston paper of September 8) by an interesting occurrence. A South American tiger (the Orca,) and a young lioness (the Brazilian) were brought here a short time since—and were for a period chained at a distance from each other in the same room. But the roarings, growlings and other annoying accompaniments of these disagreeable companions, induced the owners to have a strong cage constructed, in which they were both placed. They had not long been together before the tiger seized the lioness by the back, bit her in two parts, and very soon demolished her remains.

The reported fact is the more remarkable, as the two animals came out to this country very quietly upon the deck of the same ship.

*South America.* It is stated in the papers that Cæsar A. Rodney, and John Graham, esquires, with, perhaps, another gentleman, are about to proceed on a mission to South America—"for purposes that we rather guessed than explained." We know nothing of the facts of this affair; and mention it only as a part of the newspaper talk of the week.

*Detroit, Sept. 5.*—By a gentleman recently from Mackinac, we learn that the survey of the island was nearly completed. The defences at that place will be much improved this season—the troops (about 200) are in fine order and very healthy.—Colonel McNeil, having lately taken command of fort Gratiot, major Miller, it is said will command at Mackinac.

About 150 recruits arrived at this post last Wednesday evening, under command of lieutenant Cass.

*Buffalo, Sept. 23.*—A heavy gale of wind was experienced on lake Erie, on Tuesday last. Several vessels were driven down the lake, and some considerably injured. The schooner *Nautilus*, from this port for Sandusky, was upset about fifty miles above Erie. The passengers and crew succeeded in saving themselves upon the side of the vessel until she drifted down the lake nearly off Erie, when lieutenant *Newcomb*, of the U. S. army, lately from Sacket's Harbor, as a last resort, left the vessel and attempted to reach the shore by swimming; but being much exhausted, having been on the wreck forty-eight hours without any kind of sustenance, he was overcome by the violence of the waves, and soon sunk, to rise no more. The remainder of the passengers and crew were soon after relieved by a boat from the shore.

Until too late to remedy it, we did not observe that an obliging letter to the Editor from Natchitoches, giving an account of some events in Mexico, had been neglected—the substance is this, Col. Perry and Major Gordon, with less than 50 men, detached by Mina, had been attacked by about 300 Spaniards—the two gentlemen named were killed, as were all the rest, or wounded, or taken prisoners, after a desperate and deadly fight, in which the royalists suffered much. Mina, with 8 or 1000 men, had been attacked by a Spanish force of 3000; he defeated them and continued his march, as originally designed, to join the patriots on the "Green lake." But his Fort at Soto la Marina, defended by 200 men, was captured, with all its stores, &c. by the Viceroy Arredondo, after a siege and bombardment of several days. These several facts are confirmed by certain intercepted Spanish documents that has been published.

# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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## Bank notes and exchange.

Though the bank of the United States and its branches has had a considerable effect to equalize the exchange of monies between different places, being assisted in its operation by the natural courses of trade, still the people are inundated with paper, called bank notes, at almost every depreciated rate from  $\frac{1}{3}$  to 75 per cent. Nor will this public grievance be redressed until our banking institutions are purged of *speculators* and *shavers*—and all destroyed, save those that are bottomed on solid specie capitals, or on something that will, on the instant, command it, to redeem their notes, when presented for payment; or until the people have *resolution* enough to refuse to receive any other than such as are paid on demand.

New-York, the great commercial emporium of the United States, may best serve us as the standard place for fixing a value on the different bank notes of our country. For present use and future reference, therefore, we have made the following abstract from a *Prices Current* of that city, of the 4th inst.

*New-Hampshire* notes. At  $\frac{1}{3}$  to 2 per cent. *dis.*  
*Massachusetts*. Springfield and Hampshire banks, payable in New York, *par*; Boston  $\frac{1}{3}$  per cent. *dis.*  
Salem and Worcester 1 do. Other Massachusetts notes 1 to 2.

*Connecticut*. Middletown, Plainfield, New Haven, Eagle, Derby, Bridgeport banks, at *par*; Hartford bank, if payable in New-York, do. Other Connecticut notes 1 per cent. *dis.*

*Rhode Island*. Providence, 1 per cent. *dis.* Washington bank, 3 do. Other Rhode Island  $\frac{1}{3}$  do.

*Vermont*. There are no banks in Vermont.

*New York*. All the city banks, including Jacob Barker's—all at Albany, Troy, Mohawk in Schenectady, Lansingburg, Newburg, if not signed with red ink, and the bank of Hudson and the Utica insurance, if payable in New York, at *par*. Newburg, signed with red, Orange county, Hudson, Columbia, and Jacob Barker's notes, filled up with red ink, at 1 per cent. *dis.* Utica and Ontario  $\frac{1}{3}$  to 2. do. Niagara 2 do. Middle District, 4 to 5, do. Nathan Myers' bank 5 to 7 $\frac{1}{2}$ , do. Other unincorporated banks 5 to 10, do. Hudson and Columbia Receivables 10 to 12, do. Levi McKean's notes 75, do.

*Pennsylvania*. All the banks of Philadelphia—Germantown, Delaware county, Chester, Bucks county, New Hope Bridge, Montgomery county banks, at *par*. Other notes from 1 to 12 per cent. *dis.* The unincorporated banks from 15 to 25, do.

*Delaware*, 2 to 10 per cent. *dis.* [Those of the banks of Delaware, Wilmington and Brandywine, and Smyrna, are at *par* in Philadelphia.]

*Maryland*. All the banks in the city of Baltimore, at *par*; other Maryland notes from 4 to 20 per cent. *dis.* [The notes of the Farmers' bank

circulate freely in Baltimore, at *par*—and those of all the rest of the banks pass in the common transactions of life (except those of the bank of Somerset,) or may be disposed of for bank money at from 2 to 5 per cent. discount—those of the neighboring parts of Pennsylvania, such as the notes of the Lancaster, York, Gettysburg, Harrisburg, Chambersburg, Bellefont, Union town, &c. &c. banks, pass about the same as the preceding. Somerset notes do not pass at all.]

*District of Columbia*. Bank of Columbia, *par*.—Other banks of the district, 2 per cent. *dis.* [All the notes of the District banks are at *par* in Baltimore, except those of the Franklin Bank, of Alexandria, which are at a small discount.]

*Virginia*. The chartered banks and the branches, at *par*. The unchartered, at from 15 to 25 per cent. *dis.*

*North Carolina*. State Bank,  $\frac{1}{3}$  to 2 per cent. *dis.* Newbern and Cape Fear, 3 to 4 do.

*South Carolina*, generally—1 per cent. *dis.*

*Georgia*, generally—2 per cent. *dis.*

*Kentucky*, 4 to 7 per cent. *dis.*

*Tennessee*, 7 per cent. *dis.*

*Ohio*, 8 to 15 per cent. *dis.* Unchartered, from 20 to 25 do. [The notes of the old banks of Ohio are at about 5 per cent. *dis.* in Baltimore.]

*Louisiana*, 5 to 10 per cent. *dis.*

*Specie*—Spanish dollars 1 to  $\frac{1}{4}$  per cent. *prem.*

It is well to observe, however, that the rates of exchange at New-York, do not fix the real value of the paper (in many cases) at the places where it belongs; for many of the banks whose notes are rated at a discount, pay specie as freely as any others—and, on the whole, the exhibit is rather calculated to shew the course of trade, as to the notes of the good banks, than to give a specific idea of the worth of such; and it is the case in many instances, through the speculations of bank directors, or the want of accommodation in the banks to each other, that there is a reciprocal depreciation of bills. Thus, for a little while, Baltimore notes were at 1 per cent. *dis.* in the District of Columbia, when notes of the District were at 2 *dis.* in Baltimore—and had just before been at 3.

## Spanish-American affairs.

It appears manifest to us that the contest between Spain and her revolted colonies in America, is about to arrive at a very important crisis. Although as yet no foreign power has openly interfered in the dispute, it has been viewed with deep interest by Great Britain and in the United States; both of which, without acknowledging the independence of any of the colonies, have rather treated them all as free and sovereign states. Neither of these powers have received ambassadors from the colonies; but, in both countries, it is notorious that par-



sions are resident and acting as such, to a certain extent: Nor has either sent ministers to any of the colonies; yet it is known that individuals, with a sort of a diplomatic character, have been, or are about to be, sent out, by both.\*--- This state of things will not last much longer, if it is true that the emperor of *Russia* has agreed to interfere between Spain and her revolted colonies. It is pretty confidently asserted that Alexander, on the 7th of May last, signed a treaty with Spain, by which he engages to furnish the latter with five ships of the line, four frigates, and 16,000 men, to assist in "restoring tranquility."---for which he is to be paid by the cession of *Minorca*, and the two *Californias*. It is added, that the squadron and transports are all in readiness in the Black Sea, but that the Ottoman Porte has refused them a passage through the Bosphorus, in spite of the pressing importunities of the Russian ambassador at Constantinople. If this news is true, *England* must be at the bottom of the opposition of the Turks; for they would hardly dare to refuse a passage to the Russian ships unless they calculated upon the support of some of the great European powers; and there is none but *England* that will dare to offer it.†

In giving credit to this intelligence, we have the prospect of a war between *England* and *Russia*, and the complete emancipation of Spanish America, as its natural consequence. In which case the United States will assuredly come in as a party; for the result is more interesting to them than to any other country, Spain and her colonies in America excepted.

*England* will not quarrel with *Russia* because she loves freedom; but she is exceedingly jealous of her commerce, and will not willingly lose so valuable a branch of it as might be transferred from herself to *Russia* by such a procedure---and the *right* combined to the *expedient*, will induce the United States to assist the *Mexicans*, at least, in throwing off the yoke of Spain, with whom our relations have long been in a very unpleasant situation.

\*The U. S. sloop of war *Ontario* sailed a few days since from New York---with, as was first reported, an "unknown destination." It is since confidently asserted and we have no reason to doubt the fact, that she carried out two gentlemen, Messrs. Prevost and Brackenridge, who are said to be commissioners to make such arrangements with the new government of *Chili* as the interests of the United States may require. The *British* have long had such commissioners at every principal place in the hands of the patriots, under the name of consuls or agents, but possessed of the very same powers that those gentlemen are said to be invested with.

†The British ministerial papers discredit the report of such a treaty existing between *Russia* and *Spain*, and positively assert that there is no foundation for a belief that *England* will be involved in war on account of *Spain* and her colonies; saying that the most perfect harmony exists between the courts of *London* and *Madrid*.

What revolutions in the actual situation of the world would result from the emancipation of Spanish America?---Among other things, the distance to *India* and *China* might speedily be shortened 10,000 miles!\* The United States, in every consideration, political or commercial, must wish this emancipation: and nothing, perhaps, but the very uncommon condition of the nations of Europe, has prevented them from taking an active part in it several years ago. Every feeling of the heart---whether of philanthropy or of interest,---friendly to liberty or desirous of profit, directs us to this great event. We hope that our country will never do a *wrong* because it is "expedient;" but in respect to our affairs with *Spain*, we have, (and I think very properly) delayed to press what was *right*---because it was not *expedient* to press it.

\* The *Edinburgh Review*, on the subject of *Molina's* account of *Chili*, furnishes the following curious and highly interesting paragraph:

"In the year 1805, a spherical chart of the sea of the Antilles, and of the coast of *Terra Firma*, from the island of *Trinidad* to the Gulf of *Honduras*, was constructed in the hydrographical department, by order of the Spanish government, from scientific surveys. By this chart an important discovery was made. The bay of *Mandinga*, an immense inlet of the sea, commencing about ten leagues to the eastward of *Porto Bello*, penetrates into the isthmus to within five leagues of the *Pacific* ocean: This prodigious bason, which is almost closed by a chain of islands, and, running close to one another at the mouth, has never been navigated by any European, except *Spaniards*, and was never supposed to run back to any considerable extent into the country, as all the old charts in which it is marked, abundantly testify. A river, from the name of which the Bay is denominated, falls into the bottom of this gulf. This river is navigable, and we know comes very near the branch of the *Chepo*, a large river which falls into the gulph of *Panama*. We are not yet furnished with any satisfactory details on the navigable state of these rivers; but from what *Alcedo* tells us---from the circumstance of their navigation being prohibited by the Spanish government, under pain of death, on the express ground that it might discover the facility of the passage to the *South Sea*---and from the fact of the buccaneers having actually penetrated from sea to sea, in this direction, we are entitled to conclude that extraordinary facilities for the great enterprise, are here presented. The bay has ten fathoms of water at the entrance, which increases to eleven in the middle, and it has six fathoms to the very bottom." The Reviewers, after proceeding to adduce some statements of *Herera*, the famed historian of *South America*, draw the following conclusion---"By this indubitable authority, then, it appears that a canal of nine leagues, through a country mostly flat, is all that is wanting to complete the navigation across the isthmus of *Panama*."

In the event of a complete and permanent independence of *South America*---an event highly probable---it is not unreasonable to expect that within fifty years the *North* and *South Seas* will be connected. And what a stupendous revolution it would produce in navigation and commerce! The distances to *India* and *China* would be shortened more than ten thousand miles.

Con. Courant.

A case is now before us that seems likely to urge to action: certain persons, claiming citizenship with us, have been captured under the patriot flag, and are dungeoned at Havana, in the most cruel and unfeeling manner. Some of their companions have been demanded as *British* subjects and were given up—These men claim the protection of their country, and, if they have offended, demand a trial under its laws. What ought to be done in this case, is a question that may well interest the best heads of the nation.

It seems understood that some very important matters, in regard to Spain and her colonies, will occupy the attention of the next congress. In our own right and in that of oppressed humanity, we might lawfully declare war against Spain, and no doubt should have declared it long since, if we had not been apprehensive of embroiling ourselves with the *kings* of other countries, united to defend one another against the people. But we trust that this *unholy* alliance may soon be broken; not because we wish war, but that every nation may freely regulate its own affairs—and, as *sovereigns*, declare war and make peace, as to them shall seem just. And this event is certain,—that if England would only *balance* the great European powers the United States could easily throw in such a weight of strength, and influence as immediately to destroy every vestige of Spanish supremacy on the American continent. The world, in truth, is interested in the opening of so vast and rich a country to commerce; and if ought of a liberal and enlightened policy prevailed, would command it. As to ourselves, we owe no favors to Spain—she has treated us very much as enemies for many years, and has suffered her territories to be used for carrying on an actual and savage war upon us, without ever once remonstrating against it.

### Freedom of the Press.

We are glad that the “long agony” of the press, in Pennsylvania, is almost over. The election for governor will take place on Tuesday next. The candidates are Messrs. *Pindlay* and *Heister*—both professed “republicans”—the latter having the support of the “federalist.”

The electioneering campaign has been carried on with greater heat, if we are to judge of it by the newspapers, than any that we remember. That in the same state, when Mr. *McKean* was elected, was “hot enough”—and it was of much higher importance than the present election, as on it hinged the power of parties in the United States at large. But though all sorts of scurrility and abuse were diffused on that occasion through the most profligate *British* press that ever existed, still it was more reasonably and more decorously

conducted than the present, because fewer of the publishers of newspapers entered so *furiously* into the contest. If one could believe the ten thousandth part of what is said of either of the candidates, we should put them both down as among the greatest villains that ever lived.—The press, in truth, has been so licentious as to disgust every sober-minded man that could view its conduct dispassionately.

We repeat it, we are glad that the “long agony is over”—that we may have something else to do with newspapers received from that state than to consign them, almost unopened, to the *trunk maker*, less noisy than themselves.

### Letter to the editor.

I have inserted the following [private] letter on account of the warm feelings and just views of its writer; and may also afford room for a few of the speeches and sets of proceedings he speaks of, as samples of the rest; but cannot comply with his wish so extensively as he seems to desire.

The writer's disappointment, on arriving at Philadelphia, by no means surprises me. The rude and savage *Coosuck* that was exhibited in London and there caressed by lords and ladies, because, as it was said, he had “*transfixed fifteen Frenchmen with his spear*,” in some certain affair, would be better received and more attended to, in many parts of the United States, than *Hampden*, himself, if he were restored to life to struggle again for the *liberties of Englishmen*; for the fact is, that the body of the men of influence in our seaport towns, especially, regard no sort of “*patriots*” but those that are branded “G. R.” on their foreheads, by *Castlereagh*. Patriotism is to defend the throne—rebellion, insurrection, or usurpation, is to defend the people. Their sympathies are always on the side of such *patriotism*, unless, indeed, it is called upon to act against *Great Britain*, and then they reject it—and yet we boast of our *rebellion*, which success has softened into *revolution*, and look with suspicion on all that would even *reform* the now a thousand-fold more oppressive “*system*” than that which we ourselves shook off altogether, and by force of arms. *This is lamentably true*. Every body sees and feels it. Such is the influence of the books used in our schools, or read for amusement, aided by a *servile* press that is continually telling us of the great things that belong to royalty—in which the sneezing of a king, on his taking a pinch of snuff; is detailed with as much gravity as an account is given of the *suspension of the habeas corpus*. These false principles were spoken of in a late number under the head of “*Retrograde Politics*.” So deep, so subtle is “*British influence*” in the United States.

To the English people I sincerely wish the same degree of liberty and happiness that is enjoyed in the United States; and, if their petitions for a redress of grievances and reform in their government, continue to be rejected by government as our's were, I hope they will take the course that we did, and bring about a change of measures, by a *revolution*. A change can hardly be too dearly purchased.

STU—To whatever cause it may be imputed, it is a fact, that nothing is so gratifying to the wounded mind, as a knowledge that its grief obtains the



attention, and draw forth the sympathy of others. When our misfortunes are unknown and unpitied, our unalleviated sorrow is cherished in the inmost folding of our bursting heart; the face of man seems clothed in frowns:—and nature, universal nature, presents one wide extent of cheerless, woe-inspiring gloom. But if the sigh of sympathy and the accents of friendship, burst upon the silence of our solitude, immediately the depths of our sadness are broken up, and the fountain of our grief is dispersed in as many streams as we have friends to pity us. Such has been the progress of my feeling since I have occasionally had access to your useful *Register*. Driven, a hapless exile, from Britain, my native soil—driven by the unfeeling hand of oppression, and forced from all, my liberty excepted, that rendered life acceptable, I less lamented my own hard fate than that of my unfortunate much injured country. When I landed in Philadelphia, I expected to find every free born bosom burning with kindred indignation at the base faction which has forged the shackles that now crush the reluctant slaves of Europe;—wretches, who, to aggrandize and enrich themselves and their mercenary minions, have sacrificed the glory, the liberty, the prosperity and the happiness of a brave and generous people. But what was my disappointment, when, upon conversing with several most respectable citizens, I found them all possessed of the opinion that the British government was immaculate, and only appeared to act unjustly in the jaundiced eyes of the vicious—the violent—the designing—and the disaffected. I will not attempt to describe the feelings that overwhelmed me upon this unexpected result. To me it sounded like blasphemy to bestow the epithets of *violent* and *disaffected* upon patriots who were struggling to revive their expiring liberties; and to recommend the conduct of *traitors*, for whom language has not yet furnished a name sufficiently hideous to express their villainies. After meeting with this, you may judge of the sincerity of my joy and gratitude, when, upon having your *Register* put into my hands by a worthy gentleman to whose sentiments I was then a stranger, I found the editor of one of the most popular and meritorious of the United States' papers, pointing the finger of disapprobation at the tyrants of Britain, and detailing in the language of compassion, the severe distresses of a betrayed people. Permit me, sir, poor and undistinguished as I am, to thank you in the name of my unhappy country, for thus endeavoring to interest mankind in her fate; and also to compliment you on your penetration, in distinguishing between *facts* and the specious *manufactures* of ministerial hirelings. Your name, sir, shall not be unknown in Britain, and the gratitude of the oppressed will add to the number of your enjoyments, and the extent of your fame.

If it would not interfere with the arrangement you have made for conducting your *Register*, I would be most happy to obtain a corner in your widely circulated pages, for the insertion of the proceedings and speeches of a number of the friends of parliamentary reform, in the northern part of Great Britain.—I consider these as being more worthy of preservation on account that they are the warm, manly, and unsophisticated sentiments of men of genuine merit and ability—*men*, who though confined by the pressure of the times to hard and unremitted labor for the subsistence of themselves and families—and though unassisted by the advantages of a classical education, displayed a soundness of judgment, an acuteness of reason-

ing, a warmth of fancy, and a flow of eloquence, which far surpassed the affected harangues of their lordly oppressors, and rivalled the energies of ancient Rome. Permit me to say, sir, that the speeches to which I allude, are the effusions of "Village Hampdens," whose dauntless minds, fired with live-coals from the altar of native genius, surmounted the barrier which oppression and unmerited poverty had placed in their way, and soared at once into the regions of majesty and truth. It gives me pain to think that their vigorous and independent sentiments should not find a passport to posterity. It now remains with you, sir, to give them a permanency and modification, which may afford them a chance of floating down the stream of time to the unknown limits of far distant years.—If you think proper to give them a place in your liberal and patriotic pages, I shall forward to you copies of such as I have already in my possession, and of as many more as I can procure. Hoping you will accede to my request, and wishing you much success, I am, sir, with sincere respect, your obedient servant.

### Cure of the Hydrophobia.

[COMMUNICATED FOR THE WEEKLY REGISTER.]

IN THE SENATE OF PENNSYLVANIA, MARCH 5, 1802.

The speaker laid before the senate a letter signed Valentine Kettering, and the same was read as follows, viz.

SIR—A medicine of the utmost importance to mankind, prepared from an herb, which has been found, unquestionably, efficacious as a cure for the bite of a mad dog, either in man or beast, has been known and used as such by the subscriber, and his ancestors, for the space of two hundred and fifty years, in Germany and Pennsylvania.

The herb, and manner of preparation, has been clandestinely obtained from me, and prostituted to the purpose of accumulating wealth, contrary to my wishes or practice, and of those from whom it was derived—and being far advanced in years, am desirous to communicate it in such manner as may give the most general information to my fellowmen, without the most distant view to emolument, have, therefore, thought proper to address these lines to you, in the full confidence that you will take a more effectual way to diffuse the information, than, from my age and other circumstances, is in my power. At your request, communicated by my friend, Henry Orth, (health permitting) I will attend at Lancaster and explain the subject fully.

I am your friend, VALENTINE KETTERING.  
The speaker of the senate of Pennsylvania.

DAUPHIN COUNTY,  
Londonderry township, Feb. 18, 1802. }

On motion, of Mr. Pearson and Mr. Barton, said letter was read a second time, and referred to a committee, consisting of Mr. Pearson, Mr. Porter and Mr. Lawer, to consider and report thereon.

March 6, 1802—Mr. Pearson, from the committee to whom was referred the letter of Valentine Kettering, made report, and the same was read as follows, viz.

The committee appointed to hear the communication of Valentine Kettering, relative to the cure of the bite of a mad animal, report—

That they conferred with the said Kettering on that subject, who informed them that he uses the herb called *Red Chick-weed*; which, when ripe or in full bloom, he gathers and dries in the shade; reduces it to a powder, and gives a small table spoonful, at one time, to a grown person, in beer or

water, in weight one drachm and one scruple. For a child an equal dose, but given at three different times; or it may be eaten on bread with butter, honey or molasses, as the person chooses. For a beast, a large spoonful; if by weight, two drachms and one scruple. When used green, for a beast, cut the herb fine and mix it with bran, &c. When given to swine, mix the powdered herb with meal of any kind (dose as above) in little balls.

He assures us he has given it to persons many weeks after they were bitten, and never knew it fail—and never gives more than a single dose, unless to children as above. He further says, it is an excellent cure for cuts or wounds on the human body: when green, mash it, drop off the juice into the wound, and bind the herb so mashed on;—and that the proper time to sow the seed is about the beginning of April, and should be sown thin.

He also informs us, that he is now seventy-five years old; was born in Germany, and came from thence with his parents to Pennsylvania when eleven years of age. That his mother brought the seed of the herb amongst her garden seeds; that he has presented to your committee, for the use of the members, a quantity of the herb and seed, and says he will give of the seed to others, who will please to call on him for that purpose.

They also learn, from the rev. Henry Muhlenburg, of Lancaster, that it is an annual plant; known in Switzerland and Germany by the names of *Gaucheil*, *Rother-Meyer*, or *Rother-Heinerdarm*; in England, *red pimpernel*; by botanists (as he is informed) *Anagallis Phœnicea*—and that it should be gathered in June, when in full blossom. In Germany, he understands, the usual dose was thirty grains of the powder, taken four times a day, and continued one week, in smaller doses; the wound washed with a decoction of the herb, and some of the powder strewed in it. That the plant is cultivated in many gardens, and grows near Baltimore and Havre-de-Grace spontaneously, in great plenty.

Your committee, therefore, offer the following resolution:

*Resolved*, That the speaker be requested to present the thanks of the senate to Valentine Kettering, for his benevolent and valuable communication.

*On motion*, said report was again read, and the resolution, thereto attached, considered and adopted.

I certify that the above is a true extract from the journal of the senate.

JOSEPH A. M'JIMSEY,  
Clerk of the senate.

Harrisburg, Sept. 18, 1817.

## A touch of the marvellous.

Whoever has read a "*North Briton's*" account of the battle of Waterloo, must have been astounded with the exploits of a certain corps called the *Scotch Grays*, an individual of whom, if I recollect rightly an account that I read, killed about "forty nine or ninety nine" Frenchmen, with his own hand, in personal combat, in about two minutes and a half by the watch, with his sword!—That this was a brave corps and behaved most gallantly on that memorable day, we are not by any means disposed to doubt; but really, they have been puffed in such an extraordinary manner as to depreciate their real merits in the opinion of dispassionate men. The following tale from a late

London paper, may shew the manner and spirit of these puffings. Sergeant *Weir* hardly acted so much like a fool in his last moments, as to suppose that the initials of his name, most awkwardly and indistinctly marked on his forehead with blood (as they must have been, if marked at all) would better assure any of his fate than the inspection of his person.

FROM A LATE LONDON PAPER.

*Interesting anecdote.*—Sergeant Weir of the *Scott's Grays*, was pay serjeant of his troop at the battle of Waterloo, and as such might have been excused serving in action, and perhaps he should not have been forward; but on such a day as the battle of Waterloo, he requested to be allowed to charge with the regiment. In one of the charges he fell mortally wounded, and was left on the field. Corporal Scott, of the same regiment, who lost a leg, asserts, that when the field was searched for the wounded and slain, the body of serjeant Weir was found with his name written on his forehead by his own finger dipped in his own blood. This, his comrade said he was supposed to have done that his body might be found and known, and that it might not be imagined he had disappeared with the money of the troop!

## Governor Early.

FROM A GEORGIA PAPER.

It becomes our melancholy duty to announce the death of PETER EARLY, esq. who departed this life, at his seat in Greene, on the 15th Aug. The state is bereaved of one of its most useful ornaments and firm supporters, and society of a member that was wont to give a zest to all the refinements of social intercourse. Mr. Early was educated for the bar, and soon became conspicuous as an able advocate. His superior talents attracted the attention of his fellow citizens, and in 1802, he was called to represent them in the national legislature. In this dignified body, his scientific knowledge of government, combined with a manly eloquence, that spurned the meretricious ornaments of false elocution, soon secured him an enviable reputation, and gained him, among his congressional brethren, the honorary appellation of the "*Orator of the west.*" Afterwards he presided as judge in the Oakmulgee district for many years. Step by step he had traced all the devious windings in the ample field of jurisprudence, and so arranged and tempered conflicting authorities, that his decisions were never equivocal, but always clear and conclusive.

In 1813, he was elected governor of Georgia.—The crisis was one that required talents and firmness—and no man possessed these necessary qualities, in a more eminent degree, than Peter Early. It was at this period, (of the late war) that a succession of disasters had spread the most gloomy aspect over the face of national affairs; and that an unfortunate collision between the different branches of our state government, had produced such dissensions among the people as to threaten the most serious and alarming consequences. This was the most boisterous administration that the executive of Georgia ever experienced; and such a one, we hope it will never again experience. Difficult and perilous, however, as were the times, the bark of state was safely guided to a haven of security.—Thus, in all his public duties, we find the conduct of Peter Early, marked with that decisive and consistent character, which should always distinguish the statesman and the patriot.



Statement of Goods, Wares and Merchandize, of the growth, produce and manufacture of the United States, exported to foreign ports, from the State of North-Carolina, during the year ending on the 30th of September, 1816.

DISTRICTS.	WOOD)			NAVAL STORES			PROVISIONS.			OTHER ARTICLES.															
	Staves and Heading	Shingles	Hoops and Poles	Bonks, planks and Saw-log	Hewn Timber.	Lumber of all kinds.	Tar.	Pitch.	Resin	Turpentine.	Horns and bacon.	Butter.	Lard.	Corn.	Peas.	Flour.	Beef.	Rice.	Cotton.	Tobacco.	Wax.	Spirits of Turpentine.	VALUE.		
	THOUSANDS.			CUBIC FEET.			BARRELS.			POUNDS.			HEURELS.			BARRELS.			POUNDS.			GALLONS.			DOLLARS.
Wilmington	3,441	14,462	4	4,979	1,114	9,919	38,409	1051	335	20,223	15,283	15,573	1,884	32,604	2485	473	3,221	975,408	863	24,400	2,882	1,061,112			
Newbern	506	5,674	:	1,183	:	:	392	137	145	531	7,858	570	1,594	69	45	22	:	:	5	:	485	84,281			
Washington	847	1,947	20	663	:	:	433	233	75	62	7,650	:	114	114	27	10	:	:	:	:	2,800	33,933			
Edenton	692	4,910	:	35	:	:	180	57	:	2	4,000	:	200	10	:	:	:	:	:	:	:	63	71,484		
Camden	306	2,681	:	164	:	:	8	:	:	5	2,945	:	2	200	300	2,146	8,432	3,638	:	:	:	12,982	36,314		
Plymouth	99	4,479	:	:	:	:	59	:	:	2	2,500	:	:	:	:	7,461	:	:	:	:	1,500	270	28,165		
Ocracock	233	324	:	226	124	:	2,245	200	30	235	:	:	:	:	:	:	:	:	:	:	:	:	28,165		
Total	6,124	34,420	24	7,246	1,238	9,919	41,731	1,691	585	21,080	49,256	16,443	19,546	113,854	6,343	12,027	435	3,221	9,754,081	868	26,700	3,699	1,328,271		

The above articles were exported principally to Great Britain, and the British, French and Spanish West-Indies.

The preceding table was politely communicated for the WEEKLY REGISTER. It is copied from a statement furnished for the treasury department. It would have led to its interest if it had shewn the value of articles shipped coastwise. The Fayetteville Observer gives us \$744,765 as the value of the articles so shipped from Wilmington for the year ending on the 30th September last, making a total export of \$1,805,877; with the following respecting Fayetteville—

Statement of domestic produce shipped from Fayetteville, during the same period—viz.

2,337 hogsheads of tobacco,	\$400,550
8,292 bales of cotton,	621,900
11,813 bushels of wheat,	17,719
10,341 bushels of corn,	10,341
5,164 casks of flax seed,	77,460
29,761 gallons of spirits,	23,808
12,962 barrels of flour,	129,620
Tallow, wax, bacon, fur, lard, feathers, &c.	50,000

Total, 1,331,398  
In estimating the value, reference was had to the valuation at the custom-house, and to the New-York prices current of the proper date—The statement is rather under than over-rated.

"Masters of vessels, licensed for the coasting trade, bound from one district to another district, in the same or an adjoining state, having on board domestic produce only, or foreign goods not exceeding a certain [small] amount, are not required by law to deliver any manifests of their cargoes at the port from whence they depart."

Hence a considerable amount of goods and produce shipped to other parts of this state, and to the adjoining states, is not included in this estimate.

### Navigation of the United States.

The important act passed at the last session of congress, entitled "an act concerning the navigation of the United States," [see WEEKLY REGISTER, Vol. XII. page 52] went into operation on the first inst. and has been called to the attention of the collectors by the following circular—

TREASURY DEPARTMENT, 29th Sept. 1817.  
SIR:—Inclosed you will receive a copy of the act of congress "concerning the navigation of the United States," passed the 1st day of March last, which is to take effect on the 1st day of October next.

The first section of the act makes an important change in the commerce of such foreign nations with the United States, as have in force regulations of a similar nature.

To secure uniformity in the execution of this measure, and to render the change imposed by it as convenient to those whose interests are to be affected, as the provisions of the act will admit, the term country, in the first section, is considered as embracing all the possessions of a foreign state however widely separated, which are subject to the same supreme executive and legislative authority. The production and manufactures of a foreign state, and of its colonies, may be imported into the United States in vessels owned by the citizens or subjects of such state, without regard to their place of residence within its possessions.—Gold and silver coin, and bullion, are not considered goods, wares or merchandize, within the meaning of the act, and may, therefore, be imported into United States in foreign vessels, without regard to the place of production or coinage.

A list of foreign states known to have in force regulations which subject them to the operation of this act, is subjoined.

To ensure uniformity in the execution of the 3d, 5th, and 6th sections of the act, it is expedient that, in all cases where proof is exhibited, on oath, according to their provisions, the witnesses should be cross-examined by the collector, whose duty it is to decide, for the purpose of avoiding imposition and detecting evasion.

I have the honor to be your most obedient, and very humble servant,

WM. H. CRAWFORD,  
Secretary of the treasury.

\_\_\_\_\_, esq. collector of \_\_\_\_\_.

[Great Britain and Sweden, we learn, (says the *National Intelligencer*) are the only states known to have in force regulations of the nature embraced in the first section of the above act, and referred to in the Circular.]

### On Manning the Navy.

The following, from the *National Intelligencer*, is inserted because it seems to have been intended as a reply to an editorial article inserted in the *Weekly Register*, on the manning of a great navy. The editor thanks the writer for his courtesy, but cannot subscribe to his sentiments. We are, by no means, prepared to say that militia drafts, for *home defence*, are inconsistent with the natural rights of man and society; but decidedly of opinion that the power to make such drafts is wisely limited to certain specific objects, and that when we march beyond these we may reach the borders of despotism. In a qualified sense, a navy for the United States, who have no colonies, must be regarded as defensive—sometimes to act offensively to defend: but the involuntary services of men in ships is, we think, a very different affair from such services on land—where, except in extraordinary cases, indeed, the laws command, instead of individuals, and any man may immediately appeal to them.

In a late discussion in some public prints upon the necessary extent of an American navy, originating from a writer in the *National Intelligencer*, under the signature of Cato, it was boldly advanced by him, that it ought to be the fundamental policy of the United States to progress in a navy until she had the most powerful one in the world. It cannot well be denied but that he has presented some strong views and weighty considerations in favor of his proposed course of policy. It is not, however, my intention to enter into the merits or demerits of his proposition, but to throw out ideas of my own upon the subject of manning a navy. His opponents, and particularly the *Baltimore Weekly Register*, among other objections to his proposed system, found a great one, upon the difficulty that must, in his opinion, always exist in manning a great navy. The *Register* says “he believes it is the practice in all other countries where there is a navy, to impress men for it in time of war—but a man might as well attempt to empty Lake Superior with a horn soon as to introduce it here, in the present disposition and state of the people.” Assuredly it might be unpopular and impossible in our country to carry into effect a system of impressment in the odious sense in which the term is usually understood, or, is arbitrarily practiced in other countries; and long may it continue to be so. But I will not believe that our country is so destitute of talents, that it cannot produce statesmen capable to devise a system for manning a navy, that is perfectly congenial to our national and social compacts; combining the greatest possible regard for the rights, liberty and convenience of the citizen, that is compatible with

that paramount moral obligation, that all are under to defend their country in times of public danger. Is it not of the essence of republican political equality that all, whom the law deems capable of military service, shall take the field against the public enemy, when called upon by the legitimate authorities? Does not this law bear upon the whole body of the enrolled militia? Upon what principles, what ground, can an exception from this rule be claimed in favor of our seafaring brethren? What is there in our civil and political institutions that forbids the application of the same principle to them? Are not they too citizens? Do not they also participate in the choice of legislators and all the advantages of civil government? Why should they be exempt from bearing a full share of its disadvantages? Are they not ransomed from captivity by exchange when made prisoners, even in merchant vessels pursuing their own interests? And is there any thing unjust that they in their turn should contribute to the ransom of their fellow-citizens by procuring the pledges for it? finally, have not they too a country and its honor to defend? Would it be a republican political equality for one description of citizens to be left at liberty to stand idle, or to pursue their ordinary occupations in quest of fortune, whilst all other descriptions are obligated by the laws to contribute their time and their labors and dangers to its defence? Ought not all alike to be bound to obey the call of their country, expressed through the constituted authorities, and render their personal service in the way their habits of life have best fitted them to? The whole body of the militia may be called out under the laws, or only a draught of a part, to perform a tour of military duty for a longer or shorter term, according to the exigencies of the case; and compulsory means may be resorted to in respect to those who shrink from their duty; and there will be often found some. What solid reason can be advanced why the same rule shall not apply to our seafaring brethren? All alike owe to their country the sacrifice of their time, their fortunes and their lives. This doctrine, this patriotic devotion to the welfare of our country, ought to be inculcated, loudly reiterated by all stations of men; and more particularly by all those to whom a kind Providence has offered the means and opportunities of acquiring a little superior intelligence. It is hoped the people have selected men with abilities and energies competent to legislate properly for the good of the republic; men who will not be beat out of a statesman-like course by factious clamor; men who will not be frightened by vain words,—such as “impressment, conscription,” &c. (no application is here intended to the *Baltimore Weekly Register*.) The period is arrived when all patriotic men of imposing character throughout the United States should speak out: when they should combine to scout half-way measures, crawling system, that inevitably lead to national discomfiture and disgrace; that present a semblance of strength, and there is no strength. This very subject of prospectively manning the navy ought profoundly to occupy the deliberations of congress, at their approaching session, or they must and will be stigmatized for flagrant supineness, for a dereliction, and shrinking from their bounden duties. Now, in a period of profound peace, is the proper season for it. It is announced that we have, and in progress, 12 ships of the line, besides additional frigates building. How are even this number to be manned, in case of a war, say a few years hence? and no man can tell how soon. Will our national rulers be so



feeble as to depend alone upon heavy bounties and wages, exhausting the public treasury at the outset, and yet perhaps but partially succeeding in their object? What puerile legislation will it be, to build a number of ships and then say, we cannot man them, when there are a superabundance of seamen in the country to do it, if there were laws under proper regulations, calling them into the public service. The necessity, expediency, and justice of the case must force itself upon every reflecting mind, that there must be an organization; a classification upon the best principles that human ingenuity can devise, to call out or draft suitable portions of our sea faring citizens to perform their tour of duty in time of war, as the militia are bound to do. The analogy of the subjects leads me to say emphatically, that now also is the precious time, for the welfare of the republic, to deliberate and legislate upon the formation of a regular war army in the spirit of the system submitted to the public by the present president of the United States, during the late war; and regardless of the party slang of "Conscription." Has not experience taught us the necessity of some such system? If the hands of the government had been strengthened by a few thousand regular soldiers more than could be procured by voluntary enlistment, we should not have had an enemy's army marching to the Capitol, to Baltimore or Orleans. The enemy would have found full employment to defend his own provinces. Whoever may hereafter be at the head of our government, must be drivers indeed, if they do not always make the enemy's territories the seat of war, if practicable. The necessity of legislation upon this point, becomes more cogent since the notable discovery and *practical construction* given to our federal constitution, that the *governors* of the states are the *judges* when the contingency occurs, that authorizes the calling out of the militia, and *not the president*, as people of plain understanding had heretofore believed; and since the farther discovery that the militia are not bound to obey when ordered out of the limits of the United States. In the present state of the world, and our relative condition in it, with the utmost moderation on our part, we cannot, we *must not*, expect to escape the ordinary fate of nations. We ought, we must, hold ourselves as liable to be driven into wars to defend our national rights, or to seek redress for intolerable injuries done us; and how can common sense expect to force the enemy to reasonable terms of peace, unless our government be authorized to wield the adequate physical force of the republic?

PHOCION.

## Legislature of Tennessee.

KNOXVILLE, September 15.

*This day at 12 o'clock, the governor communicated to both houses of the legislature, by the secretary of state, WILLIAM ALEXANDER esq. the following*

### MESSAGE.

*Fellow citizens of the senate,*

*and of the house of representatives:*

Nearly two years have elapsed since the rise of the last session of the Legislature, the early part of which time was marked by the most afflicting and melancholy dispensations of Divine Providence. The epidemic which raged with violence in different parts of the state, carrying with it frequently death, was well calculated to produce distress and alarm; and some of the honorable members of the last legislature, I am sorry to say, are now no more. With the approach of spring, the malady disappeared;

since which, our citizens have enjoyed a remarkable share of good health. That scourge was followed by an unusual drought, in the summer of the same year, which threatened a greater scarcity than had been ever witnessed in the country. In this state of things the citizens resorted to the most rigid rules of economy; and surely our thanks are due to Providence for bringing us through those scenes of disease and threatened famine; and not less so for conferring on us at this time, the most propitious season for the industrious husband-man, that has occurred since the first settling of this country. Our acknowledgements of gratitude are likewise due, for the blessings we enjoy in religious, civil and political liberty; for public peace and domestic happiness; for his magnanimous design in the universal propagation of the gospel; for the present prosperous situation of our state and country; for the increased state of literature and literary institutions; for the prosperous state of the liberal and mechanic arts: domestic manufacture and internal improvement.

In compliance with an act of the last general assembly, authorizing the executive to appoint a commissioner to attend the legislature of Kentucky, for the purpose of adjusting the difference between the two states relative to Walker's line, Parry W. Humphreys, esquire, was appointed; and as I deem it necessary to lay the whole correspondence, with the documents connected therewith, before your honorable body, I will just remark, at this time, that the mission resulted in a total disagreement on the part of Kentucky to the propositions made by the state of Tennessee; and as the act, subsequently passed by the legislature of that state, was not bottomed on any of the provisions contained in the laws of this state, I beg leave to refer your honorable body, for explanation of the transaction to my circular letter addressed to the members of the last general assembly, which is prefixed to the laws of Kentucky. Much time has been consumed and considerable expense incurred by endeavoring to adjust this matter, hitherto without effect. I cannot, however, under present circumstances hesitate to say, in my opinion, that the breach is lessened by the proposition made by Kentucky: in which it is proposed that Walker's line shall be the established boundary between the two states, from where it strikes Tennessee river to the mouth of Obed's river. Hence, there appears little reason to doubt, that, if you should deem it expedient to close with the proposition of Kentucky and ask the adoption of Walker's line from the mouth of Obed's river to Cumberland Gap, it would be acceded to; which would quiet the inhabitants of both states, who reside near the line. But if Kentucky should still adhere to her present proposition in extending the line from Tennessee river to the Mississippi, in the latitude of 36 degrees and 30 minutes, it will be for the legislature to say on that, as on all other points, how far it can be met on principles of justice. From the long standing and nature of this unhappy difference, I must suppose it to be one of those cases, in which, to do justice to both parties, mutual concessions ought to be made.

Conceiving it due to myself, and not wholly uninteresting to my fellow-citizens, I will take the liberty of stating the course I have pursued in relation to the extinguishment of the Cherokee claim to land within the limits of the state. In December, 1815, I empowered the senators from this state J. Williams and G. W. Campbell, esqrs. to negotiate a treaty with a Cherokee deputation then at Washington city, for lands on the north of Tennessee



river. The commissioners had an audience with the chiefs, explained the views of their government, but were answered that the powers they possessed did not authorise them to dispose of the land in question. Thus the negotiation ended at that time; but was renewed by the president of the United States and instructions given to hold a treaty at the Cherokee agency on the 20th July, 1816. Anxious to avail my country of every opportunity to promote its interest, I called on col. John Williams, being more convenient to the agency than Mr. Campbell, to attend the treaty under his former appointment in company with myself. The treaty continued fifteen days; in which time the views of the general government were fully explained and the claims of the state of Tennessee urged by every fair argument in our power, though at last unavailing.

I then determined on making a third attempt and obtained the favor of general Jackson to renew the proposition, which he did at *Turkey Town*, where the Indians, as if with a view to elude the subject, suggested the plan of exchanging lands. Thus the matter rested until the 20th June last, when a treaty was opened under the direction of the president of the United States by gens. Jackson, Meriwether and myself. The object of this treaty was to carry into effect certain propositions, made by Mr. Jefferson, while president of the United States, founded on an application to him by a regular deputation of the Cherokee nation in January, 1809, the object of which was to give permission to as many of the Cherokees as might choose to remove west of the Mississippi, who should receive a tract of country there proportioned to their numbers, with the whole Cherokee nation, for which they were to give an equal quantity of land to the United States out of the Cherokee country. This agreement has received the sanction of the Cherokee nation; as well those who have, as those who have not, removed. The census of the nation is, by positive stipulation, to be taken in June next, for the purpose of enabling the contracting parties to adjust the quantity of land to be exchanged. A just proportion of the land, thus to be acquired, will fall within the state of Tennessee, prior to the next stated meeting of the legislature, from which a question will naturally arise, whether the interest of the state would be most promoted by leaving the subject to form the necessity of a called session, with the expenses incident thereto, or to enact laws in anticipation of the event at the present session. If you should prefer the latter, I earnestly recommend to the wisdom of your honorable body, the enacting of such laws as in their operation will best guard the poor against the watchful speculator, and, at the same time, act consistent with our engagements with the United States and North-Carolina. To effect this object, I would propose, after the lands are disencumbered and liable to the disposition of the state, that proclamation be made once-a-week by the public printer for at least three months preceding the day-on which entries may be made; and to declare, in positive terms, that all entries, which have been previously made, shall be null and void to all intents and purposes, besides inflicting such penalties as you might think proper, on such persons as should disregard or violate those provisions.

It has been with no inconsiderable concern that I have for many years witnessed the hardship and injustice of withholding from a large portion of our fellow-citizens, the possession of lands acquired equally as fairly and honorably as any others in the

nation, with no other object than to serve the Cherokee and Chickasaw Indians for a hunting ground. The subject, however, to which I beg leave to invite your particular attention is the Chickasaw claim, which contains from five to seven millions of acres, bounded on the east by Tennessee river, on the west by the Mississippi, and includes all the land from north to south, across the state; and from the best information I have been able to obtain, nearly one half of this land has been located and the greater part granted from thirty to forty years ago, and at a time when North-Carolina possessed the sovereign right, long antecedent to the act of cession made to the United States; and that she did possess the right to dispose of these lands is clear from the acceptance by the United States of that cession. The United States, as I am advised, have granted, in due form, 640 acres on which the town of Pulaski, the seat of justice of Giles county, is established, and in many other respects have acted as tho' they held those lands by regular title. If then the United States possess a fee simple estate in the vacant land derived from North-Carolina, it will follow, that the officers and soldiers of the army have the most indisputable titles to those lands granted to them. If the subject of right to dispose of those lands be conceded as being at the time vested in North Carolina, no question can arise, except as to the possession which appears to be settled down by existing treaties, made at a time when, perhaps, the measures were justified by necessity and policy. But, if such was then the fact, no pretext seems now to exist. We are at peace both at home and abroad, and the weight of the American arm is competent to the protection of her citizens as well in person as property. I have brought this subject before your honorable body, conceiving it to be one of very great dignity and interest to the state; and I indulge the hope that it will receive that weight of character, in form of a remonstrance to congress, it so justly merits.

The subject of the memorial presented by the legislature of North-Carolina to congress at their last session, will merit your attention. The consideration of the subject was postponed by congress; the documents and proceedings on which, will, in due time, be laid before you. At present I will only express a hope, that the charges made in that memorial against this state may be met in a spirit of amity and compromise, and yet with a due regard to the interest of the state of Tennessee.

In the course of the last winter, I attempted to procure a statement of the quantity of the circulating and unsatisfied land warrants; and also the quantity of land, fit for cultivation, that remained unappropriated, by applying to the principal surveyors of the several districts throughout the state, for a statement of the number of entries, with the quantity contained therein, made in each year in their respective offices, from the opening thereof up to that time. The commissioners of East and West Tennessee were also called on for a report of the gross amount of warrants, issued by their respective boards. And I owe it to those officers, with the exception of two, whose reports have not come to hand, to say, that these reports were furnished with dispatch and in strict conformity with the plan submitted. These reports were forwarded to James D. Reynolds, esq. at that time a member of congress from this state, with the view of having them laid before that body; but whether they reached him too late in the session to be acted up-



on, or how they were disposed of, I have not been advised.

Impressed with a consciousness of the difficulties of obtaining correct information, and sensible that many defects attend the course I have pursued, I deem it my duty to lay the subject before the legislative guardians of the people, as one which, in a collateral point of view, may justly merit their attention, when taken in connection with our landed relations with North-Carolina and the general government. The documents in my possession as well as any information I may have on the subject, will, if required, be cheerfully furnished.

I will submit for your consideration the propriety of turning your attention to improving the navigation of our rivers, either by incorporating navigation companies for a definite number of years, with the right to charge toll, or by such other means as your wisdom may suggest. Frequent attempts have been made in former years to commence this highly important work, which were generally met by the negative voice of those, who appeared to think that they represented the farming interest exclusively, urging that none were to be benefited but the mercantile class of our citizens. This objection must, at this time, be unavailing, for by recurring to facts, it will be seen that the farmers, particularly in the western part of the states, participate largely in the advantage at present derived from the navigation of our rivers in the exportation of our surplus produce to market. The growth and prosperity of our country, I have ever believed, materially depend on a safe outlet for our surplus produce, and an easy commercial intercourse with our neighboring states. Every facility then ought to be afforded that would tend to the furtherance of these objects. To shew the increasing importance of this subject, I will submit a statement of the gross amount of produce, so far as accurate information has been obtained, exported from the state during the present season. I feel great satisfaction in exhibiting this statement, not that I am unconscious of its bearing very little comparison with that of many other states in the union; but when we attach to its importance these facts, that we are yet an infant people, composed of from two to three hundred thousand souls, and that these products are the labors of our fellow-citizens in the year next succeeding the termination of the war with Great Britain and who were amongst the last retiring from the field.

The object of improving rivers and public roads ought not to be considered exclusively in a pecuniary point of view; for in addition to commercial facilities, they, by a concurrence of interesting circumstances, invite us to associate with each other, by which we become more intimately acquainted, our interests cemented, and our social ties every way strengthened.

In pursuance of the act of the last session authorizing the executive to borrow money, in case it became necessary to meet the instalments due from the state to the bank, I have directed the sum of seven thousand five hundred dollars to be borrowed at three different times, which could not be reimbursed by the treasury for want of funds until Friday last.

The directors of the banks, chartered at Jonesborough and Franklin, have given notice that their respective banks are about to commence operations, and desired to know whether the state would take the stock reserved for her in the charter. My answer to the directors at Jonesborough was such as I conceived the existing state of the treasury, in

connection with other reasons, imperiously demanded. As I intend to lay the correspondence before you, I will forbear to make any comments, but would beg leave to recommend a review of the law organizing those banks; and let it be distinctly understood whether the executive, as the agent of the state, is bound to make her a subscriber to each of those incorporated banks; and if this be his duty, it will be necessary to create a fund from which the requisite resources can be drawn to meet those engagements for which the existing laws have made no provision.

I beg leave to invite your attention to an act entitled "an act to provide for the payment of state and county taxes," passed November 13th, 1815.—There are abundant reasons to believe that the motives, which influenced the legislature in enacting this law, were honorable and such as to them appeared to be sanctioned by sound policy. In its operation it has had the effect of burthening the treasury with a description of notes, some of which were not even at par with current notes or silver in any section of the union. By this law, the crippled credit of those notes was supported to the manifest prejudice of our citizens, who held honest claims against the state. From these remarks, gentlemen, I refer you to the before recited act, to say how far it is entitled to a place in the revenue laws of your state.

A number of vacancies have occurred in the different offices in the state since the adjournment of the last general assembly, which have been filled by temporary appointments that will expire with the end of the present session. The vacancy occasioned by the resignation of judge Overton, one of the judges of the supreme court of errors and appeals, has been filled by the appointment of Robert Whyte, esq. The vacancy occasioned by the death of judge Cook in the same court has been filled by John Harwood, esq. The vacancy occasioned by the resignation of William Kelly, esq. judge of the first circuit, is filled by Thomas Emmerson, esq. The vacancy occasioned by the resignation of James C. Mitchell, esq. solicitor general of the second circuit, is filled by John Wilkinson, esq. In the third circuit, William B. Martin, esq. is appointed solicitor general, vice John Catron, esq. resigned.—William C. Mynatt, esq. has been appointed commissioner for East Tennessee, vice Robert H. Adams, esq. resigned. The vacancy occasioned by the expiration of col. Williams' term of service as senator in congress, was filled by the re-appointment of that gentleman in the called session of the senate in March last. The vacancy occasioned by the insanity of George Poyzer, notary public for West Tennessee, is filled by Washington Perkins. The vacancy occasioned by the death of John McCormick, notary public for East Tennessee, is filled by James Kenedy, sen'r.

I am well aware that those offices are considered of the highest dignity and interest to the state, and I assure you they were filled under that solemn impression, and with a full view of the great responsibility which could not fail to attach to the exercise of a power that, under all other circumstances, is confided to the collected wisdom of the state. And while I indulge in expressing my thankfulness to the Divine Benefactor for his benign interposition, I am not unmindful of the great obligation I am under to my fellow citizens for their apparent approbation. And I also derive much satisfaction from learning that the different officers, in discharge of their duties, have realized the highest expectations of many of my fellow-citizens.

The duty of filling these appointments permanently devolves on your honorable body, and it affords me sincere pleasure to know, that in your aggregate capacity, you possess a knowledge of the wishes and interests of the people, which cannot fall to the lot of any one man. It also tends to lessen the embarrassment and responsibility which I have experienced, particularly in the appointment of Mr. Emmerson, who resides out of the circuit for which he was appointed. Prior to his appointment, I had made four different unsuccessful applications to gentlemen of the bar in the first circuit. And in fact three of the courts in the circuit were adjourned by the sheriffs of the respective counties to the manifest inconvenience and injury of the suitors.

This state of things, I have no doubt, was produced in part by an aversion, of long standing, to execute appointments; how far this prejudice will be seconded on this occasion, forms no part of my business or inquiry. It is a sufficient guarantee, that your interests and happiness are both identified with that of your fellow citizens and that you cannot injure the one without a violation of the other.

Experience shews plainly the necessity of making some amendment to the present law regulating the circuit court system, by authorising the appointment of some gentleman of the bar, of skill and integrity, to decide on all causes depending in any of the courts, in which the judge is disqualified to sit, with an equal compensation to what is now, by special law, given for similar services in the supreme courts.

I have received three boxes, containing the laws and journals of congress, with many other valuable state papers; the very inconsiderable expense of transportation has been paid and the secretary of state will present to you the amount, who has, by order of a resolution of the last general assembly, transmitted a copy of the acts of that session to the executive of each state and territory in the union. Many of which have made the exchange reciprocal and sent on copies of their acts which are now in the secretary's office, subject to your disposition. I will, however, take the liberty to observe, that there are from two to three hundred copies of the acts of congress of 1807—8 containing all the Indian treaties made about that time, which will be interesting to the people of Tennessee. With respect to those and all others of which there is a redundancy in the office, I beg leave to recommend an equal distribution be made amongst the different counties composing the state.

I have esteemed it my duty to submit the foregoing measures for consideration and decision with a hope that you will perceive they have been dictated, with a due respect to personal feeling, as well as for the high station you occupy. Subjects of minor importance will be submitted occasionally through the session, and the documents, connected with those already before you, will be forwarded without loss of time; from which, in your deliberate wisdom, you can readily judge how far they are calculated to promote the general welfare of the state, and thus far I entertain the highest expectations they will receive your sanction.

The framers of the constitution with an eye, generally, to make the different departments of government operate as a check upon each other, have in this instance seemingly associated the legislative and executive departments, so far as to authorise the head of the latter to recommend to, and confer with, the former. But to the honor of those who

laid the chief corner stone of our political happiness, it is due to say, that they wisely withheld the negative vote of the executive in the formation of laws and exclusively confided it to the discretion of the legislature. Notwithstanding, so far as my limited information or power may be useful, you will always find a cheerful co-operation in whatever may tend to promote the interest of the citizens of Tennessee; and permit me here to solicit, in return, the pleasure and advantage of your constant aid and good will.

For myself, I should be devoid of gratitude and generous feeling, if I did not act and feel as the warm and decided friend of the people whose suffrage has not been more the support of my juvenile days than of my more advanced years. I became a citizen of the state at a very early period of life, and my advances towards promotion have not more than kept pace with the continued confidence of my fellow-citizens; at whose call I again assume the functions of the high office I now fill. And although conscious of my own incapacity, will place my reliance on an unerring hand to guide me through those arduous duties to an honorable and happy result to my countrymen, from whose candor and liberal indulgence on all former occasions, I have experienced the most unlimited confidence and personal good will; to merit a continuance of which, I trust, will always be my polar star through life.

JOSEPH McMINN.

## Courts Martial.

*Adj. and ins. general's office, Oct. 1, 1817.*

The proceedings of a general court martial, convened by general order of August 27, 1817, having embraced points heretofore considered doubtful by some gentlemen, the following extracts from the records are deemed important to the military service.

*Adj. and ins. general's office, Aug. 27, 1817.*

GENERAL ORDER.—A general court martial will assemble at Davis' hotel, in the city of Washington, on Wednesday the tenth of September next, for the trial of such prisoners as may be brought before it. The court will be composed as follows, viz:

Col. WM. KING, 4th infantry, president.

MEMBERS.

Col. G. E. MITCHELL, corps of art.

Lt. col. W. K. ARMISTEAD, eng.

Lt. col. J. V. BALL, 1st infantry.

Lt. col. G. ARMISTEAD, corps of art.

Lt. col. W. LAWRENCE, 8th inf.

Lt. col. R. JONES, corps of art.

SUPERNUMERARIES.

Major J. M. DAVIS, staff.

Major W. McDONALD, staff.

A judge advocate will be appointed, and further instructions will be given, through the president of the court, in after orders.

By order, D. PARKER, adj. and ins. gen.

*Adj. and ins. general's office, Sept. 3, 1817.*

GENERAL ORDER.—Samuel Wilcocks, esq. is appointed special judge advocate of the general court martial, of which col. Wm. King is president, ordered to convene in this city on the 10th inst.

The judge advocate will arraign the prisoner for trial, will furnish charges and evidence in support of the same, and be accountable to the court for all the proper details.

Should a prosecutor and counsel appear, their wishes will be submitted to the court through the



judge advocate. When the court has finished its proceedings, the records will be delivered to the judge advocate, and the president will report to this office for orders.

By order,  
D. PARKER, adjt. and ins. gen.

September 11, 1817.

The court met pursuant to adjournment.

The judge advocate stated to the court, that he was prepared to take up the case of lieut. col. Franklin Wharton, of the marine corps. A doubt being suggested, whether a court composed exclusively of army officers was competent to the trial of a member of the marine corps, the court was cleared for deliberation.

The judge advocate gave it as his opinion that the court had competent jurisdiction in the case; but the question being considered of importance, and the members not being satisfied, it was finally determined that the judge advocate should, through the war department, solicit the opinion of the attorney general on the point at issue, and the court adjourned to meet the next day at 10 o'clock.

September 12.

The court met pursuant to adjournment.

The judge advocate laid before the court the following correspondence:

GEORGE GRAHAM, esq. acting secretary of war.

SIR—A doubt has arisen with the general court martial, of which col. W. King is president, whether that court is competent to try lieut. col. Wharton of the marine corps, inasmuch as the court martial is not a mixed court, composed of army officers associated with officers of the marine corps, as appears to them necessary by the sixty-eighth article of war.

The court is desirous to have the the opinion of the attorney general on this point.

I am, with respect, your obedient servant,  
SAMUEL WILCOCKS,  
Special judge advocate.

Washington, Sept. 11, 1817.

Department of war, Sept. 11, 1817.

SIR—On the receipt of your letter of this date, I immediately submitted the question therein stated to the attorney general, and have now the honor to enclose you his opinion.

With great respect your obedient servant,  
GEO. GRAHAM,  
Acting secretary of war.

SAM. WILCOCKS, esq.

Special judge advocate.

I am of opinion, that, under the 68th article of war, it rests with the sound discretion of the proper department of the government, whether to summon officers of the marines in the constitution of a court martial for the trial of a lieutenant colonel of the marine corps, or wholly to pass them by; nor do I know of any act of congress, or other law, authorising different construction of it.

RICHARD RUSH,  
Attorney general.

September 11, 1817.

The court being cleared, after due deliberation, determined that they had no jurisdiction of the case.

The judge advocate stating that he had no further business for the court, the court adjourned sine die.

W. M. KING, col. 4th inf. President.

SAM. WILCOCKS, special judge advocatē.

Washington Sept. 12, 1817.

The proceedings of the court martial lately ordered for the trial of lt. col. Wharton, having been submitted to the president, he is of opinion, that, by the organization of the corps of marines, any officer of that corps may be tried by officers belonging to the military establishment of the United States, and, therefore, disapproves the decision of the court; nevertheless, inasmuch as officers of that corps may by law be members of the court, and it is presumed that some may be found to whom no insurmountable objection is applicable, and he is willing not to press a question on the existing court against the opinion it has given, especially as it may be avoided without the establishment of a precedent in favor of such opinion, he directs that some officers of the marine corps, as well as others of the army, be added to the court for the trial of the said officer.

JAMES MONROE.

Adjt. and ins. general's office, Sept. 19, 1817.

GENERAL ORDER.—Colonel T. S. Jesup, of the third infantry, major Richard Smith, of the marine corps, major J. M. Davis, of the general staff, and captain Robert Wainwright, of the marine corps, are detailed as members of the general court martial, of which colonel King is president, directed to convene in this city by general order of the 27th of August last.

Major Wm. McDonald is relieved as a supernumerary of the court, and will report at this office. The court will convene, organize, and proceed to business accordingly, at Davis's hotel, to-morrow morning at 10 o'clock.

By order,  
D. PARKER, Adj. and ins. gen.

September 20, 1817.

The court met pursuant to the above order.

Lieutenant colonel Franklin Wharton, of the marine corps, was then arraigned by the judge advocate, on the following charges and specifications.

Charges, and specifications of charges, presented against lieutenant colonel Franklin Wharton, commandant of the marine corps, by brevet major Archibald Henderson, of the same corps.

CHANGE I.

Neglect of duty.

Specification 1. In that he never has, within the last two years, or at any former period, taken command of any parade of the marine corps.

Specification 2. In that he never has, within the last two years, or at any former period, taken command in the field of any part of the marine corps.

Specification 3. In that he never has, within the last two years, or at any former period, in the uniform of the corps, reviewed or inspected any part of the marine corps, either at the head quarters of the corps or at any of the navy-yards, where guards of the marine corps were stationed.

Specification 4. In that he has neglected, notwithstanding repeated applications from captain Robert D. Wainwright, to give such an order as would justify that officer in carrying into execution the sentences of a court martial, convened by order of lieutenant colonel Wharton, of the date of the 26th October, 1816, at the marine barracks, Charlestown, Massachusetts, on the 14th November, 1816, whereby two private soldiers, Peter Hull and John Cordwell, have been unjustly and oppressively kept in confinement beyond the period of their sentences by the court martial, and whereby those sentences remained unexecuted on the 8th June, 1817.

Specification 5. In that Peter Moore, a private soldier in the marine corps, has been unnecessarily and oppressively kept in confinement at the marine

barracks, Charlestown, Massachusetts, in consequence of no notice having been taken by lieutenant colonel Wharton of a report made by captain Wainwright, on the 18th March, 1817, of the voluntary surrender of the said Peter Moore, on the 3d of that month as a deserter, and in consequence of which the said Peter Moore still remained in confinement on the 8th June, 1817.

## CHARGE II.

Conduct unbecoming an officer and a gentleman.

*Specification 1.* In that, notwithstanding it was communicated to him that his military character had been assailed in its tenderest point, in consequence of the course he pursued at the time of the capture of the city of Washington, by the enemy, he did decline, and has ever since declined, (though communications have been made to him to the same effect, of late date,) to take any effectual measures to put a stop to reports so highly injurious to his own character, and of such great disadvantage to the corps under his command.

*Specification 2.* In that, on or about the 14th of April last, he did use harsh and ungentleman like language towards John Hall, esq. at that time a major in the marine corps, in these words: that he was a liar.

*Specification 3.* In that, he did subsequently refuse to make satisfactory reparation to the said John Hall, esq. for having used towards him such harsh and ungentleman like language.

ARCH. HENDERSON.

Brevet major marines.

Washington 27th Aug. 1817.

The prisoner was then asked by the judge advocate whether he was guilty of the matter of accusation; to which he replied that he was not guilty.

The prisoner objected to the first and third specifications of the second charge, as being too loose and general; but did not object to any amendment being made in this stage of the business by the judge advocate, as the prosecutor, who declined making any amendment.

The court, on deliberation, determined that no evidence should be given under the first and third specifications of the second charge, because they were too general.

A motion was made by the court to exclude all the evidence under the second specification of the second charge, which was overruled; but they determined to receive no evidence of any occurrence that did not take place within two years before the order for convening this court. The prisoner regretted the decision of the court on this point, as he did not object to any evidence as to occurrences that took place beyond two years from the date of the order for convening this court.

September 20.

On reconsidering the motion in relation to the 2d specification of the 2d charge, it was determined that, as the specification contained no military offence, the court would receive no evidence in support of it.

22d September, 1817.

The court being cleared, after mature deliberation, find the prisoner not guilty of the first charge and the five specifications under that charge.

The court, therefore, honorably acquit the prisoner, lieutenant colonel Franklin Wharton.

WM. KING, Col. 4th Inf. President.

Saml. Wilcox, Special Judge Advocate.

Adj. and ins. general's office, October 1, 1817.

GENERAL ORDER.—The president having approved

the sentence of the court, lieutenant colonel Wharton is honorably acquitted, and the court martial is dissolved.

By order,

D. PARKER, Adj. and Ins. Gen.

Adj. and ins. general's office September 29, 1817.

GENERAL ORDER.—At a general court martial, of which lieutenant colonel Towson was president, convened at Fort Independence, in the harbor of Boston, on the 5th of August last, was tried brevet second lieutenant E. S. Gantt, on the following charge and specification, viz.

CHARGE.—Sending a challenge to an officer to fight a duel.

*Specification.*—For that the said Edward S. Gantt, second lieutenant by brevet, at Fort Independence, in the harbor of Boston, on the twenty fourth day of July, one thousand eight hundred and seventeen, did write and send to captain John R. Bell, of the regiment of light artillery, a challenge to fight a duel, in the words and figures following, viz. "Sir, the epithets that you were pleased to bestow on me yesterday are such that no gentleman can submit to. You, therefore, will either recel what you have said, or give me that satisfaction a gentleman must require. My friend will hand you this, and will settle every thing. E. Gantt, Fort Independence, 24th July, 1817."—or words to the same effect.

AB. EUSTIS, lieutenant col.

Commanding Lt. artillery.

Fort Independence, 25th July, 1817.

## SENTENCE.

The court confirm the plea of the accused, brevet second lieutenant Edward S. Gantt, of the regiment of light artillery, to the charge and specification exhibited against him; and in conformity to the twenty fifth of the rules and articles for the government of the armies of the United States, sentence him to be cashiered.

N. TOWSON,

Brev. lieutenant col. Lt. art. president.  
R. H. WINNER, army judge advocate,  
and of the court.

By the same court was tried captain W. F. Hobart, of light artillery, on the following charge and specification, viz:

CHARGE.—Being a second and carrier of a challenge in order to a duel.

*Specification.*—For that the said William F. Hobart, captain in the regiment of light artillery at Fort Independence, in the harbor of Boston, on the twenty-fourth day of July, one thousand eight hundred and seventeen, did carry and deliver to captain John R. Bell, of the said regiment of light artillery, a challenge to fight a duel, in the words and figures following, viz. "Sir, the epithets that you were pleased to bestow on me yesterday, are such that no gentleman can submit to. You, therefore, will either recel what you have said, or give me that satisfaction a gentleman must require.—My friend will hand you this, and will settle every thing. E. Gantt, Fort Independence, 24th July, 1817."—or words to the same effect; and the said William F. Hobart did then and there act as a second to brevet second lieutenant Edward S. Gantt, in order to a duel.

AB. EUSTIS, lieutenant col.

commanding Lt. artillery.

Fort Independence, 25th July, 1817.

## SENTENCE.

The court confirm the plea of the accused, captain William F. Hobart, of the regiment of light artillery, to the charge and its specification exhibited against him; and in conformity to the twenty-fifth and twenty-sixth of the rules and articles for



the government of the armies of the United States, sentence him to be cashiered. N. TOWSON, Lieut. col. lt. art. *President*.

R. H. WINDER, army judge advocate, and of the court.

The proceedings of the court are approved, and in ordinary cases such sentences would be confirmed, but, in consequence of the annexed recommendations, the president is pleased to over-rule the decisions, and directs that brevet second lieutenant E. S. Gantt, and captain W. F. Hobart, be released from arrest, and return to duty in the army.

By order, D. PARKER, adjt. and ins. gen.

TO THE PRESIDENT OF THE UNITED STATES.

The undersigned, officers of the army of the United States, beg leave most respectfully to represent—

That your memorialists are, the first of the undersigned, president, and the others, all the members of a general court martial, which convened at fort Independence in the harbor of Boston, on the fifth day of the present month, for the trial of captain William F. Hobart and lieutenant Edward S. Gantt, both of the United States regiment of light artillery, the latter on the charge of "sending a challenge to an officer to fight a duel," the former on the charge of "being a second and carrier of a challenge in order to a duel," in the same transaction: that each of these officers plead guilty to the charge exhibited against him, but submitted to the consideration of the court.

That under the excitement of the moment, it was thought that the honor of lieutenant Gantt required that the course should be pursued which was adopted; that speedily after the transaction, and before charges were preferred against them, an amicable adjustment and understanding took place between captain John R. Bell, of the regiment of light artillery, the officer challenged, and captain Hobart and lieutenant Gantt; that captain Bell was desirous their arrest should be withdrawn, and requested the commanding general to that effect, and that lieutenant colonel Eustis, who ordered their arrest, and the commanding general, were willing the matter should rest.

Your memorialists, in their character of officers of the army, most respectfully and earnestly pray the president of the United States, in the event of his approving the proceedings and sentence of the court, to take into consideration the feelings and delicate sensibility of an officer under a supposed outrage to his honor, and to reinstate captain Hobart and lieutenant Gantt.

- N. TOWSON, *brev. lieut. col. lt. artillery.*
- J. B. WALBACH, *brev. lieut. col. artillery.*
- J. B. CRANE, *brev. maj. U. S. artillery.*
- A. S. BOOKS, *brev. maj. lt. artillery.*
- JOHN GATES, *jun. 1st lieut. and paymaster lt. artillery.*

- N. CLARKE, *lieutenant.*
- JOHN A. DIX, *lieut. and adjt. artillery.*
- WALTER SMITH, *lieut. lt. artillery.*
- WILLIAM WELLS, *lieut. lt. artillery.*
- JOHN A. WEBBER, *lieut. lt. artillery.*
- UPPON S. FRASER, *lieut. U. S. artillery.*

Boston, August 11, 1817.

Extract of the letter from brigadier general Miller, enclosing the proceedings of the court martial, dated Head-Quarters, second military department.

"I believe it to be the wish of all the officers of my command, as it is sincerely my own, that captain Hobart and lieutenant Gantt be continued in the army."

Foreign Articles.

ENGLAND, &c.

Shipments of grain from the Baltic and White sea for England, have been made to a great amount. Wheat at Liverpool Aug. 15, 13s 3d per bushel—flour 52s per bbl.

Stocks, Aug. 20—3 per cent consols 79 1-8.

Mr. Incedon, the famous London singer, has embarked for the United States.

A late London paper says—All the travellers whom we have ever read, express their astonishment of the respect which every American manifests for the laws of his country. In the most remote and wild situations no one thinks of offering resistance to the laws, any more than he would do in one of their most crowded cities. However far party zeal, and even party rage, may be carried in that free country, the partizans of all parties always respect the laws. What a contrast with the south of Europe, where, under the most absolute governments, the most lawless violence every where prevails; where injustice is practised with impunity, because there is no judge whom bribery cannot gain over. What a contrast with our sister kingdom, Ireland, where in many parts, the laws are set at open defiance. If they go on in this manner, giving the name of anarchy to a most signal obedience to the laws, they will soon endear that name to the world.

Some idea may be formed of the importance of even the business of making Shoe Blacking in London, from the fact that on a late legal investigation, one manufacturer was found to have in his possession eight thousand five hundred gallons of acid liquid, forming one of the ingredients in the composition he prepared and sold.

The 74th annual conference of the Methodists of the united kingdoms, has just closed at London. Nearly 300 preachers were present—36 of whom were young men, then received into full connexion. The society conducted its business with much harmony and love. Eight additional Missionaries are to be sent to the East Indies, Ceylon, India, and other parts of the world, the ensuing year:

The number of Travelling preachers is as follows:

In England, - - - - -	585
Wales, - - - - -	46
Scotland, - - - - -	27
Ireland, - - - - -	104
Isle of Man, - - - - -	5
Norman Isles, - - - - -	7
On Foreign Missions in Asia, Africa, the West Indies, British America, Newfoundland, &c.	98
<b>Total</b>	<b>872</b>

Besides, Supernumeraries 77

The total number of members in Great Britain is	193,685
In the West Indies, Nova-Scotia, and the other Missions	22,897
<b>Total</b>	<b>216,582</b>

Increase in Great Britain	2,005
Foreign Missions	1,800

Total increase 3,805

Much is said about the goodness of the crops of grain, and of the revival of manufactures, in England.

FRANCE.

A royal ordinance has been issued for bringing back into actual service the half pay officers of the old army.

It is reported that the allied ministers at Paris have refused to let the king of France manage his own affairs, by withdrawing any more of their troops—for the present.

The king of Prussia, travelling under the name of the count de Ruppin, is expected at Paris.

The commissioners for the liquidation of the claims of the foreign powers, make upon France a demand of above \$2,000,000 sterling.

NETHERLANDS.

The Duke of Wellington is prosecuting, at law, a Flemish printer for an alleged libel upon him.

TURKEY.

Georges, the famous Servian chief, after being treacherously captured by the Turks, was decapitated and his head sent to Constantinople.

BARBARY POWERS.

The Plague is said to be raging at Algiers, Tunis, &c. at which those in the adjacent countries are much alarmed.

FLORIDA.

The Mexican flag has been hoisted at Amelia—Com. Aury commander in chief, Hubbard governor. They now, in turn, talk of attacking the Spaniards.

PROCLAMATION.

*Fernandina, East Florida, September 20th.*—The inhabitants of Amelia are informed, that to-morrow the Mexican flag will be hoisted on the fort, with the usual formalities. They are invited to return as soon as possible to their homes, or send persons in their confidence to take possession of the property existing in the houses, which is held sacred. All persons desirous of recovering their property are invited to send written orders, without which no thing will be allowed to be embarked.

Proclamations for the organization of the place will immediately be issued.

AURY, commander in chief.

R. HUBBARD, governor, &c.

CHRONICLE.

The powder mills belonging to Messrs Levering and others, about 7 miles from Baltimore, blew up on Saturday morning last, with terrible effect.—There were three explosions in succession, by which four men were killed and several badly wounded.

*Washington city.*—We have a census just taken of one of the four wards of this city—it shews a gross population of 3354 souls, and an increase since the census of 1810, of 1196. From this, the National Intelligencer says, it is probable, that at the census of 1820 the city will have a population of between fifteen and twenty thousand.

*Alexandria.*—Population in 1817, taken by order of the court.

White males	2653
— females	2860
Free blacks, male and female	1047
Slaves ditto	1599
<b>Total</b>	<b>8199</b>

*Lynchburg, Oct. 6.*—There has been inspected at this place from 1st October 1816 to 1st October 1817, 10,118 hhds. of tobacco, averaging \$130 per hhd. 1,315 340

And 766 hhds. of refused tobacco averaging \$90. } 68,940

**Total** \$1,384,280

*Richmond.*—The following facts are copied from the Compiler:

*The assessment of real property for the year 1817, and in 1813, in the different wards.*

	1817	1813
Valuation of real property in Jefferson ward	5,653,400	2,907,417
Valuation of real property in Madison ward	5,738,681	3,136,414
Valuation of real property in Monroe ward	4,605,820	2,490,316

\$15,997,851 \$8,534,147

There was no assessment from 1813 to 1817.

*Indiana.* The whole number of votes given at the congressional election in this new state in 1816, was 6,769—in 1817, 9,152. What an increase!—almost 50 per cent. in one year.

*Charleston Oct. 1.*—Don Antonio Argotte Villalaga, consul of his majesty the king of Spain, has filed a libel in the admiralty court of Georgia, against the schooner *Camilla* and her cargo, now at Savannah, as Spanish property, “forcibly and piratically taken on the high seas, by persons having no authority to make prizes of war, or capture the property of Spanish subjects; and that no sentence or decree of condemnation hath ever been pronounced against the said vessel, goods, wares and merchandise, or any part of them.”

A libel has also been filed in the same court, by J. H. Elton, commander of the U. S. brig *Saranac*, for and in behalf of himself, his officers and crew, and of the United States, against the *Iris* and her cargo, now lying in the river of St. Mary’s. The *Iris* was fitted out at New-Orleans, and sailed from there for Amelia Island, about the 22d August, with a cargo of provisions and gunpowder, was armed with two carriage guns, and several of the same description were found concealed in her hold. She was detained by the *Saranac* on suspicion that she was to be employed in cruising or committing “hostilities against the subjects, or the property of the subjects of his majesty the king of Spain, or against the subjects, citizens, or property of some other prince, state, colony, district, or people, with whom the United States are at peace, contrary to an act of congress of the said United States, entitled “an act more effectually to preserve the neutral relations of the United States, passed 3d March, 1817.”

*New Orleans, Sept. 1.*—Yesterday a writ of *habeas corpus* was issued by the honorable judge Lewis to bring before him a man named Thomas Lamb, detained on board the British government brig *Beaver*, then lying in this harbor. The captain refused obedience to the writ, and in half an hour after it was served, got under weigh and proceeded down the river.

An order in the mean time was issued by the judge to attach the captain, with which the deputy sheriff went along side in a boat, but being threatened to be fired upon, retired:—Time will not permit us to make any comment on this outrageous insolence,—it might have been expected that the sight of Jackson’s lines would have recalled the idea that our laws and our rights are not to be infringed with impunity. But measures, we understand, have been adopted to prevent the passage of the brig out of the river, and no doubt can be entertained that the captain will be punished as he deserves.

[The *Beaver* has since arrived at Boston, as from Vera Cruz, with a large quantity of specie for the merchants there. She fired a salute of 13 guns which were returned.]



The British brig of war *Harrier*, has arrived at New-York from Havana, with three tons of specie for the United States bank.

*New York battery.*—During the war, the city of New York ceded to the United States the space called the battery—one of the most beautiful walks in the world, whereon might be erected works for the defence of the city. A range of offices, it seems, are about to be built on this ground, under the direction of general Scott, of which the corporation has expressed its decided disapprobation, not considering such “an occupation of the premises as within the spirit and meaning of the grant.” We really hope it may not be so construed, and that that elegant and highly useful space may remain open to the public, unless the public need should require its occupancy for actual defence.

*Cleopatra's barge.*—This superb vessel excites the wonderment of the people, at every place she visits. At Gibraltar she astonished the English; at several Spanish ports the people “have been thunderstruck.” They had no idea of such a thing. At Carthage she was visited, as was supposed, by 20,000 persons—so great was the press that Mr. Crowningshield was compelled to leave the port to get clear of the incessant crowd, and after he had started many boats filled with men, women and children were rowed after, in the hope of yet viewing her. She has just returned to Salem.

*The sea serpent.*—An animal supposed to be one of the spawn of the great sea serpent, has been taken near Lob Lolly cove, about which place the serpent had been frequently seen. The spawn, or young serpent, is about 3 feet long, and 3 inches in circumference—about 4 inches from his head there is a rising, or protuberance, which is succeeded by others till within four inches of the end of his tail—making 32 in all. It so nearly answers the description we had of the great serpent, that no doubt exists as to its being of the same species. It was killed near the shore—and is preserved in spirits.

*U. S. bank.*—A branch, it is said, is to be established at Louisville, Ky. with 800,000\$ capital.—There are also to be branches at Augusta, Geo. Pittsburg, Pa. and Chillicothe, O.

*New daily paper.*—From and after the 27th inst. the Washington City Gazette, edited by Mr. Jonathan Elliot, will be published daily, at ten dollars per annum, and thrice a week, at five dollars. Its prospectus is very broad and comprehensive, and it promises to become a useful vehicle of information to the people of the United States.

*Note-making.*—An association called the Independent Manufacturing company of Baltimore, it seems, have issued many pieces of paper having the resemblance of bank notes, and circulated them in distant places—they have not passed in Baltimore, nor did one in a hundred, perhaps, of our citizens know that such things were. The editor of the Register received 4 of these as remittances; two of them were honorably paid some months ago, and two remain, that have been many times called for; the shop was always shut when we happened to call. They will not be received hereafter.

A New York paper mentions that about a cart load of bank notes, printed in the name of the *Mansfield* bank, was passing somewhere through the country, to be put upon the people.

*The Western Waters.* The following is a fine illustration of lord Sheffield's predictions about the western country—“A Louisville paper states that there are nine steam boats building on the waters of the Ohio and the Mississippi, which will complete the number of twenty on those waters.”

*Servility.*—We have often reprehended the servile disposition of too many in the United States to copy English manners. The following is the first case of the sort that we have heard of, and the name of the actor therein, with a description of his person, ought to be given, so that every man might mark him, and hold him up in terror—“We have the authority of the Monitor, (says the National Intelligencer) a paper printed in Franklin county, Tennessee, for stating, a man sold his wife in that county, a week or two ago for three hundred and twenty-five dollars. Is there to be no discrimination between virtue and vice, in our imitation of foreign customs?”

*Alabama.* A vessel has sailed from New York with forty passengers (emigrants) for the Alabama territory.

*Joseph Bonaparte* has taken lodgings at Washington Hall, New York.

*Trotting.* A mare trotted twenty miles in seventy five minutes and a half, on the Jamaica turnpike, near New York, for a wager of 1000 dollars, a few days ago. The time given was 80 minutes.

*West point.*—We understand that a thorough investigation of the complaints and alleged abuses at the military school is soon to be held by order of the executive, and that orders have actually been issued for a general court martial and court of inquiry, to be held at West Point on the 20th October ins.—*Nat. Int.*

*Singular acquittal.*—On the 25 ult. in Orange county, New York, came on the trial of Brigs Belknap, for stealing a large sum of money belonging to the Newburgh bank. The most satisfactory evidence proved the theft, but the jury were obliged to declare him *not guilty*, in accordance with the statute which limits the time of commencing a prosecution to three years and one day. This theft was committed about six years ago.

The yellow fever carries off from 35 to 40 persons per week, at Charleston.

*Debate or reform.* The editor has been furnished with a London paper containing, perhaps, the most interesting debate on a reform of parliament ever heard in that body. *Burdett's* speech is a history of the parliament, and very interesting; its length is so great as rather to repress the wish that we have to lay it before our readers—but we shall probably give it an insertion, as necessary to those who wish fully to understand the real merits of things in England.

*The President's tour.* Having entered so much at large into a detail of things happening in the late tour of Mr. *Monroe*, while in the eastern states, to make the history of it complete and extend the same courtesy to the citizens of the northern and western sections of the country through which he has past as we have afforded to those of the eastern, the detail will be concluded with his arrival at Washington on some convenient opportunity. Though many have felt rather displeased at some of the ceremonies that have occurred, it is not less useful to have a record of them. They will be often referred to before many years pass round, or we are much mistaken.

Just as the last page of this paper was closing for the press, I happened to recollect that *William Cobbett* has mentioned my letter to him, with so little regard as to what belongs to his own character as a gentleman, as to have excited no other feeling than that of contemptuous pity; though it forbids all further notice of him in the WEEKLY REGISTER.

# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM. PAYABLE IN ADVANCE.

## Commodores Porter and Hillyar.

FROM THE RICHMOND ENQUIRER.

To the editor.—SIR—In the last number of "Niles' Weekly Register," a letter is published from Commodore Porter, requesting the editor to correct an error of punctuation, committed in one of his (Porter's) official letters to the secretary of the Navy, dated New-York, July 14, 1814. Commodore Porter in his letter to Mr. Niles, uses the following language: "I am very far from wishing to do any injustice to commodore Hillyar, (*who I believe to be one of the most honorable of British naval officers, &c*)"—On turning over to the official letter of commodore Porter to the secretary of the navy, (*see 6th Vol. W. Register, page 338.*) dated from the Essex Junior at sea, July 1814—detailing the particulars of the attack on the Essex in the harbor of Valparaiso—I find the commodore speaking in these terms, (page 341.) "We have very unfortunate but not disgraced. The defence of the Essex has not been less honorable to her officers and crew, than the capture of an equal force, and I now consider my situation less unpleasant than that of commodore Hillyar, who, in violation of every principle of honor and generosity, and regardless of the rights of nations, attacked the Essex in her crippled state, within pistol shot of a neutral shore; when for six weeks I had daily offered him fair and honorable combat, on terms greatly to his advantage; the blood of the slain must be on his head, and he has yet to reconcile his conduct to Heaven, to his conscience, and to the world."

Again in the very letter of the 14th of July, 1814, dated from New-York, in part of which the punctuation is said to have been erroneous, the commodore speaks explicitly of the duplicity of captain Hillyar, and expressly states, that when Hillyar, in company with captain Tucker, visited him on shore, he asked him "if he intended to respect the neutrality of the port?" "Sir," said he (Hillyar) "you have paid such respect to the neutrality of this port, that I feel my self bound in honor to do the same."

Now, with these documents staring him in the face, a man of plain understanding will be at a loss to conceive what commodore Porter means when he says, that he believes commodore Hillyar to be one of the most honorable of British naval officers. Does the commodore mean that all British officers are dishonorable, and Hillyar one among the least so—or has any thing occurred to induce him to recant the declarations he officially made in 1814; declarations directly at war with that recently made in the Weekly Register? H.

FROM THE NATIONAL INTELLIGENCER.

In answer to the Richmond Enquirer of the 3d inst. captain Porter replies, that he has seen no cause to recant any declaration he officially made in 1814.

After the opinions he had publicly expressed of the character of British naval officers generally, he did not deem it necessary to say whether he intended it as a compliment or as a reproach, to rank com. Hillyar as one of the most honorable among them.

Captain P. takes this opportunity to remark, that he has (since the publication of his letter in Niles'

Register) been informed, that the error in punctuation complained of, was promptly corrected by the editors of the National Intelligencer, and that it did not originate with them, but in the clerk who copied his official letter for their paper.

REMARKS BY THE EDITOR OF THE REGISTER.

Always feeling a deep interest in the honor of the gallant men that so gloriously supported the "star-spangled banner," by land or by sea, in the late war—so happy in its effects as to the building up of a national character, and in the establishment of a national pride, the editor of the WEEKLY REGISTER has made a very general reference to all the things that com. Porter has said respecting com. Hillyar, and cannot see that discrepancy which the writer in the "Enquirer" seems disposed to charge him with. To judge correctly, we ought to take "a view of the whole ground," and this, I think, will fully shew that com. Porter has acted consistently, in every respect.

There are degrees of honor. it is a common saying, that "there is honor among thieves"—but this is not the sort of honor that honorable men would aim at: and com. Porter, in calling Hillyar "one of the most honorable of British naval officers," expressed exactly the same idea as if he had said that H. was one of the least dishonorable of them; a negative compliment, and evidently used in this way—the designation "of British naval officers," indubitably marking its extent and character: for com. Porter's opinion of those is notorious to all men. If we refer to the 6th vol. of the Weekly Register, page 349, we see that he sent this message to captain Nash, of the Saturn razeed, (who overhauled the Essex Junior off our coast) saying, he "was satisfied that most of the British naval officers were not only destitute of honor, but regardless of the honor of each other"—and in vol. X. page 391, he urges his sentiments at large, observing "I have been cowardly deceived and basely attacked, while confiding in the neutrality of a port, and in the word of a British officer, while he professed to me friendship and gratitude"—adding "I have told only the truth, of which let those judge who best know British naval officers"—but the whole letter should be read to get his full and deliberate opinion of them. The following extract from his official letter, giving an account of the capture of the Essex [see Vol. VI. page 341] is conclusive as to his consistency—he says, "In justice to com. Hillyar, I must observe, that, although I can never be reconciled to the man,

[\*As will appear by referring to the National Intelligencer of July 28, 1814.]



ner of his attack on the Essex, or to his conduct before the action, he has, since our capture, shewn the greatest humanity to my wounded, whom he permitted me to land on condition that the United States should bear their expenses," &c. &c.—and he goes on to state that the victor issued orders to respect the private property of individuals; which, however, "were not so strictly attended to as might have been expected"—adding, "I should not have considered this last circumstance of sufficient importance to notice, did it not mark a strong difference between the navy of Great Britain and that of the United States, highly creditable to the latter." Com. Hillyar's own official account of the action, [see vol. VIII. p. 60] which is an uncommonly fair report, considering its source, says that the Essex had anchored so near the shore "as to preclude the possibility of either of his majesty's ships passing ahead of her," and thus justifies com. Porter in his opinion as to the "manner" of the attack. The fact is, that the *Phœbe* and *Cherub* were sent out to capture the Essex, on the principle of the maxim of the old man to his son—"get money, honestly, if you can—but get money;" the rule that prevailed when *Copenhagen* was attacked by *Nelson*, in which he meanly saved himself from the destruction that he so well deserved, by the respect that the Danes paid to his flag of truce.

To those who recollect the scenes at Havre de Grace and the River Raisin, at Hampton and Washington City—and what American is there that does not recollect them?—it is superfluous to offer any remarks in support of Com. Porter's opinion of the honor of *British officers*, and it should be borne in mind that it is of *British naval officers* he speaks. The following authentic anecdote, never before published, may assist a little in fixing their character—it may be perfectly relied upon as relating an *absolute fact*: An American citizen, who was on board of admiral Warren's ship when the expedition returned from Havre de Grace, relates, that the sailors, with their hats decorated with ribbands stolen from Miss Oliver and other ladies, were received with great glee and high approbation. One of the lieutenants who had acted bravely in that gallant affair, on entering the ward room, exclaimed, "Ah—D——m me, have we not had rare sport

with the yankeys"—and he went on to detail all the sufferings and house-burnings with the perfect *nonchalance* of a veteran. "But how did you manage to burn down so many houses so soon?" enquired another of the lieutenants. The hero replied to this—"O, D——m me, we just hauled a feather bed or two, with some articles of furniture into the middle of the floor, clapped a match to it, and away went bed and house and all."—Yet even this miserable wretch might have been too *honorable* to have burnt wounded prisoners to death, as was certainly done, at least by the permission of British officers, at the *River Raisin*.

The fact is—it is not among the least of Porter's honors that he is feared and hated by these men, as much as he despises them\*—Yet it is pleasant to see that a partial exception is partially made in favor of one of them.

The editor of the "Enquirer," is respectfully requested to insert the preceding; and those who have copied the article from that paper, will, perhaps, render an act of justice by giving it a place.

### Pride of Country.

There are few things that contribute more decidedly to a nation's strength than a national pride. It appears to me, however, that the operation of this principle was more powerful almost every where than it was in the United States—before the late war: notwithstanding the extremely modest accusations of our "British masters" to the contrary: and, even yet, I cannot believe that we are possessed of our full, just, and legitimate share of it. But we are improving every day—our people begin to feel and to know that they are *Americans* and *republicans*; and the time is fast approaching when they will really be so, and glory in it.—Blessed be those who, by their wisdom or valor, by counsel or by the sword, have dissipated our prejudices or "hewed a path to fame," and thus raised up so strong a rampart to defend the liberties of my country!

In excuse, however, of the want of a proper degree of national pride, heretofore, we might plead many natural and artificial causes. The United States are still in their youth as a nation: only forty one years have elapsed since it was declared that we were one, and but thirty four from the time that we were acknowledged as such, by the treaty of peace—and yet a shorter period from that at which we adopted our constitution. It is true, that the revolution, which could hardly be considered as completed until our present government was organized, was very productive of great men and important events, well calculated to stamp a character on our people, and afford examples of the rising generation:

\*We should not easily have forgiven Com. Porter, if he had not expressed his acknowledgements to com. Hillyar for his humanity to the wounded of the first crew of the Essex. And herein was the best reason in the world for saying that the latter was among the "most honorable of British naval officers"—seeing that, in the great point that goes to constitute a honorable man, he so much deviated from the common conduct of his countrymen. We recollect the affair of the *Chesapeake* frigate, after her capture by the *Shannon*, and cannot easily forget the *Jessup* prison ship.

\*"Hated by knaves, and knaves to hate  
Be this his motto—this his fate."

but the pride in these was rather transient than fixed—it had not penetrated into the moral constitution of the people at large; they had not sucked it in their mother's milk; nor had it become a part of their education to look at home for something to aspire to imitate. We were still gaping across the water, as our fathers had done—we had just been Englishmen, and could not instantly shake off all the trammels and prejudices that hung about as such; and, although the form of our government was changed, our domestic habits were essentially the same; we jogged on in the old way, and our *school-books* abounded with ridiculous, if not blasphemous fables about the divine rights of kings, with eulogiums on their *wisdom* and *munificence*: many also sighed for the "honorable distinctions" which Great Britain had promised to her partizans in America,\* and all these united "leavened [almost] the whole lump." And, then, again, the constant influx and continual mixture with foreigners, the multiplication of British commercial agents, and their mighty efforts to keep us as a satellite of the power that we had shaken off—for which purpose, among other things, they grasped many of the monied institutions of the country and severely used them against the *contumacious*, not only retarded the growth of a national pride, but partially forbade it, as a species of jacobinism at variance with the views of *England*, laughably called the "*bulwark of our religion*," &c. though she had better earned a claim to be so for that of *Mahomet*—seeing she had kicked our ancestors out of "house and home" because they had had the *impudence* to believe that they ought to regulate their own affairs with their God for themselves.—and had generally been on the most friendly terms with the *Turks* and *Algerines*, affording them aid and comfort. But there has been a gradual drawing off from *England*, and, with it, a gradually growing attachment to the republic, for her unjust and iniquitous proceedings towards us—in attempting to monopolize the trade of the world—in pretending a right to declare that no sail should spread but by her "permission"—in levying a direct tax on our commerce, by her orders in council—in stealing our seamen and making slaves of them—in violating our sovereignty, and murdering and otherwise abusing our people, on our own coasts—in exciting the savage to desolate our inland frontiers, &c. until, finally, the last appeal was made by a declaration of war. Then soon began the national pulse to beat high, though obstructed by traitors, and often somewhat depressed by the want of experience in the horrid, but necessary, art of war. Deep and extensive conspiracies were formed to operate against us, and

infamous priests in the pulpit fulminated treason. But all would not do—the trial was severe, but glorious; the flag of the republic yet waved with splendor, for its staff was national pride, and finally triumphed. Domestic faction perished as its foreign ally was defeated—and it was the supreme happiness of the chief magistrate who recommended the war to sign an honorable treaty of peace; national pride having *re-elected* him to office during the period of hostilities, in despite of all sorts of clamor against him. Then began our country to have a "name among the nations"—to be celebrated afar off. The despised epithet, "yankee," became a favorite "at court," and afforded an easy passport through admiring Europe. The high destinies of the republic were calculated, and every people seemed either ambitious of our friendship, or apprehensive of our future power. These, with the perfect peace and social happiness that we had at home, very naturally conspired to urge on the national pride; and it has now reached such a pitch that, I verily believe, nearly every man in the United States is now disposed to think that *James Monroe* is as morally *honest* and as *wise* a man, as *George Guelf*, jun. or any other of the kingly race! This is a great change!—but still we have not a little to do. Our great cities are diseased, and require the care of our *statesmen* to heal them. They are to be cured by

POLITICAL ECONOMY.  
The immediate cause of the preceding remarks is the following extract from the *New-York Evening Post*. The editor is reviewing a pompous pamphlet that lately appeared in England, in which the writer, according to the fashion of his countrymen, seems to have thought he had little else to do than to give his opinion as to the manner in which we ought to be treated, to insure its execution.

"Such language may do very well in the mouth of a conqueror towards his vanquished foe; and perhaps the United States, after being subjugated, might, to preserve their national existence, have been justified in submitting to them; but as long as the leading events of the late war are fresh in our recollection; as long as the laurels that crowned our combats on the ocean or on the lakes are yet green and unwithered; while the arms of the enemy are tarnished and degraded by the burning of *Washington*, or the defeat of the veterans of *Wellington* by the militia of *New-Orleans*;—while such things are dear to our remembrance, it ill becomes a partizan of *Britain* to talk in this stile. I must tell this haughty *Englishman*, that he has no cause for those regrets so felicitously expressed, that the cession he alludes to had not been insisted upon; for he may most assuredly rely upon it, that if the British commissioners had suggested terms a twentieth part so insolent and humiliating, in would have blown up a flame that would have extended from one extremity of the United States to the other; all hearts would have been united in a war for national honor and national domain, a war that would not have terminated, I repeat it, without a loss to *Great Britain* of more than her four provinces."

\*It was the design of the British government to have created a nobility for America.



Now this goes to shew, that though the editor of the Evening Post did nothing during the war to exalt the national character, he possesses no small share of national pride; and we are really glad to see an exhibition of it even at this late day. *Crescite et multiplicamini.*

NOTE.—“Infamous priests in the pulpit.” Read the following extracts from a sermon preached in New England by the Rev. *Elijah Parish*, April 7, 1814.

“New England if invaded would be obliged to defend herself. Do you not then owe it to your children, and owe it to your God, to MAKE PEACE FOR YOURSELVES.

“Let every man who sanctions this war by his suffrage or influence, remember, that he is laboring to cover himself and his country with blood. ☞ THE BLOOD OF THE SLAIN WILL CRY FROM THE GROUND AGAINST HIM.

“How will the supporters of ☞ this anti-christian warfare endure the sentence—endure the fire that forever burns—the worm which never dies—the hosannas of heaven.—WHILE THE SMOKE OF THEIR TORMENT'S ASCENDS FOREVER ANDEVER. ☞

“These Western states which have been violated for this abominable war of murder—those states which have thirsted for blood ☞ God has given them blood to drink.—Their men have fallen.—Their lamentations are deep and loud. ☞

“Our government, if they may be called the government and not the destroyers of the country, bear all these things as patiently as a colony of convicts sail into *Botany Bay.*”

We may forgive, but it is criminal to forget such things. If the fellow had preached such a sermon under any other government than that which he affects so much to despise—he might never have preached another. He seems to have sought distinction, and, most certainly, would have been exalted.

### The Great Canal.

Since we noticed the decease of our “intelligent and useful correspondent,” Mr. *Samuel R. Brown*, a letter that he had written to the editor, dated at Rome, July 17, has reached us. It contains some interesting information in respect to a most important concern—as follows:

“DEAR SIR— I have seen it. The great work has commenced— the grand canal is opening in earnest. Ground was broken near this village on the 4th instant; an auspicious day to begin so glorious an undertaking—400 laborers are now plying their instruments. The spectacle is cheering to the patriotic heart—may it awaken an enthusiasm as general as the enterprize is grand and promising! Enthusiasm is the parent of every thing noble and generous. Would that we all felt like yourself on the subject of national improvements—but your sentiments are becoming fashionable in this quarter.

In a few days, it is said that the present number of laborers will be increased to 1000, which will be augmented according to the pecuniary capacity of the state, and the aid received from the general government and the neighboring States, interested in the lake and western na-

igation. Nature has afforded many facilities—the greater part of the country through which the canal will extend is perfectly champaign, and the soil so soft and destitute of stones that scrapers can be used to much advantage. In the distance of seventy miles only two locks will be required.

The commissioners are now here, making contracts and suitable dispositions—they are men above suspicion and reproach. The public runs no risk of speculation or fraud. Every thing will move as parts of a well regulated machine—zeal, perseverance and economy are, in my opinion, insured.”

### SALT-SPRINGS.

Mr. *Brown*, as an article of intelligence, added—“Several salt-springs have been discovered near the village of Skannadoah (about 12 miles from Rome)—the proprietors are now sinking wells; the water possesses unusual strength, and there is the best possible prospect of an abundant supply: It is said that these springs have been long known to the Oneida Indians.”

☞ The editor of the WEEKLY REGISTER gratefully acknowledges the compliment of his deceased, (though personally unknown) friend. He professes to be a feeble advocate for *internal improvements*, without regard to their location and without party views. Whether the whole site of the intended canal is the best that could have been selected (and it is said by some that it is not,) he is not competent to say; but the fair presumption is, that it is so: honorable men, with their future fame and private interest so much at stake, can hardly be suspected of sinister views as to the completion of this magnificent object. We want, and must have, if it be possible to get it, a water communication with our great inland seas, whose shores are about to teem with millions of freemen. It is true economy to encourage it—not as productive only of national wealth, but as one of the strongest links that can possibly be contrived to keep us together as a band of brothers, in love and unity; as a whole, dependent on its parts for prosperity. Without such a canal, a very large portion of our own rightful trade must pass through *Canada*: it is said that no less than 40,000 barrels of flour were transported by a single carrying-house at *Ogdensburg* to *Montreal*, in three months of the present year. If the state of *New York* presents the best natural advantages\* for the opening of a canal

\*New York certainly possesses great natural advantages to unite the Eastern and Western states:—as appears by the following article from the *Columbian*:

A merchant from Marietta, (Ohio) has just left this city with several tons of goods, (it being his second trip,) who takes them from Albany by way of Geneva, and Hamilton on the Allegany river, to his place in the state of Ohio. This gentleman is of

that must needs be the most extensively useful of any that can be made in the world, I do not begrudge them to her—nor can I harbor a wish that so grand a project should fail because it might inflict a partial injury on some of our cities, by lessening their trade with the interior of our country. The interest of a part is the interest of the whole; and the greater interest should be pursued. Sources of wealth are alike open to other states, and I wish they may be improved every where. I do not care a straw by whom, or by what honest means these improvements are effected—my only wish is that they may be effected, as rapidly as the increase of population and true political economy may require. The present is a most fortunate period for undertakings of the kind—state jealousies and party-rage have less force than ever they had in the United States, and our citizens are now very generally disposed to view each other as partners in the same inheritance. May these good dispositions be cherished, and all feel it a duty to hand them down to posterity by advancing any, and every, rightful and reasonable thing that may serve to produce a *community of interests*—the true key stone of the federal arch. Thus, in time, we may become a nation of *political philosophers*; and, in the sublime asseveration, that we are *members of the great republic*, sink the little, narrow and contracted views that attach themselves to us when we look only at the spot we happen to inhabit.

### South American affairs.

I am entirely satisfied that the editors of the *National Intelligencer* are incompetent to put a construction upon any thing I have to say, that they do not believe it ought fairly to bear: but, in some remarks on an article in my last number, on "Spanish American affairs," they have made a *prominent* figure of what I meant as a *collateral*, and have overlooked the *circumstance* that seemed to give it

opinion that goods can be transported from this place to Pittsburgh for considerably less than they can be taken from Philadelphia over the mountains to Pittsburgh.

Plaster is found in great quantities in the counties of Geneva, Ontario and Cayuga—and is getting into use near Pittsburgh as appears by the following article from a Pittsburgh paper:

Mr. Scull—Sir, I think it a duty I owe to the public to inform them of the benefits arising from the plaster lately brought to Pittsburgh by H. and W. Jack.

I have made an experiment and have no hesitation in pronouncing it equal if not superior to other plaster brought from different parts of the world. Therefore those who are desirous of improving their meadows (for a proof of its good effects) will please call on the subscriber at the Black-Horse tavern, 4 miles east of Pittsburgh.

JOHN SERVICE.

force, ever as such. I never wrote a line to encourage the opinion that American citizens, fighting under the patriot flag, were entitled to the protection of their country, unless something in the article referred to may be so construed. I may have been unfortunate in my manner of expressing myself, but the idea intended to be conveyed, was—that, as certain persons, situated precisely as those who claim citizenship with us are, had been released as *British* subjects, we might be tempted to demand the same courtesy of the Spaniards; and, in a refusal anticipated, there might arise a new cause "to urge to action;" for I take it for granted that the United States have as great an inclination to relieve the oppressed as any other power. It is very true, that Spain, because she was pleased to liberate the Englishmen, is not bound to set the Americans free: she has an unquestionable right to act at her own discretion on the subject—but, a grant to one naturally leads another to expect the like; and the refusal of it must have a tendency to ruffle the temper of the refused.

But, to clear up the subject—I expressly declare, as I always meant to do, that a citizen of the United States, entering a foreign service of his own accord and without the consent of his government, *ipso facto*, relinquishes all claims on his country for protection.—This, I apprehend, is the natural as well as the national law. No man more sincerely wishes the complete emancipation of all that is called "Spanish America" than I do—but until the legal authorities act on the case, it is the duty of a good citizen to remain passive, except so far as his wishes may go; unless, indeed, he is willing to renounce his citizenship and stand or fall with the cause and country of his choice.

### Complimentary Letters.

It was a singular, but very gratifying circumstance, to receive the two letters from which extracts are given below, (the first from *Tennessee* and the other from *Ohio*) in the same day; and that two gentlemen of such opposite characters should agree in their opinion of the REGISTER.—Though the praise is extravagant, it would be mock-modesty to say that I am not pleased with it:

*From Tennessee.*—The writer of this was a soldier of the revolution, and fought under Washington. He was captured at Fort Washington, and carried to New-York, where he "found out something of British humanity;" but happily escaped "being starved to death, because he was in the hospital"—ever since which, he adds, he has been a true friend to his country. The writer is not a literary character; but, what is better, he appears to be an *honest* man in easy circumstances, and a sound patriot. After stating that he had promptly



made his payment in advance, the *old soldier* says—

"I do, sir, respect you in my inmost heart, on account of your truly American, and manly political and indefatigable services. Good sir, I do believe you have done more for America than a thousand of the best bayonets that ever were in it!" Please to go on and persevere—I hope the Lord will give you health of body and strength of mind to do much more for your country—and when he is done with you here, may he land you safely in the fields of bliss."

*From Ohio.*—The writer of this is a respectable member of the society of *Friends*, or *Quakers*—a society that, though under general censure for the political conduct of its members, has within it more practical republicanism, and as much moral honesty and active benevolence, with some as patriotic hearts, as any in the world—but their religious tenets do not permit them to take a part in the things that belong to a state of war, even for self-defence; and their refusing to do so is often misinterpreted to their injury in the estimation of their fellow-citizens. The gentleman, after giving his reasons for wishing a suspension of his paper, says—

"Before I take leave of thee, (which I find it a pretty hard matter to do) permit me to offer the tribute of my respect, to which I consider thee justly entitled, for the independent stand thou hast taken, and for the energy thou hast displayed in favor of our most excellent constitution. Go on, my friend—and expose to public view the naked deformity of those who pretend to be its friends, while they are, in reality, its deadly enemies. Impress on the minds of the people the necessity of union, and guard the temple of freedom against the canker-worm of foreign influence, by marking its course and tracing its foot-steps through the various avenues that lead thereto. What havoc hath it made of republican principle!—How many are there amongst us that worship—alas! *worship*, at the shrine of aristocracy. How many would hail with delight the establishment of a monarchy in this land of civil and religious freedom.

- "For stars and garters oft they sigh,
- "For earldoms, dukedoms, and the like,
- "And think the happy period nigh,
- "When freedom shall her colors strike.
- "But hold!—ye vain aspirants, know
- "That virtue sways her sceptre still;
- "And thousands feel the patriot glow—
- "Millions oppose your envious will."

\*This brings to recollection a playful letter that I was honored with, early in the late war, from the governor of one of the states which did its duty in the contest. He was pleased to say—"We have just made a lot of generals—if among them there shall prove to be one as useful to the republic as yourself, I shall esteem his appointment as among the happiest acts of my life."

†If proof is wanted of the right or justice of the sentiment in those lines, we have it in the general acknowledgment of the monstrous doctrine of a divine right in kings—the greater part of whom, or of their pretended ancestors, have marched to their thrones through murder and assassination.—25.

### Ballston Springs.

The following, shewing the number of visitors at the celebrated *Ballston Springs*, is a curious article. The facts were furnished to the editor of the *Albany Gazette*, by Mr. John Cook. We have thrown them into the form of a table to save room, and for more easy examination. Children under 14 years of age, are not counted, nor are those that did not remain at the springs more than three days—

FROM	1806.	1807.	1808.	1809.
Europe . . . . .	: 11	23	18	
E. st-Indies . . . . .	: 1	:	:	
West-Indies . . . . .	: 31	39	33	
Mexico . . . . .	: :	:	1	
Canada . . . . .	: 9	4	14	
Boston . . . . .	: 80	128	112	
Albany . . . . .	: 79	203	173	
New York . . . . .	: 330	522	442	
Philadelphia . . . . .	: 57	59	47	
Baltimore . . . . .	: 31	25	37	
South-Carolina } Charleston } Georgia } Savannah }	: : : : : : : :	73	101	106
Other places . . . . .	: 813	754	818	
Total . . . . .	1237	1515	1358	1861

### Prairies of Louisiana.

MR. NILES—The extensive circulation of your Register, and the able manner in which it has been conducted, having rendered it the most respectable repository in the nation, I feel anxious to obtain a place for the following, should you find it worthy of record. A.

#### THE PRAIRIES OF LOUISIANA.

The districts of Attakapas and Opperlousas which stretch along the Mexican gulph, from the Attachafallaya to the Sabine, are scarcely known to geographers, though they form a most interesting portion of the republic. The fertility of the soil, the value of its products—the immense natural meadows which cover five eighths of the country, and their peculiar fitness for feeding cattle, are all worthy the attention of the shoals of emigrants who are seeking wealth or liberty, to the west and south. The accounts published by Brackenridge and Darby are most to be relied on; but neither of those writers have been sufficiently explicit, though each enjoyed opportunities of acquiring better information. The following statement may, perhaps, be perused with some interest by such as are pleased to note the rapid march which our country is making to power, and give the reader some idea of the vast resources of Louisiana.

About the year 1755, a few French traders commenced a traffic for peltry with the Indians, who inhabited those prairies. They were soon followed by others, who remarking the great profits to be realized from stock-raising, introduced horned cattle into the country. Their success encouraged others to adventure; and we find from the census of 1785, that Attakapas and Opperlousas then contained 2108 inhabitants. In the year 1801, their population was rated at 7250, of which 3300 were slaves. Up to the last named epocha, stock raising

formed the almost exclusive occupation of the inhabitants. They supplied New Orleans and the Mississippi coast with beef, at the rate of one cent and a fourth per pound; but even at this price many had amassed money enough to purchase slaves and commence farming establishments. The American government, which took place early in 1804, gave new stimulus, and induced the inhabitants to turn their attention more to planting. The soil and climate uniting with their exertions and industry, have secured to the first planters of those districts a most enviable independence. A few years ago they were a horde of shepherds, consequently a hardy and virtuous race. Of late their plan of life has changed, and their means rapidly increased, without introducing the thousand fictitious wants, which usually travel in the train of wealth. Even now, it is no uncommon sight to see a planter of those countries, owning, perhaps, 70 or 80 slaves, clad in the product of his wife's loom, attending to his horses, oxen, or crop with more assiduity and attention than characterises a Carolina overseer.— Yet, if a stranger visits him, he will find his table crowded with the best wines of the world, and no lack of intelligence or any thing else which forms good cheer. Riches here, appear to add only to the comforts of their possessor, without forming the invidious distinctions among men which exist in other parts of the world. The ease with which they are acquired, may be the reason of this—but the detached situation of the country accounts for it more rationally. Besides, the population is as yet quite thinly scattered over an immense territory, and wherever this is the case, we do not usually find so many of those little presuming animals, wearing the shapes of men, which are such great nuisances in thickly inhabited countries.

In 1810, Attakapas and Opelousas, contained 13,774 souls. For two years after the census was taken there was a great emigration to the country. It was stopped early in 1813, by the pressure of the war, but since the peace has recommenced. At present (Sept. 1817) I feel confident the population would be estimated too low at 20,000.

The settlements are principally in the prairies, which to the south and west are skirted by the sea. This may be the cause of the district, under consideration, being the healthiest of Louisiana. The number of very old men is truly astonishing. Mr. Berrard, the first permanent settler of Attakapas, at the age of 78 enjoys all his faculties and is in excellent health. His former partner, Mr. Sorel, who came to the country with him in 1764, died last year, aged 90. A cousin of Mr. Sorel is still healthy at the age of 82, and fifty others might be named where much older.

All the old settlers, who married early in life, have a small colony around them of their own begetting. Mr. Gedy, of St. Martin's (Attakapas) has 12 sons and 6 daughters living, and seventy grand children. John Ballice Broussard, aged 95, reckons his near descendants at 170. The women who have children are generally very prolific, few of them raising less than eight or ten children.— This alone proves that the country is healthy. The curate of Attakapas (Mr. Isaby) has ascertained from his parish register that in the last seven years, for 700 deats among the Catholics, there have been 1600 births.

It is the custom for the rich and gay young people of Louisiana and Mississippi, to spend their carnival at New Orleans. The health enjoyed by the young ladies of the prairies, added to their active and industrious habits, gives them bloom

and beauty which cast the belles of other districts into the shade. It is a singular fact, that for thirteen winters past, the reigning toast in the Orleans ball rooms has been, almost, always from Attakapas, or Opelousas.

The topography of those counties are pretty accurately delineated on Darby's map of Louisiana.— His book is a very inferior production to his map, and not much to be relied on for useful information. I will here add a few words concerning the soil and its productions, but as these vary in an extent of country, containing about 300,000 square miles, I will consider the districts separately.

Opelousas, lying to the north-west of Attakapas, is well calculated for a grazing country. Its prairies are very extensive, and the greater parts of the land second and third rate. The lands of the best quality in this country are in its south-west corner, consisting of a strip about 26 miles long and 8 wide. In this tract are situated many large plantations which yield immense profits to their proprietors. The northern part of the county, bordering on Rapide district, is poor land, and the western section which skirts the Gulph and the River Sabine, is little better. Those lands, however, produce tolerable corn, and a coarse luxuriant grass which can feed cattle enough to supply the home and West India markets.

Attakapas is divided into two parishes, St. Mary and St. Martin. The Vermillion river rises in Opelousas and on entering St. Martin's becomes a considerable stream. The lands on its banks are high, and generally of the best quality. After a course of ninety miles in this parish it falls into a bay of the same name near the 30th degree of north latitude. Between the Vermillion and the Minton (the western limit of Attakapas) lies a prairie country which in soil is nothing remarkable but affords excellent pasturage.

The Tesche, likewise, rises in Opelousas near the source of the Vermillion. Its general course is to the south-east, piercing the western sections of St. Martin and St. Mary. It meets the Achaffalaya at Berwick's bay, and is navigable for seventy miles from its mouth for the largest boats, and for smaller craft almost to its source. From the line of Opelousas to Berwick's bay, a distance of more than ninety miles, there is no soil on its banks which is not first rate. As it approaches the sea, however, the land is thought to improve, and the climate certainly becomes more favorable to the culture of sugar. Between the upper part of the Tesche and the Vermillion, in the Parish of St. Martin, lies a rich tract of country principally prairie. It is as yet very partially settled, owing to the scarcity of wood. This cannot form a permanent impediment, as trees, when planted in those meadows and shielded from the vernal burnings of the grass, thrives faster than in any soil I have ever seen. Several persons have already tried the experiment, and find four or five years sufficient to grow any supply of fire wood they may want. Besides, there is not any part of the rich meadows of Attakapas more than five miles distant from plenty of wood. The climate is, at the same time, so mild that fuel is little wanted but for the kitchen.

The good lands of Opelousas and St. Martin's are best adapted to the culture of cotton. They sent to New Orleans last year about 6,000 bales of fine cotton, and if the whole of their rich soil was cultivated might produce annually more than sixty thousand bales. About five thousand steers are each year exported from those districts, which sell at home for 12 dollars each.



The parish of St. Mary's, being the southern part of the tract of country under consideration, is well adapted for the culture of sugar. This was doubted until some of the enterprising American emigrants tested it, in the last two years, by the most successful experiments. It is found to succeed as well, if not better, than on the Mississippi, and the cane is certainly brought to maturity with less labor. Cotton also succeeds remarkably well, but will soon give way to sugar. In the year 1816, this parish, with a population of about 3,000 souls, sent to market 2,500 bales of cotton, 900 hogheads of sugar and 800 beef cattle, which sold for \$350,000.

Some sugar has been cultivated in Opelousas and St. Martin's, but owing to mismanagement, or the climate, it has not succeeded well.

The parish of St. Mary is in no place more than 10 miles wide, having the sea on one side and lake Platt and the Attchaffallaya on the other, which may have an influence on the early frosts and produce the cane crop till it reaches maturity.

The Tesche lands lie mostly from ten to fifteen feet above the highest swells produced by the Mississippi floods. In the year 1813 and 15, when there were very great freshes, the lakes between the prairies and the Mississippi, and, with them, the Tesche, rose about 8 feet above their common level. But a recurrence of this can scarcely be expected, as the levees on the Great River are rapidly extending, which will prevent its waters from flowing into the lakes. But even if the levees should be demolished, the prairies are too high ever to be inundated.

The Vermillion is never affected by the Mississippi. The lands on its banks (and indeed in every other part of the country except the Tesche) are from 30 to 100 feet above the level of the sea.

Sloops of 100 tons can ascend the Tesche to Nova Iberia, 60 miles from its mouth, though the produce of the country is seldom carried direct to the ocean, the Tesche, Attchaffallaya communicate with the Mississippi by the Lafourch and Plaquamine—a voyage from any part of those rivers can be easily made to New Orleans in 9 days.

Along the coast of Attakapas are found four Islands, viz. Belle Isle, Cole Blanche, Grand Cote, and Petite Ance, which bear no resemblance to the main land, and appear to be the remnants of some ancient continent. They rise several hundred feet above the tides and I would suppose originally belonged to a high diversified country. Be this as it may, they have a very fertile soil and produce the best sugar and cotton of Louisiana. The four islands contain about 7000 superficial acres of good land. There are sugar establishments on all but Belle Isle. There are other Islands lying in the Attchaffallaya, or Berwick's bay, which have a very good soil, but once in ten or fifteen years have been liable to be overflown by the heaviest swells of the Mississippi.

In Opelousas about one third of the population is Americans. In St. Martin's one fifth, and in St. Mary's more than a moiety. The rest are principally French.

Lands throughout the whole country are to be had at a very low rate; though they are rising every day in value. Good tracks in the parish of St. Mary's, with plenty of wood, may be had for two and three dollars the acre.

With a salubrious climate, a rich soil and industrious population, Attakapas and Opelousas will soon not only be called the richest counties of Louisiana but outstrip in agriculture any section of the union. Such a country is worthy of observation,

and with the hope that the remarks I have made may result to the advantage of emigrants, I submit them to my countrymen.

A LOUISIANA PLANTER.

Louisiana Sept. 1817.

## Legislature of Connecticut.

New-Haven, October 9.

We hasten to lay before the public his excellency governor WORCOTT'S speech, delivered this day before both houses of the assembly, at about half past 11 o'clock.

The house of representatives have made choice of William Bristol, esq. (republican,) speaker and Gideon Tomlinson and James Lanman, esquires, (both republicans,) clerks.—The votes for speaker were, William Bristol, esq. 126, Jonathan W. Edwards, esq. (federalist) 52. Majority for Mr. Bristol, 74.

### GOVERNOR'S SPEECH.

Gentlemen of the council, Mr Speaker,

and Gentlemen of the house of representatives,

The circumstances under which we are now convened to deliberate on the concerns of the state, are peculiar auspicious. Peace and tranquility; general health, and a genial season, favouring the exertions of unusual industry, have been succeeded by ample rewards. While these blessings demand expressions of gratitude to the Kind Disposer of events, they encourage benevolent dispositions towards each other, and united exertions to advance the prosperity of our constituents.

Since the last meeting of the legislature, propositions have been received from the states of New-Jersey and Kentucky, for amending the constitution of the United States, which will be submitted to your consideration.

Information has been received, that the ordnance department of the United States, is prepared to deliver the proportions of arms and equipments to which this state is entitled, by an act of congress. I have accordingly directed the quarter-master-general to adopt the requisite measures for effecting a settlement of our accounts to the close of the year 1816. An offer has been made to deliver *in artillery*, a proportion of the value of what may be found due. There being no authority to assent to this proposal, the subject is submitted to your consideration.

Among the matters which, at the last session, were presented to the consideration of the legislature, those concerning the judicial department, and the equalization of the system of taxation, are of vital importance to the people. A lasting title to the gratitude of our constituents will be acquired, if safe and equitable principles shall be established on these interesting subjects. The legislature has wisely provided for an investigation of, and a report on the subject of taxation, but as the completion of a proper system will require time and profound reflection, I venture to express a hope, that no apparent difficulties will deter you from pursuing it with that perseverance and impartiality, which its importance demands.

As the expenses of supporting this state poor, annually amount to a considerable sum, and under the operation of the present system may be expected to increase, I recommend that the provisions on this subject be revised.

It appears to be deserving of consideration, whether an enquiry ought not to be instituted into the condition, management, and legal provision which respect New-Gate Prison, and whether consistently

with justice, humanity, and the public security some beneficial reforms cannot be adopted.

Agriculture being a primary and most important interest of the state, it is the duty of the legislature, not only to protect its industrious members from disproportionate burdeas, but to facilitate to them, the discoveries and improvements of modern times. As great numbers of our intelligent citizens migrate from the state, and as it receives but few accessions of enterprizing strangers, it has resulted that agricultural knowledge has been depressed below what ought to exist in a state, highly distinguished for science and improvements in the arts. The incorporation of an agricultural association, whose duty it should be, to collect and disseminate printed tracts on the various branches of rural economy, might, by stimulating emulation, speedily produce highly important consequences to the community.

A practice has prevailed in the other states, of rewarding, by honorary tokens, such of their native citizens as have performed meritorious services for their country. If it should be judged expedient, for this state to adopt this practice, commodore Isaac Hull, who obtained the first of those brilliant victories, which signalized the late war, appears, on the score of public and private virtue, to be eminently entitled to such a distinction.

The state of public opinion unequivocally proves that a momentous responsibility is devolving on the legislature. I hope that it will not be thought unsuitable if I invite you to cultivate a spirit of conciliation and good will towards each other, and among all the people of the state.

Let it be remembered, that the government of Connecticut was formed on the principles of, and according to the model devised by illustrious men, who were republicans in principle, and who attempted to establish a democratical republic in England. Though their exertions were unsuccessful in that country, yet it is to the laws and regulations which they formed, that the British nation has been principally indebted for its power, wealth, and renown; and for what yet remains of civil liberty. In New-England the systems established by our founders, have prevailed, with eminent advantage to the people; and in Connecticut, they have remained, without any essential change, till the present time, during a period in which governments of a different structure have been subverted, and the civilized world convulsed to its foundations. Antecedent to, and during the revolutionary war, and in all the consultations which ensued for the establishment of American freedom, Connecticut performed no inglorious part, both in the council, and in the field, and has secured a title to the respect and gratitude of the nation. It is natural and just that institutions which have produced so much honor and advantage, should be objects of veneration and attachment; and if, as may be admitted, some changes are expedient to adapt our government to the principles of a more enlightened age than that in which it was formed, and to reconcile it with the institutions which surround us, and by which our interests are necessarily affected, still we are bound to recollect, that whatever is of common concern, ought to be adjusted by mutual consultations, and friendly advice; that party spirit and sinister interests ought to be wholly excluded from influence; that it is the duty of reformers to repair and improve, not to subvert and destroy; that passion is a dangerous counsellor: and that by the wise constitution of our nature, nothing which is violent or unjust, can be permanent.

OLIVER WOLFOTT.

## Foreign Articles.

ENGLAND, &c.

Flour at Liverpool, Sept. 3, 50 to 52s. per bbl. It is intimated that the ports will be shut against the importation of grain and flour on the 15th of Nov. Those of Ireland are already shut.

A malignant fever is raging in every part of Ireland, and many deaths have taken place.—Among the victims of it, is chief justice Osbourne.

The disease raging in Ireland is committing dreadful ravages. At Limerick, 30 persons in fever had been admitted into the hospital in two days. In one grave yard at Strabane 107 persons had been buried, who had died of it, within a month—the court house had been fitted up for a hospital. At Londonderry, &c. booths were erected for the reception of patients. Great alarm prevailed. It seems admitted that the pestilence has arisen for the scarcity of wholesome food!

The monthly bulletin reports the old king as heretofore—in bodily health, but as deranged as usual.

Stocks, Sept. 8—3 per cent. consuls 79½: American 6 per cents. 106½.

The grain and flour received at Liverpool from the United States for a year ending the 1st of Sept. last, is estimated as sufficient to have laden 2786 vessels, of 100 tons each.

Trade and commerce appear reviving—and the crops, not yet however got in, were very heavy. Apprehensions for the safety of the crop existed in Ireland, from the continued wetness of the weather. Am. flour, in Ireland, from 58 to 60s.

Mr. Bird, an eminent painter in England, has received 5000 dollars of the prince regent for his picture of the embarkation of Louis XVIII at Dover, for France, on his restoration. Sir T. Clifford has a picture from the same master, of the disembarkation at Calais.

The whole consumption of cotton in England in 1817 is expected to exceed 92,000,000 lbs.—20 millions more than in 1816.

Lord Erskine, for attempting to stop a cart from passing his coach in the street, was severely whipped by the carter.

A *Jesuit's* college is established near Preston, in Lancashire, and appears to be in a very flourishing state—and the scholars, professors, &c. are said to amount to 500 persons. *Thousands* in the neighborhood are said to have been converted and led astray from the established church, which seems to have alarmed some so much as to make them desire the aid of the secular arm to keep the people as religious as they ought to be!—Blessed be Heaven!—we are not to be frightened by any thing of this kind in America—those who are the slaves of one set of sectarians are the only ones fitted to become the slaves of another.

On the 5th April, there was a defaulter on the Stock Exchange, in London, for one hundred and sixty thousand pounds, in consols.

Lord Cochrane is expected to resign his seat in Parliament, and Roger O'Connor is to be nominated in his stead.

The grain harvest is not good in Ireland, but that of potatoes is excellent.

It is said Lord Amherst brought a respectful letter from Napoleon to the Prince Regent.

Court of Chancery, Thursday, Aug. 14.

*Queensberry estates.*—The lord chancellor said he had looked into the accounts, and now allowed 245,500l. three per cents. calculated to be 194,000l. which was the sums required to pay one fourth of



their legacies and interest to their legatees, and of their arrears to the annuitants. He ordered, at the same time, that the funds should be paid into court, liable to the claims of the duke of Buccleuch, the earl of Wemyss, and the tenants of both; and that no money be paid without notice to all parties.

Mr. Hart, on the part of the residuary legatees, said he was not aware of any objection.

Sir Arthur Pogott—No objection can reasonably be made from any quarter; for after this sum is paid, there will still remain 1,258,733*l.* 15*s.* three per cents. which at the present price is equal to 1,000,900*l.* sterling money. Nay, should the price sink to 50, which is not very likely, still there must be funds sufficient for all demands.

The lord chancellor—The magnitude of the fund is the consideration that renders the transaction safe.

The *personal* property of the late duke of Northumberland, is estimated at about £700,000.

[In having such estates as those just above mentioned, is the secret of the financial resources of Great Britain. If property were equalized in that country, and the people at large possessed it, we should have a different account about the raising of loans.]

London, Aug. 29.—A Manchester paper of Tuesday se'night, contains a list of *fifty-four* men, who have absconded from their families.

#### FRANCE.

The French now give a bounty on grain only at their Mediterranean ports.

Five military men have been tried at Paris, by the first council of war, on a charge of conspiring to assassinate the princes of the royal family—two of them have been condemned to death—one to three years imprisonment, and two acquitted.

Gen. Jomini, who deserted from the French army, is in the employ of the emperor of Russia, and now engaged in writing a history of the two last campaigns.

The M. Talleyrand who has lately been appointed a cardinal and arch bishop of Paris, is said not to be the famous traitor to all parties, the prince of Benevento, as we believed was the case. The latter was lately overturned in his carriage and thrown into a hollow 11 feet deep, and might have had his neck broken—if it had been his fate to have it broken by accident.

Paris papers announce that cardinal Talleyrand Perigord had been admitted to audiences to his majesty and royal family. His elevation gives him the right of sitting in the presence of the princes and princesses.

A frigate destined for a voyage round the world, was recently destroyed by fire in the harbor of Toulon—supposed not to be accidental.

Executions, for political offences, still take place in France.

The Swiss diet have passed a decree in honor of the memory of the royal Swiss guards who perished at Paris, August 10, 1792.

An insurrection of a very alarming appearance, had broken out at Lyons, but seems to have subsided.

Davoust has taken the oath to Louis and received a marshal's baton. Marmont has fixed his head quarters at Lyons.

A letter from Paris states that is has been decided that no diminution of the Army of Occupation will take place this year.

A person has appeared in France who styles him-

self Louis XVIII—the late dauphin; he appears to have gained some proselytes, and talks boldly of recovering his crown. The mystery that hangs over the disappearance of the dauphin, is said to favor his pretensions.

*Romantic Death.*—A few days since, a young man and a girl were found hanging on the same tree, in the wood of Vessinet, France. The former was named Honoré Noël, aged 24, and the latter Victoire Herriot, aged 19. It appeared they loved and were equally desirous of intermarrying; but their parents obstinately opposed the union. The mayor of Chalet received a letter from this unhappy couple, signed by both, intimating that in consequence of the above, they were determined to die together.

A *Restaurateur* has recently fixed his residence in the Rue de Lysee, opposite one of the gates of the Palace Royal at Paris. His sign, which is the attraction of all the idlers in Paris, represents an ox, with an elegant hat on his head, draped with a cashmere shawl, with a ridicule suspended from his neck, and finally decked out in all the paraphernalia of a modern lady of fashion; at the bottom of the picture the following words are inscribed—*Beuf a-la-mode!*

#### NAPOLEON BONAPARTE.

Lord Amherst, on his return from China, visited the ex-emperor on the 3d of July. He was in good health,—and wished to know on what law it was that he was detained a prisoner? It does not appear that the lord answered him. It is reported that he sent a letter to the Prince Regent, by lord Amherst; but it must be delivered to Castlereagh. The prince, poor thing, dares not receive a letter without the Irishman's leave.

When lord Amherst explained to Bonaparte that his mission to China had failed because he would not bump his forehead nineteen times on the ground as he approached the emperor, the latter is reported to have said—'Indeed! now, had it suited my policy to send an ambassador to the emperor of China, I should have instructed him to kiss his great toe; and if that would not do, he might, if required, have saluted a more offensive part, provided my object could be attained.'

#### SPAIN.

A Madrid article of July 29, states that tranquillity at that time prevailed in Catalonia and Arragon. It is not known what has become of Milans and his associates, concealed for some time in the mountains of Catalonia.

"The time is at hand (says the Spanish *official Gazette*) in which the courts of London, Vienna, and Petersburg, are about to act upon their true interests, and to acknowledge that *there is no safety for royal establishments in Europe, if another independent government should be suffered to exist in South America.* Such a government would always be a standing temptation, and an obvious object of desire to all other people, who would begin to think that kings were less necessary, when they beheld at hand such an example of a people governing themselves." [Bravo!]

Bell's (London) Weekly Messenger commenting on the above, denies the probability of any such connection with England, and expressly says, what is certainly true, that it is the manifest policy of England not to maintain and encourage the union of Spain and her colonies—and also observes—"The truth we believe to be, is that the recent principles of the Spanish patriots are nearer to the side of the beloved Ferdinand than this Solomon knows or believes, and that the time approaches when he may again retire to weave petticoats for his wife or saint. Alas! (we ourselves must be al-

lowed to say,) that such a people as the Spaniards should have achieved their own liberty to return under such a Bourbon as this, and that Lacy should have fought with Wellington to put Ferdinand in a condition of hanging him."

Letters from Madrid speak of the fitting out of a new expedition for South America, for which the shipping is to be furnished by France.

A notice was lately circulated in secret at Madrid, of which the following is the substance—"The creditors of the king may now expect to be called upon to present their several accounts without delay for payment, as there can be no doubt of an overflowing treasury; in proof of which his majesty has just expended sixty thousand dollars on a cradle, and one hundred thousand dollars for the lace of a single dress for the prince or infant that is yet to be born." [Let the people rejoice, the Bourbons are restored]

The Madrid Gazette intimates that the UNITED STATES, England, Austria, and Russia, are to assist in reducing the colonies to obedience to Ferdinand!

Ferdinand has ordered, that all military men, taken with arms in their hands in insurrection in South America; all spies; all instigators to rebellion; and all deserters from the royal standards who have joined the revolutionary cause;—shall be tried by court martial, and promptly punished.—All other offences to be tried by the civil authorities; but their sentences are to be executed in the summary manner of military ones.

About half a million sterling of the losses sustained by the Spanish merchants, in the captures made by the insurgent privateers, is paid by insurers at *Lloyd's*.

There are renewed reports in some of the papers about a treaty between Spain and Russia, and perhaps England, for reducing the colonies—which however is positively denied as to England, at least, by the ministerial papers.

*Perpignan, July 18*—Immediately after the arrival of general Lacey at Majorca, he was made acquainted with his sentence, and at five in the morning it was carried into execution.

This officer met his fate with calmness and resolution. "I only regret," said he, that I die by the hands of my ancient companions in arms: it is in the field of honor, and in combating the enemies of Spain, that a soldier like me ought to terminate his existence." After having uttered these words he said to the soldiers—Fire.

[It is said that Ferdinand has just murdered forty distinguished patriots—(late leaders of the people to restore the wretch to the throne)—without trial, because they were suspected of being the friends of gen. Lacey.]

*Madrid, Aug. 22.*—Yesterday morning her majesty was delivered of an *infanta*, who has been christened by the names of Maria Isabella Louisa [This is a "bitter pill" for the *legitimate* friends of the "adored" king!]

#### ITALY.

*Eruption of Vesuvius.*—An article from Naples, dated July 20, says—"The present eruptions of Vesuvius are astonishing.—Copper, iron, alkaline acid, sulphur, sulphuric acid, chalk, and ammoniac, form salts that are sometimes in a mass, and sometimes divided. It is observed that copper is very much mixed with volcanic matter; quantities of it are found among the different kinds of lava. Vesuvius, which since the year 1813, has been more or less in a state of commotion, has entirely covered its former crater with a thick crust, over which the new eruptions have thrown two little moun-

tains, from which come smoke, ashes, and vitrified stones.—The earth is covered with bits of transparent glass. This crust is so considerable that if it is not propped up, the sinking of the matter composing it will produce an effect like the eruption which took place in the time of Titus."

#### NETHERLANDS.

The king of the Netherlands has appointed commissioners to negotiate a commercial treaty with America. The conferences have been opened at the Hague.

The prices of corn are every where falling in the Netherlands.

Vaccination had made such progress at Amsterdam, that out of a population of 200,000 souls, in the first quarter of 1817, not one individual was attacked with the small pox.

*Brussels, July 31.*—Yesterday, Mr. Gallatin, ambassador to the court of France, and Mr. Eustis, minister to the court of the Low Countries, presented their credentials as envoys extraordinary and ministers plenipotentiary from the United States of America, charged to arrange, definitively, the commercial relations between the two nations and conclude a treaty to that effect.

Their excellencies afterwards had the honor of dining with his majesty at the palace of Lacken.

#### GERMANY.

There have been violent commotions at Mayence, for the want of bread: but the mercenary bayonet restored tranquility.

Letters from Vienna say that a negotiation is spoken of between the Austrian government and the kingdom of the Netherlands.

A Tyrolean has lately invented at Vienna a machine for needle work, by which it is said every kind of sewing may be executed with the utmost precision. The emperor of Austria has granted a patent to the inventor.

#### RUSSIA.

The mother of the emperor of Russia has presented to the young queen of Spain the grand decoration of the order of St. Catharine; and the emperor has appointed the Spanish minister of foreign affairs, (Pizarro,) a Chevalier of the order of St. Alexander. The British anti-ministerial editors affect to see, in the conferring of these honors, something more than a civil expression of regard.

The emperor of Russia has ordered an establishment at Petersburg for teaching the Oriental languages.

To the 30th of June there had entered the port of Cronstadt one thousand ships. There are but few examples of so great a degree of activity ever having taken place in that port before.

The emperor of Russia has reduced his army to the peace establishment.

The emperor Alexander was on the eve of leaving St. Petersburg for eighteen months, on a tour of inspection through the southern provinces of his immense dominions.

The differences between the Turks and Russians are likely to be amicably settled, and a negotiation is said to be on foot for engaging the Sublime Porte to permit the free passage of the Dardanelles to all vessels paying a moderate duty.

The Russian envoy at the Brazils, is said to have taken offence and left that country.

The American minister in Russia is treated with great distinction, and it is thought important negotiations are in progress.

#### TURKEY.

Intelligence from Constantinople states that the Kiaya Bey, or minister of the Interior, had been



suddenly dismissed and sent into exile—cause not known.

## AFRICA.

The death of capt. Campbell, with the bad health of the second in the expedition, seems to have defeated the new endeavor to explore the interior of Africa:

## BARBARY.

A Paris paper of Aug. 24 says—"Authentic letters from the coast of Barbary announce a real triumph for civilization.—For some years the bey of Tunis has subjected to quarantine the vessels that come from Egypt or from other infected countries. Lately a vessel filled with pilgrims who were infected has been burnt. It was these pilgrims who, having violated their quarantine, and fled to the mountains, spread the contagion in Africa.—At the same time, after the example of the bey of Tunis, the dey of Algiers, yielding to the pressing entreaties of the French consul, has ordered all those suspected of infection to be taken and subjected to a species of quarantine aboard of an isolated vessel, under strict watch. It were to be wished that, for the sake of humanity, this example were followed by the other states of Turkey: and why should not Christian Princes unite in demanding, as a great European benefit, the establishment of a quarantine law in all the countries where contagion reigns? If there really exists in the law of nations a right by which one state is authorized to demand from another the removal of a dangerous enemy, there is no reason why such authority should not be exerted to remove a scourge which is perpetually renewing, to desolate the countries in which it originates, and which threatens every instant such frightful ravages to the rest of the world.

[The Turks, it will be recollected, are such absolute predestinarians as to hold it sinful to use any means to avert the plague, &c.]

## ST. MATTHEW.

*St. Helena, June 20.* H. M. ship *Julia* arrived here on the 15th inst. from a cruise in search of the Island of *St. Matthew*, laid down in some charts, but which she ascertained does not exist.

[This island is described in Geography as lying about 300 miles N. E. of Ascension—said to have been discovered by the Portuguese, who planted it and possessed it for some time, and afterwards deserted it—and as remaining uninhabited. Did it ever exist, or has it disappeared?]

## SOUTH SEA ISLANDS.

A French paper mentions that the American ship *Mary*, which arrived at the port of Havre in May last from China, having been a year in the Pacific Ocean, touched at the Marquesas Islands. A number of persons having come on board the ship while at one of these islands, the crew thought they might safely go on shore unarmed; but these insular Anthropophagi immediately killed two of them and ate them. The captain in consequence retained three of the islanders, and they were still on board the ship on her arrival in France, having on their passage become good sailors. Although they had been humanely treated, they were constantly afraid that the captain intended to eat them. One of them pretended that he was one of the princes of the country. The bodies of all of them were tattooed.

*Bost. Daily Advertiser.*

## "SPANISH AMERICA."

Talcahuana, the last place on the coast of Chili possessed by the royalists, was taken by the patriots about middle of May.

The Havana government journal of the 8th September, contains a proclamation by Don Juan Ruiz, governor of Mexico, &c. &c. dated 12th July, 1817

—in which, after a preamble, setting forth the *hopeless* condition of the traitors Mina, Mier, Tover, and Moreno, he shows how *little* the government have to fear from them, by the following mandates:

"1st. None shall aid or assist in any way the traitor Mina under penalty of death, and the confiscation of his property, one third of which shall go into the *royal treasury*, one third towards defraying the expenses of the army, and the other third to the informer.

"2d. Any faithful subject of our lord the king who shall apprehend the traitor Mina, and deliver him to any military commander, or to the royal justice, shall receive a reward of *five hundred dollars*.

"3d. If the person who apprehends him be a soldier, he shall be immediately promoted: and if any of the rebels themselves shall do this, he shall receive pardon for his crimes in addition this reward.

"4th. *One hundred dollars* will be given for the apprehension of every follower of the traitor Mina; and whoever of them shall voluntarily return to his duty, shall in addition, have full pardon.

"5th. *Fifty dollars*, and a free pardon, shall be given to every rebel who shall deliver himself with his arms, to any of the royal commanders, or any of the courts of justice."

From this it would appear, that the situation of *Mina* and his band of patriots, is not so desperate as the government have represented it.

The English ship *Two Friends*, for South America, having on board 97 British officers, proceeding to join the patriots, has touched at Madeira. Success to them— for they are really about to fight for liberty and in a good cause.

## BRAZIL.

The "incestuous beast," as the king of Portugal is, probably with truth but not very courteously, called, has discovered that most of the *wealthy* citizens of Pernambuco were engaged in the late insurrection, and is putting them to death for the sake of their estates, which he confiscates.

A Portuguese 74 and a frigate, bound to the Brazils, having on board an Austrian princess betrothed to the prince royal of Portugal, passed Gibraltar September 2, from Leghorn.

## SPECIE.

Europe seems to have abundance of specie—Its value of course, has depreciated. In *Paris* good notes were discounted at less than five per cent.—In *Amsterdam* and *London* at four; and at *Hamburg* at three and an half per cent. per annum. The bank of England had given intimations that it would shortly discount at four per cent.

## Peace Society.

*Correspondence between the Massachusetts Peace Society and the Emperor of Russia and Prince Galitzin.*

FROM THE CORRESPONDING SECRETARY TO THE EMPEROR  
*Brighton, (near Boston,) April 9, 1817*

SIR—The friendly disposition which you have manifested in favor of the Christian religion and the peace of the world, has encouraged this address.—The very week in which the holy league of the three sovereigns was officially announced in Russia, a society was formed in Boston, by the name of the Massachusetts Peace Society, the object of which is to disseminate the very principles avowed in the wonderful alliance, and to do whatever may lawfully be done to prevent the recurrence of war, and to promote peace on earth and good will among men.

I take the liberty to present a copy of all the publications which have been circulated by the society. From these you may obtain information of the state of the society, the number of its members at the close of the first year, and its prospects. The first annual report, and the list of officers and members, are contained in the seventieth number of a Friend of Peace. Many members have since been added—a new society has since been formed in the state of New York. At least four Peace Societies have been organized in the United States—others are about forming. Besides these, we have in our country nearly one thousand congregations of Friends or Quakers, which we regard as so many Peace Societies, by profession and practice.

The pamphlets your majesty will be pleased to accept as a token of the veneration and esteem in which your character is held by the friends of peace in this country.

In behalf of the Massachusetts Peace Society,  
NOAH WORCESTER, *Cor. Sec.*  
*His majesty, ALEXANDER, Emperor of all the Russias.*

#### THE EMPEROR'S ANSWER.

SIR—Your letter in behalf of the Massachusetts Peace Society, with the books accompanying it, were received. The object which this philanthropic institution has in view, the dissemination of the principles of peace and amity among men, meets with my cordial approbation. My endeavors to promote peace and good will among the nations are already known; and the power and influence which Almighty God has committed to me, shall ever be employed, I trust, in striving to secure to the nations the blessings of that peace which they now enjoy.

Considering the object of your society, the promotion of peace among mankind, as one so eminently congenial to the spirit of the gospel of Jesus Christ, I have judged it proper to express these my sentiments respecting your labors, in answer to your communication to me on this subject.

ALEXANDER.  
REV. NOAH WORCESTER, *Sec. of Mass. Peace Soc.*  
St. Petersburg, July 4, 1817.

#### LETTER TO PRINCE GALLITZIN.

*Brighton, (near Boston,) April 9, 1817.*

SIR—Your name is known and revered in America as the president of the Russian Bible Society. The confidence which your excellent official letters have inspired, induces me to send for your perusal all the publications which have been circulated by the Massachusetts Peace Society. Similar copies will accompany these for your worthy emperor. The noble ground which he has taken in the holy league, has greatly encouraged the hearts of the friends of peace in this country. As the pamphlets will give you information of the prospects of the Peace Society, I shall only express the hope which is entertained, that your name will be enrolled among the avowed friends of peace, and there shine with as great lustre as it has done among the presidents of national Bible societies.

NOAH WORCESTER, *Cor. Sec. M. P. S.*  
*His excel. prince ALEXANDER GALLITZIN.*

#### ANSWER OF PRINCE GALLITZIN.

SIR—I received your letter of the 9th April, with the numbers of the Friend of Peace accompanying it, by the hands of Mr. Parsons: for which I return you my hearty thanks. The object which your society has in view, is of great importance to the well being and happiness of the human race. Indeed it seems to me to be almost the same as that of Bible

Societies; for it is only in proportion as the divine and peaceable principles of the gospel of Jesus Christ prevail in the hearts of men, that lasting and universal peace can be expected. A blessed period is promised in the word of God, when men shall learn the art of war no more. This period I understand to be the same as that in which it is prophesied that all men shall know the Lord, even from the least unto the greatest, and that the earth shall be full of the knowledge of the Lord. These latter promises seem to be daily fulfilling in every quarter of the world, by the exertion of Bible and other Christian societies, to disseminate among men the saving and pacific principles of Jesus Christ. They are preparing the way for your society's gaining its object—peace—universal peace—when men shall learn the art of war no more. Most earnestly praying for every blessing to accompany your labor, in promoting peace on earth and good will among men, I shall reckon it a peculiar honor to be among the members of such a humane society. I remain, sir, your most obedient servant,

PRINCE ALEX. GALLITZIN.

To REV. NOAH WORCESTER, *Sec. of Mass. Peace Soc.*  
St. Petersburg, July 4, 1817.

At meeting of the trustees of the Massachusetts Peace society, Sept. 25, the foregoing correspondence was communicated, and by them ordered to be published. If the editors of newspapers shall see fit to republish it, the officers of the Peace Society will be gratified, and, it is hoped, that the cause of peace will be promoted.

## Inland Navigation.

FROM THE RICHMOND ENQUIRER.  
Communication of the East and West.

TO THE EDITOR.

"*Kenawha, August 20*—The editorial remarks in the Enquirer of the 8th inst. have induced me to inclose to you a copy of a memorial intended to be circulated in the counties immediately interested in effecting the objects of which it treats.—That this subject has not been heretofore taken up in the metropolis, has been to me matter of much regret—To carry a measure of such importance either with the people or their representatives, requires a combination of talents and weight of character, to which an obscure and distant county can have no pretensions; all that we can hope for is to arouse the attention of your citizens, who in conjunction with the imposing influence of the country, bordering on James river, might effect much.

"A memorial to congress, praying the aid and co-operation of the general government, is also prepared, and will be circulated in Ohio and Kentucky, as well as in Virginia—in each of which states the most friendly disposition is manifested towards the measure."

*To the honorable speaker, and gentlemen of the house of delegates of the commonwealth of Virginia.*

The memorial of the underwritten inhabitants of the country bordering on the James river and its branches, the Greenbrier, the New River, the Kenawha and the Ohio, respectfully represents:

That your memorialists feeling in common with every citizen of these states, the great importance of uniting the Western and Eastern Territories of this republic, by the strongest ties, at a time when almost the whole world are at peace, and a laudable spirit of improvement appears to actuate every part of the community, beg leave briefly to state



to your honorable body their claim to a portion of your attention and consideration.

Residing in a country contiguous to the two great rivers emptying into the Chesapeake and the Gulf of Mexico, most nearly approaching each other, and in the view of your memorialists most susceptible of such improvements as will ensure a valuable and permanent commercial intercourse, they feel a confidence that the application they now make to your honorable body will not be unavailing towards the accomplishment of an object so important in a general point of view, and so interesting and desirable in relation to a great section of the Western and Eastern country. Your memorialists ask leave to state, and the able report of the commissioners appointed under an act of the Virginia assembly will shew, that the James river is capable of being made navigable for boats of considerable burthen to the mouth of Dunlap's creek—and even some miles higher by an increased expense; that an artificial road may be formed with an unusual facility, the ascent of which will not be more than an angle of five degrees with the horizon—and the length, if only carried to the nearest waters of Greenbrier river susceptible of navigation, will not exceed thirty miles; or if extended to the navigable waters of the Great Kenawha, below the great falls of that river, will not exceed one hundred miles; from which latter point, the waters descending with a bold, but gentle current, for an hundred miles, mingle with the Ohio, and afford a free navigation for boats of a large size to the Gulf of Mexico.

The great benefit of connecting territories so extensive, so fertile, and so diversified in climate, soil and productions, supersedes the necessity of many comments from your memorialists.

By improving the navigation of James river, above the chartered limits of the company incorporated by this state, to the highest practicable point of navigation; by forming an artificial road to the nearest navigable waters of the Greenbrier river; by removing the obstructions which exist from the mouth of the latter to the great falls of the Kenawha, or by extending the artificial road to the last mentioned point, an inland communication would be opened, almost at all times practicable from the head of the Chesapeake to the mouth of the Mississippi.

To give impulse to the industry and enterprize of the inhabitants of so large a section of the republic, to open new markets for the rich and diversified productions of agriculture, reared in a territory of more than two thousand miles in extent, to foster manufactories established at great hazard, and prosecuted at vast expense (all which results will undoubtedly follow the completion of this improvement), will not be unworthy of the legislature of the ancient dominion of Virginia.

Whoever has turned his attention to the products of the country, throughout which the proposed communication is intended to pass, will have perceived how bountiful nature has been to it of her choicest gifts: A soil inexhaustibly productive of every necessary of life, with mines of salt, coal, nitre and iron, awaiting only the fostering care of the government to make them extensively useful to a large portion of the United States. The foresight of man is too limited to penetrate the veil which obscures the consequences of the most laudable undertakings; nevertheless, there are advantages which must necessarily result from the accomplishment of this great national work, too obvious not to be clearly foreseen, and as your

memorialists humbly hope, too important not to engage the serious attention of the house of delegates, however imperfectly they may be presented to its view.

Approximating the numerous cities and towns of the Chesapeake and its waters, Baltimore, Annapolis, Washington, Georgetown, Alexandria, Norfolk, Richmond, Lynchburg, and various others of much importance, though less prominent, to the equally flourishing cities and towns of the new countries, from the mouth of the Mississippi to the head of the Ohio—New-Orleans, Natchez, Louisville, Cincinnati, Marysville, Marietta and Pittsburg, and all the intermediate villages and establishments, by means of an easy and safe inland navigation, much more than two thousand miles in extent, intersected only by a portage of 30 miles, on one plan of improvement, and not exceeding an hundred on the most extensive plan, as practicable of improvement, presenting a few difficulties, and affording as great a store of materials, both of stone and timber, as is to be found in any part of these states of the same extent; open views of prosperity, happiness and advantage, national and individual, the extent of which it would be equally difficult to describe, or to foresee.

In a commercial point of view, instead of a hazardous voyage coastwise, from the various Atlantic ports to the Mississippi, and in numerous cases a protracted inland navigation against streams for a thousand or two thousand miles, or a slow and difficult conveyance in waggons, from one hundred and fifty, to three hundred miles, to the upper points of western navigation, the immense quantities of rich merchandize, consumed in the west, as well as the various manufactures of the Atlantic towns, will be transported through the very heart of the republic, at half the expense, in a short time, and at little hazard, by an easy and safe ascending navigation from Richmond by the James river to the base of the Alleghany, across that mountain by a portage from thirty to a hundred miles, to the nearest navigable western river, and thence by the currents of Kenawha, the Ohio, and the Mississippi, to their various places of destination, affording an employment, bread and wealth to a large number of all the diversified classes of your citizens.

Conversely, many of the valuable products of the fields, and the forests of the extensive countries washed by these waters, will find their way through the same channel, the Atlantic ports opening new and advantageous markets, and reciprocally benefiting the western cultivator and the eastern merchant. In a political point of view, the benefits which must result from a free intercourse between different sections of the republic are not less obvious.

The reciprocal interchange of friendly sentiments and friendly acts, naturally exercised by men in the mutual pursuit of profit and convenience, binds man to man, family to family, and nation to nation, by the most indissoluble ties.

The good policy of cherishing these amiable dispositions, and of binding together the citizens of the most remote parts of this extensive country, by the strong fetters of interest and affection, is too plain to require illustration.

Believing, as your memorialists do, that the advantages at least, which they have suggested, will result from the accomplishment of the great work, they are so desirous to see effected, and believing likewise it will be practicable to accomplish it, under the patronage of the general government and with the liberal aid of the state, combined with in-

dividual enterprize and capital, which various interests and efforts may be united and concentrated by incorporating a company on liberal principles and with adequate capital; allowing such tolls as may induce capitalists to make investments in the stock.

Your memorialists therefore respectfully ask of the legislature that a law may be passed incorporating a company for improving the navigation of the James river above the limits of the James river company, for opening and constructing a turnpike road from the highest point of navigation on the waters of James river, to the nearest point on the waters of the great Kenawha susceptible of navigation; and for improving the navigation of the latter river and its waters to their confluence with the Ohio, under such restrictions and limitations, as to your honorable body shall seem just and right: That the commonwealth may liberally vest her funds in the stock of such company, and that the government of the United States may be invited to patronize the work by becoming stockholders to such amount as will secure confidence and effect to the enterprize.

**Commodore Decatur.**

BALTIMORE, Sept. 29, 1817.

Dear sir—On the part of a number of our fellow citizens, we request you to accept a service of plate of Baltimore workmanship, which we have the pleasure of transmitting to you with this letter. It is intended by the contributors as a testimonial of their respect for your private virtues, and gratitude for your distinguished public services—more especially those rendered in the late war with Algiers, which by a singular union of vigor and skill in your measures, and of prudence and magnanimity in your conduct, was brought to a termination in the highest degree useful and glorious to your country.

In expressing to you on the part of the contributors these sentiments, in which we fully participate, we perform a duty enjoined on us by them and highly gratifying to ourselves.

With the greatest respect, we have the honor to be, dear sir, your most obedient servants,

RICHARD CATON,  
ISAAC M'KIM,  
JOHN HOFFMAN,

Com. Stephen Decatur.

WASHINGTON, October 3, 1817.

Gentlemen—I have been honored with your communication of the 29th ult. accompanied by the splendid service of plate which a number of the citizens of Baltimore have done me the honor to present to me.

I beg you to assure them, that I have a full sense of this generous testimony of their esteem and partiality.

I will not deny to you the high gratification I have derived from the marked approbation they have been pleased to express of my conduct. My object through a service of nearly twenty years, has been to merit the good opinion of my countrymen; and the evidence which you have furnished me of the success of my exertions, leaves me little else to desire.

I beg you, gentlemen, for yourselves to accept my warmest thanks for the gratifying manner in which you have been pleased to make known to me the favorable sentiments of the citizens of Baltimore, rendered the more acceptable from the gracious manner in which they have been communicated.

With sentiments of the highest esteem and con-

sideration, I have the honor to be, gentlemen, your obedient servant,

STEPHEN DECATUR.

RICHARD CATON,  
ISAAC M'KIM,  
JOHN HOFFMAN, } esquires.

**CHRONICLE.**

*Pennsylvania election.*—The election for governor took place last Tuesday—the following are all the returns that have reached us.

	Findlay	Majorities.	Hiester.
City of Philadelphia			2395
County of do.			437
Delaware county			644
Chester			9
Franklin	36		
Dauphin			616
Cumberland	600		
York (above)	800		
Montgomery—in part—	244		
Bucks do.			135
Lancaster do.			1251
Adams			921

So far as the returns are received, they are supposed to be favorable to the election of Mr. Findlay. The Democratic Press, (the only paper that gives an opinion on the subject) says, confidently, that he is elected.

*MARYLAND ELECTION.*—The following is a statement of the representation of the counties [not of the PEOPLE] of the state of Maryland, in the house of delegates for the years 1816 and 1817.

COUNTIES.	1816.		1817.	
	Fed. Rep.		Fed. Rep.	
St. Mary's, . . . . .	4	0	4	0
Charles, . . . . .	4	0	4	0
Calvert, . . . . .	4	0	4	0
P. George's, . . . . .	4	0	4	0
Montgomery, . . . . .	4	0	4	0
Anne Arundel, . . . . .	0	4	0	4
Annapolis City, . . . . .	0	2	0	2
Baltimore, . . . . .	0	4	0	4
Baltimore City, . . . . .	0	2	0	2
Frederick, . . . . .	4	0	1	3
Washington, . . . . .	0	4	0	4
Alleghany, . . . . .	4	0	4	0
Harford, . . . . .	0	4	0	4
Cecil, . . . . .	4	0	4	0
Kent, . . . . .	4	0	4	0
Queen Anne, . . . . .	0	4	0	4
Caroline, . . . . .	4	0	0	4
Talbot, . . . . .	4	0	0	4
Dorchester, . . . . .	4	0	4	0
Somerset, . . . . .	4	0	4	0
Worcester, . . . . .	4	0	4	0
	56	24	45	35

Federal majority in 1816 32  
1817 10

*Tennessee election.* This state is divided into two sections, called east and west Tennessee. The votes for governor at the late election stood thus—

	East T.	West T.	Total.
For gov. McMin, . . . . .	14,232	14,170	28,402
Mr. Foster, . . . . .	1,274	14,186	15,460

Majority for McMin, 12,942

*Connecticut*—We see a good deal in the Connecticut papers about the "stand up law." It appears to have some relation to the suffrages of the people. We would thank some of our friends if they would tell us what it is.



*West's picture*.—The celebrated picture of "Christ healing the sick in the Temple," presented by Mr. West to the Pennsylvania hospital, and for the reception and exhibition of which, a building has been erected on the premises on Spruce street, has arrived at Philadelphia, in the ship *Electra* from London. It is stated that the picture was insured for three thousand guineas.

*Paintings*.—Mr. Vander Lin, from France, well known as an historical painter—a pupil of the celebrated David—has arrived in Boston, bringing with him his two fine paintings of Ariadne, and Caius Marius on the ruins of Carthage.

*United States and Spain*. A Savannah paper says, "We can assert, without fear of contradiction, that the negotiations in which the two countries (Spain and the United States) have been engaged for some years back, are broken off."

The ship *Parnasso*, of New-Bedford, for Antwerp for New York, with about 40 passengers on board (French officers) was taken possession of by them, with the view of going direct to Mexico, to join the patriots; but, having no one capable of navigating the vessel, they were forced to restore the captain to his command.

*The Chesapeake Bay*. Gen. Swift, Gen. Bernard, Col. McKee and Maj. Armistead, of the corps of engineers, and Capt. Elliot of the navy, have been appointed to examine the defensible points at the entrance of the Chesapeake Bay, Hampton Roads, &c. They are to proceed immediately on this duty.

*Bank Notes*. Five dollar notes of the Schuylkill bank (Philadelphia) changed into *fifty's*, have been passed in Philadelphia, and are so well executed as to have been deposited in the other banks there. This is another evil flowing from the too easy manufacture of bank notes. If there were fewer banks, the people would the more certainly be acquainted with the proper appearance of the notes of the different denominations, as well as with their general character.

*New York battery*. Gen. Scott has stopped the works of the battery, and the subject is referred to the President of the United States. "A shameful struggle between civil and military authorities" was expected, and the General prudently gave way, for the present—But the *high* talk of some men on the occasion was enough to have urged him on.

*Safety*.—The steam boat *Phoenix*, on Champlain, is out of order, in consequence of the force of the steam opening a crack in her boiler, which gradually increased until the water therein was exhausted, without personal injury to any one.

*Dr. Macbride*.—Among the deaths at Charleston, by the prevailing sickness, that of Dr Macbride is lamented as a public calamity. He appears to have been a great and good man—an enlightened and human physician. The Literary and Philosophical Society of Charleston, in honor of his memory, have agreed to wear crape for 30 days. There were 42 deaths by the fever for the week ending on the 2d inst.

*Foreign manners*.—It seems that one pack of hounds and another pack of *boxers* have arrived from England at New-York, the last of which are to exhibit their skill for money. The former are well enough—we have no objections to them. But we shall be much mistaken in the morality of our fellow citizens and as to the vigilance of our magistrates, if those low wretches are quietly permitted to beat and abuse, and possibly kill one another, as has frequently happened in the presence of "*nobles and dukes*" in England. We are not yet *fashionable enough*, for such things in the United States.

"*Carraboo concert*."—The following article, the "cap sheaf" of impudence, was gravely inserted in some of the Philadelphia papers, as a communication"—

"The Carraboo concert which was given last night at the Washington Hall, was splendidly illuminated, the music good, and the vocal performers exerted themselves in a manner which gave general satisfaction. In part first, the celebrated Miss C. made her appearance, introduced by two gentlemen—she was received with a general burst of applause, and her appearance and manners silenced those insinuations which have been so industriously circulated to injure an *innocent and unoffending* female.—Paper was handed to her, on which she wrote a letter in the language which puzzled the universities of Oxford and Cambridge, and the most learned professors of the oriental languages in Great Britain. Her taking leave of the audience in the *language of the moon*, was highly applauded."

We were sincerely mortified with this—to think that an acknowledged *cheat and impostor*, a creature of so questionable a character, should have had a "respectable" audience to hear her fooleries in a city like Philadelphia, was too much; but we were relieved by being informed that the money received fell far short of the expenses of the concert—there not being fools, or knaves, or doubtful females enough in that city to support a sister's cause.

Died, on the 3d inst. at Charleston, Mass. Col. Nathaniel Hawkins, a soldier of the revolution. He was a native of Rhode Island, and in twelve hours after the news of the battle of Lexington reached his native village, he was marching at the head of a volunteer company for the scene of action—the watchword then was, "we must fight."

*Emigration, anecdote*.—The following little narrative savours so strongly of the *romantic*, that we should hesitate in believing it, had we not been told it by a gentleman who witnessed part of the transaction:

A person who had made a considerable fortune in Philadelphia, as a butcher, went on board one of the last ships from Amsterdam, which had a number of German redemptioners, for the purpose of purchasing one to assist him in his business. After examining the physiognomy of several of the passengers, without being able to please himself, his attention was arrested by the tranquil and composed countenance of a man rather advanced in years, but with much appearance of strength and activity. Not less pleased with the conversation of the German than with his exterior, he described the purpose for which he wanted a servant, and obtained the man's consent to purchase his indentures, provided he would also purchase those of his wife, who had accompanied him. The parties then went ashore to complete the business, attended by the captain; and upon the names of the persons being mentioned, to insert them in the writings, they were the same with those of the purchaser's father and mother; and, upon further enquiry, he ascertained them to be, in fact, his father and mother, the latter declaring, that if he was their son, he had a remarkable mole upon his left arm—which proved to be the case! It is added, that nothing could surpass the joy of all parties. The Providence of God had snatched the venerable pair from poverty and servitude, and conducted them to plenty and independence, under the protection of an affectionate son. He, it seems, had run away from his parents when quite a boy, and from the continual wars in Europe neither had ever heard of the other since.

Raleigh Reg.

# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Those who take an interest in the "reform" proposed in England, will find a rich treat in *Burdett's* speech, inserted in the present number.

☞ A much respected correspondent is rather impatient because the editor has not yet published the concluding number on "POLITICAL ECONOMY"—having "promised himself much pleasure and profit from it." A severe attention to another branch of *economy*—an indispensable application to the pecuniary concerns of the establishment, in an attempt to bring about a general settlement of the accounts due to it, has prevented the leisure necessary for it, and especially forbidden a frame of mind—that perfect retirement from all other business, without which no one can safely undertake the management of "*obstinate figures*." But we have now nearly finished these accounts, and are prepared for the more easy and more agreeable matter of *closing* them—and shall shortly proceed to complete the series, so favorably received by the readers of the REGISTER.

## Newspaper Postage.

The organization and object of the government of the United States is essentially different from that of any other in the world. The constitution was adopted by THE PEOPLE, for their own use and benefit, and recognizes no classes or casts in the community—every citizen being supposed to possess an equality of rights, is accepted as competent to fill any office whatever in the gift of the people, or of the government, with the solitary exception that the president shall be a *native born citizen*. With such an organization and object, therefore, every law or regulation at variance with the will, or at war with the interests of the people, is, in its *spirit*, null and void, and ought to be repealed. In most, if not in all of the governments in what is called the civilized world, (our own excepted) there are four separate and distinct classes of society—1, those of *royal blood*; 2, the *nobility*; 3, the *priesthood*; and, 4, *all the rest of the population*. As the first three exist *only* upon and through a denial of NATURAL RIGHTS to the fourth, an unholy combination is formed between them to carry on a perpetual war against the people—and on the success of it mainly depends their rank, distinction and fortune. And so they manage it, by blasphemous interpretations of the will of God, and by all sorts of lying and falsehood, together with the *power* thereby obtained over an ignorant populace, superadded to the force of the mercenary bayonet, that the silly people suppose themselves to be the dependents instead of the principals in the sovereignty; and feel grateful for the relaxation of an oppressive rule or regulation which it may

have appeared to have been the policy of their *masters* to adopt. But, in the United States, the people, in their collective capacity, are superior even to the constitution, and every law must necessarily be presumed to pass for their advantage. This is the living principle of our form of government, and as it fails to operate we approach towards despotism.

These remarks, on such important subjects, may be considered as unnecessarily extended to apply to the purpose for which we took up the pen:—but their principle cannot be too strongly impressed upon the mind of all, and they afford us the most ready arguments in favor of our proposition, which is—*that the postage on newspapers should be abolished altogether*.

The people, for their own *convenience* and not as a source of *revenue*, established the post-office department, and their whole purpose is accomplished if it bears its own expenses;—they do not want any *profit* from it;—they would rather that all beyond its needful disbursements should either remain with themselves, or be *immediately* reimbursed to them. It is very true, that the postage at present collected on newspapers, does not defray the cost of transporting them—being only one cent for each, for any distance if within the state in which they are published, and one cent and an half, if carried more than 100 miles and not in the state as aforesaid—but the charge made upon letters not only brings up the deficiency, but creates a considerable profit to the whole establishment:—this profit is sufficient to pay for the carriage of newspapers, free of expense to subscribers; and, in my opinion, might be best appropriated to that purpose. For, in a government of laws originating in the people, it is of the *first consideration* that they should be enabled to act understandingly on every subject presented to them; and it seems that newspapers are the best medium through which they can form correct opinions of men and things. That the freedom of the press is much abused, and facts much distorted by it; cannot admit of a doubt—for printers are not only mere men, but more liable than other persons to be acted upon by crafty and dishonest individuals—still, the sober reason of the people at large, discriminates between truth and error, and the press remains to be the palladium of civil and religious rights. It is more powerful than the sword—and, in every country, is the terror of tyrants. One free press in France and another in Spain, would, of their own phy-



sical force, sink the Bourbons into their native insignificance in six months, and put to flight their hosts of soldiers and priests, coalesced against the people.

The illustrious *Jefferson*, seeing how important it was that light should pass among the people unobstructed, and feeling that our inestimable constitution had for its base a virtuous and enlightened community, long since proposed an abolition of the postage on newspapers. This recommendation did not prevail, because, perhaps, it was thought that the pittance required for transporting them was too small to have any material effect on their circulation. But this was a mistake—a little thing will prevent a man from doing that which he is only *half-inclined* to do; and it is in such a humor, probably, that two-thirds of the subscriptions to newspapers are made: and, what is more strange, very many think themselves entitled to be called *patrons*, and assume it to themselves as a matter of *grace and favor*, to meet their contracts with the editors. Newspapers are regarded as things that can be dispensed with—as costing money that might be saved. So is the schooling of our children—so, indeed, are nine-tenths of what it costs us to live. Almost any man might lay up money every year if he would live on bread and water, and clothe himself in the cheapest manner he could:—but what of that? Who would live like a brute and die like a beggar, for the mere pleasure of *saving money*, which he cannot carry hence with him—though, like a dead weight, it may hang upon his soul at the last moment of his mortal existence? There are a few such—five or ten in a million; and what wretched creatures are they? Most men, sensible that they must die, are disposed to *enjoy* a little of the fruits of their toils; and nothing is, perhaps, more necessary to the enjoyment of society, or self-satisfaction in retirement, than a well-informed and virtuous mind. It gives a zest to all things in prosperity, and is the best resource in adversity. Newspapers, though not always conducted with talents and respectability, are the best possible channels for obtaining an acquaintance with the affairs of the world, and to implant desires in the heart of youth for more solid readings, as he goes on to maturity. In truth, they are the great engine that moves the moral and political world, and are infinitely powerful to establish the character of a people, as well as to preserve their liberties; and cannot be so easily dispensed with as some persons believe—unless, indeed, we think the trouble of *self-government* is too great, and agree to transfer the power of the state to the few that are ready to use it for their own advantage. But this cannot be the will of the people of the United States—yet observing, however, the too general repugnance to reading that prevails (though it prevails less with us than in any other country) it is the duty

of those who feel the pleasure and profit of it, to smooth the way to it, and afford every facility that light and knowledge may be diffused. “An armed people and an unarmed magistracy,” said *Dickinson*, “is the best guarantee of freedom.” And, while the body of the people read and reason and reflect—while the press is free and liberally supported, the sword of the magistracy is pointless, except it is directed to execute the *will of the people*. How important, then, is it that that will should result from an enlightened mind!

I do not know that an abolition of the postage on newspapers would materially promote my personal interest—but I am very certain that it would cause a great increase to the subscription lists of many worthy “brethren of the type”—to their individual profit and the general good: and I hope that the subject may be considered at the next session of congress—under the belief that there is no possible way in which so small a sum as that which arises from the postage on newspapers, by way of revenue, can be so properly suffered to remain with the people. But as, if nothing were received from the delivery of newspapers, the post-masters might be more careless of them than they are at present, provision ought to be made for compensating them for the trouble of attending to this duty, as heretofore.

### Paulding, Van Wart and Williams.

A work has lately appeared entitled a “*Vindication of the captors of Major André*.” It contains the facts already published in the REGISTER, together with a letter from the late General *Alexander Hamilton*, written immediately after the execution of *André*, with a commentary on the affair by the compiler; who is *Egbert Benson*, esquire, formerly one of the judges of the supreme court of the state of New-York—“a venerable man of pure and elevated views.”

The editors of the “*American Monthly Magazine and Critical Review*,” having noticed this compilation in an illiberal manner, have provoked a severe replication by a writer in the “*Columbian*,” who seems determined to hurl the thunder back upon the accusers of the gallant and (now) venerable men that defeated the foulest treason that ever disgraced our country, and delivered the agent of it into the hands of justice. He observes—“on the subject of *André*, the admirers of British character—of British policy—of British law—of British talents—of British guineas—of British *dry-goods*—and of British *every thing*, have always been very sensitive”—they have sometimes gone so far as to censure the court martial for sentencing him to death, and to blame the commander in chief for not pardoning him. Alas! this is too true—we have several times alluded to the case of captain *Nathan Hale*, who, detected, as *André* was, within the lines of the





merce, "because they find it their advantage."—  
 "These advantages ought to be reciprocal; because without reciprocity there could be no commerce. We do you no injury (say the English); we only endeavor to elevate you to the rank of being our rivals, provided you have capacity, genius and industry to meet us in an open market. If you wish then to establish your superiority over us, you will make war in a proper manner, and vanquish us with our own weapons."

On these sentiments the German Journalist remarks:

"The Times speaks of a generous contest and open competition, in the great commercial world, wherein superior genius and industry are sure to confer victory. Very well; we accept your challenge with joy. But we will combat you as brave men, not as silly dupes: no, no! Our arms shall be equal in a contest from which so many advantages are to be derived.—Let our limbs be unshackled; that is to say, admit our ships to enter your ports on as advantageous terms as we permit your vessels to enter ours. Permit our manufacturers to send large cargoes of the produce of their industry into your cities and towns, and dispose of them by means of brokers and auctioneers, wholesale and retail, under the denomination of *British manufactures*.—This would be acting conformably to your present well known practice amongst us—Namely, disposing of British goods under the name and with the marks of domestic manufactures.

"Permit Jews, pedlars, speculators, and walking gentlemen of every description similar to those whom you have employed, now to glut your houses and the whole country, by means of hawkers and pedlars, whom we have unfortunately permitted amongst us.

"Permit our liquors, our linens, our hardware, &c. &c. as free an entry, similar in every respect, to that which we have granted to your calicoes, your muslins, your sugar, and your rum.

"You admit yourselves, that there can be no commerce where the advantages are not reciprocal.

"Grant us, therefore, what we have long since given to you.—Then, shall we be on an equality—the contest will be truly equal, and superior genius and industry will surely bear away the palm."

## Parliamentary Reform.

HOUSE OF COMMONS—MAY 20.

Sir FRANCIS BURDETT felt it to be a very arduous duty, in the present circumstances of the house and of the country, to make the motion of which he had given notice. In any former period it would have been sufficient to lay evidence before that house of the existence of corruption in elections—it would have been sufficient to show that a practice so baneful in itself, and so hostile to the laws and constitution of this country, existed—in order to obtain redress.—In any former period it would have been sufficient to expose a practice destructive of the vital interests of freedom and justice, in order to ensure a remedy: it would have been sufficient to point out the evil, and to propose a remedy adequate to that evil, in order to have it adopted. But now, what would have been formerly denounced as corrupt and ruinous, was by a new doctrine recommended as necessary for conducting the affairs of the nation. What was formerly regarded as a seed whose fruit was productive of disease and death, was now maintained to be the seed of a tree whose fruit yielded nourishment and strength, and under whose shade security and repose were

to be found. He felt it peculiarly awkward to complain before those very persons who were the objects of complaint, and to apply for redress to those very persons who were the authors of the grievance. He felt it most awkward to call upon those who must be supposed to be the corrupt, to redress corruption; but the general voice of the nation was so manifestly and so strongly for this measure, that it claimed their utmost regard. The petitions presented to parliament, of which many were rejected, but not on that account less expressive of the wishes of those that signed them, for a redress of the great grievance of an unequal and corrupt representation, were more numerous than ever were presented on any other occasion whatever. When formerly motions were made on this subject, as had been done for several years back, it was always asked, Where are the petitions for it? Where are the petitions from Birmingham?—where from Manchester? Petitions were now presented from all parts of the kingdom. Petitions were presented from Birmingham and from Manchester. They had petitions laid before them with more than one million of signatures. Whether, therefore, the complaint of those petitions was well or ill founded, whether redress can or cannot be given, the house was bound to institute some inquiry into grievances so generally felt and so generally complained of. The prayer of those petitions was said to be wild and visionary: they were represented as praying for what was never sanctioned by the laws, and never recognized by the practice of this country: they were charged with having invented novel grievances, and demanded novel remedies. Under this charge came annual parliaments. It was quite clear and incontrovertible, that annual parliaments were the law and the practice of this country, even beyond any history we have of it. For centuries before any history was written of the events of this country, but of which tradition has handed down some facts, annual parliaments were in constant use. It might indeed be replied, that the question was not what existed in ancient times, but what ought to be adopted now; but it gave great weight to the claim that it was sanctioned by remote antiquity; and it formed a complete answer to the charge of its being a new and new-fangled doctrine. It was, then, as old and older than William the Conqueror. Our earliest writers mention it as the practice; the oldest book, he believed, which alluded to any part of our history, was "The Mirror of Justice," which Coke mentioned in terms of commendation. There it appeared evident that it was the undoubted law of the land that parliaments be annually called. Before the name *Parliament* was given to them, this was the practice. It was a matter of course that they should meet twice every year; the King's writ was a necessary part of the process; but it was necessary by the law that they meet twice in the year, oftener if there was occasion: this law William the Conqueror was sworn to observe. It was no answer, that he was a perjured monarch: this was the law, and this was the practice during the whole history of England, till we come down to the reign of Henry III., when the greatest abuses of various kinds were committed; yet during his reign parliaments were annual. In the time of Edward I., and III., and IV., parliaments were constantly of annual duration. That there were abuses in those reigns was undeniable; but from that he had a right to infer, that the people had invariably insisted upon annual parliaments. In the reign of Edward III. laws expressly enact that parliaments be called

every year. It was made a question whether this necessarily implied a new election every year. For an answer to this question, let the practice of the time be looked into during the long reign of Edward III., and a more constitutional and more glorious reign was not to be found in English history: not one parliament was continued beyond one year, but a new parliament was called every year. It was not indeed necessary that every parliament continue a year. They often continued but for a month, or two months, and there was an instance of five new elections in one year.—It was, therefore, the constitutional, legal right of the people of England to have a new parliament every year; it was imperative upon the kings of England to call a new parliament every year. So many gentlemen of great ability and patient research had fully investigated and clearly traced the history of this practice, and yet not one instance have they found of a parliament prorogued or continued beyond one year down to the 23d year of the reign of Henry VI. In the time of the civil wars between the houses of York and Lancaster, the party that happened to prevail could do every thing or nothing; yet even then the rights of the people were so far respected that parliaments were not prorogued or continued longer than a year.—Henry VIII. was the first who violated this express law; and the time when he did it was deserving of consideration. It was when he wished to divorce his queen; and on this account quarrelled with the pope, with the church, and with the people. Then he continued parliament for five years. The reason was very obvious. He wished for his own purposes to effect what was called the reformation. The generality of the nation were not then for that measure; it was only a party that favored it; and it was for this reason that he had recourse, unconstitutionally, to a parliament of longer duration. Bishop Burnet related, that the king was at great pains to manage the elections: and it was very evident that the elections were first influenced, and members afterwards corrupted till he effected his double purpose of divorce and plunder.—That the plunder of the church was his real object in the reformation was beyond all controversy, though religion was then assumed as a cloak to cover the design, as it was in present times to cover similar designs. In the reign of Edward VI. when the protestant interest, still the minority of the nation, prevailed, the same course was followed, and his parliament continued nearly five years. The next reign was that of queen Mary, a reign held up to horror and execration, and justly, on many accounts: but when the Catholics, who had been plundered and persecuted, came again into power, smarting with their ill usage, it was not surprising, it was not justifiable, but it was not astonishing, that they had retaliated: yet the first thing she did was to repeal the acts of constructive treason that had been passed, and to place the security and freedom of the subject under the protection of 25 Edw. III. The people of this country were at this time, so far as life and liberty were concerned, less secure than under the bloody Mary, as she was called. (*Hear, hear, hear.*) She, proclaiming that the people had been deprived of their just rights, and of the great security for their liberty, had recourse to short parliaments. Her parliament did not continue for one year; it was dissolved at the end of nine months. The reign of Elizabeth exceeded all praise. Too wise to force, too honorable to impose upon the people a system of government inconsistent with the principles and practice of the constitution; with-

out millions of money to corrupt, without laws to oppress, without a standing army to overpower; she gained the affections, and ensured the obedience of her people, by the wisdom and vigor of her administration. In her reign there were two long parliaments. When the Stuarts came to the throne, the same practice was continued. James I. kept his parliaments a long time. The people were not then jealous of that encroachment. They had suffered all the evils they had experienced from other abuses, and they thought themselves perfectly safe in the hands of parliament, because no previous evil had been felt, and no present evil was apprehended from them. He had now come to the interesting and eventful reign of Charles I. He had not learnt the principles of the English constitution, and studied not to rule according to its laws and usages; he tried to establish a government without parliaments. This innovation he supported, too, by the authority of Westminster-hall. [*Hear, hear.*] The judges at that time lent themselves, the subservient tools, the industrious servants of despotism.—The greatest lawyers of that age, or of any age, sanctioned the unprecedented, unconstitutional, arbitrary attempts of Charles. [*Hear, hear, hear.*] Charles failed only because he had not a standing army. If he had had a standing army, there could be no question moved at the present day, whether we should reform parliament? When he was obliged to hold parliaments, because he had not millions to be employed in corrupting them, he could not effect his purposes: how they were elected did not signify; how many years they continued was of no importance; it was impossible to find any set of men capable of surrendering the rights and interests of the country to the arbitrary will of a tyrant. They were connected with their fellow-subjects, they had a common interest with them; there was nothing to make it their interest to sacrifice the liberty of the people. (*Hear, hear.*) We knew how the contest between Charles and his parliament ended. A few individuals having gained the ascendancy, thought that the parliament that had resisted the intrigues and the violence of Charles, and had preserved and protected the liberties of the nation, ought to be continued; and an act was passed, something like what was afterwards done on different principles, and for different purposes, for protracting the period of the duration of parliament. It was then thought proper and salutary, that a parliament that had acted so meritoriously and successfully, that had fought the great battle of the nation, and obtained a glorious victory, should continue to be the guardians of national liberty. Afterwards it was thought gain to the nation that one great man should protect the liberty and ensure the security of the nation. Yet Oliver Cromwell was a parliamentary reformer, (*a laugh.*) and proposed a plan of reform so just, so fair and so suitable, that even Lord Clarendon said it deserved to have proceeded from a better—a more warrantable was his lordship's expression—from a more warrantable quarter. But when Cromwell found that he must either lose his place, which to him would be to become a victim to the gallows, or support by the sword what he had acquired by the sword, he naturally preferred the latter alternative. The people, always attached to the constitutional government of kings, hailed the restoration of Charles II. It might have been expected that he, from gratitude to the nation for the zeal and affection with which they received him, would restore and confirm all their rights and laws: but he was not of that generous character; he was of a cold unfeeling dis-



position; he forgot the claims and trampled upon the rights of the nation. But though the people had neglected the necessary precautions through joy in receiving their banished monarch, his cold and cruel heart only availed itself of this to enslave them, and for this purpose he attempted to corrupt the house of commons; and this was the first deliberate attempt at that mode of controlling the wishes and the interests of the people. The nation had been guilty of the generous folly of receiving him without the stipulations necessary both for the security of the state, and for the safety of the crown; and took back, unconditionally, one that otherwise would have lived a wanderer upon the face of the earth. In return he attempted to corrupt their house of commons. Charles II. continued parliament for 16 years; yet this parliament, this pensioned parliament as it was called, would not sacrifice the interests of the nation, or sell the liberties of their fellow subjects, and it was therefore dissolved.—During the remaining part of his reign, struggles were revived and continued as in his father's reign. James II. committed many outrages, but none more flagrant or more offensive than attempting to corrupt elections, and he was in consequence obliged to abdicate the throne. He now reached the period of our revolution: this surely was not too remote to be appealed to; the doctrines it expressly avowed were not to be branded as new, and new-fangled. They would find in the declaration of William, among his reasons for coming with an army into England, that law was not properly administered, that legal corruption deprived the people of justice and redress; this was a very great evil, and called loudly for a remedy. Another reason, and a very strong one certainly, was, that juries, the great bulwark of the liberty and safety of the subject, were not fairly chosen, but selected for the purpose of seizing the crown; but the main reason, the reason assigned in the very front of this declaration, was the corruption of the house of commons; that if parliament were not allowed to be freely elected, or to consult independently what was for the benefit of the nation; that tampering was used in electing and influencing them; that undue means were applied to procure compliance with the will of the sovereign. The revolution was principally, therefore, in order to procure a full, and free and fair parliament: this was proved by the admission of James II. himself, who knew what was right, though he did not practice it. Many noblemen, who were attached to him, and anxious to support his reign, petitioned for redress of many abuses; above all, for a parliament "free in all its circumstances." He answered, that he could not get a parliament so elected, unless the prince of Orange were removed from the kingdom. It was then, at all times—it was by the laws of this country, it was by the practice and history of the nation, always—a high crime to corrupt the parliament, or use any means to make them subservient to arbitrary purposes. It was one of the charges of impeachment against Richard II. and one of the reasons for de-throning him, that he had packed parliaments.—During the whole of our history to that period, parliament sat little more than five months; then there was a new one. There were few instances of pro-gressing; and when this violation of the law was attempted, it was always moderately. Richard II. and James II. lost the throne for their abuse of it. While such signal instances were recorded in our history, while the bill of rights recognized our claims, could it be contended that we were not entitled to a free election of parliaments? An election

necessarily implied that it should be free. How then could this essential part of the constitution be reconciled with individuals appointing members of the house of commons? He here begged leave to read from a petition presented in 1793, for a reform in parliament, by a most enlightened and most respectable society—the constitution of that house was so well detected, if he might use the expression, in the petition, that he was astonished so many years as have since passed could have elapsed without any enquiry into its justice and truth. The petition had been so frequently and so well known, that he would not trouble the house with the whole of it; he would only read the following part of it:—The petition, after mentioning several other grievances and inconveniences resulting from the state of the representation, and requiring redress, stated that 84 individuals "do, by their own immediate authority, send 157 members to the house of commons; and that this the petitioners were ready to prove at the bar of the house if the fact was disputed, and to name the members and the patrons."—The hon. bart. asked if the nominees of such individuals could be supposed to be a free representation of the people? And yet, perhaps, members so returned constituted nearly 3-4ths of those who now heard him. The petition went on to state "that in addition to the 157 members so returned, 150 more, making in all 307, are returned by the recommendation of 70 powerful individuals added to the 84 before mentioned, and making the number of patrons altogether 154, who return a decided majority of the house." One hundred and fifty four individuals thus claimed and exercised the right of disposing, by their agents, of the lives, liberties, and property, of the millions of inhabitants who composed the subjects of this kingdom. Did not this seem in itself a usurpation? did it not seem a grievance which called loudly for a remedy? If he were required to submit to any arbitrary power that had interests contrary to that of the people; if oppression were to be permitted from any quarter, he would rather endure it from the crown than from individuals who could control the crown—who kept both the king and the people in bondage; who destroyed the constitution, and united in themselves all the powers and prerogatives which it ought to possess. We could not read the opinions of any of the authors who had spoken of our constitution without finding that their authority was in favor of a change of system, and that they declared against the present state of things. Mr Justice Blackstone, who, in his own time, was regarded as rather a courtly lawyer, and was accused of not being sufficiently alive to corruptions and abuses, but whose book now (so much had our opinions been altered within the last half century) might almost be considered as speaking jacobinism, had laid down principles which showed the necessity of a reform. He had said, that there were three powers in our mixed legislature, the king, lords, and commons; that these three powers ought to be kept distinct; and that the latter especially, as the guardian of the people's rights, ought not to be under the influence of the former; for, added he, if the other two branches influenced the house of commons, which emanated from the people, and constituted their natural protectors, there was an end of the constitution. So firmly convinced was the learned commentator that the people ought to be represented, and thus had a right to govern themselves by delegates elected by themselves, that he conceived the force of laws and the necessity of obedience resulted from this principle. "The lawfulness of punishing criminals (said

he) is founded on this principle, that the law by which they suffer was made by their own consent." Was it to be borne, then that instead of being governed by laws made by our own consent, instead of seeing a full and free representation, instead of seeing the majority of the people deputed those who were to legislate for them, the nation was to be ruled by a few borough-mongers? Would it be said that no representation of the people was intended, but that those men were to enjoy all the powers of the constitution in their own hands; that they were to be the real sovereigns of England, and dispose of our lives, liberty, and property, at their pleasure? Different writers, according to their taste, their education, or their peculiar bias, had pointed out the advantages, and supported the excellence of different species of government. The republican, the aristocratical, and the monarchical form of administration had all had their panegyrists; but no author that ever he heard of had ever praised an oligarchy. (*hear.*) In an aristocracy, the interests of the nobility and the people might frequently be the same; and, at any rate, the form of government did not imply an opposition between them. This might, therefore, be a good government in certain circumstances. The same might be said of absolute monarchy. The reigning prince might sometimes have the wisdom to see that his interest and that of his people were inseparably united; that he could enjoy power and resources only in proportion as he promoted their welfare; and that a higher reward could be reaped in their approbation of his exertions to promote their happiness, than in the gratification of that senseless caprice and inverted ambition that would lead him to destroy their liberties, and to squander their property. Democracies, with more plausibility, had been often the subject of encomium and recommendation. They had in the history of the world performed wonders.—All who heard him would remember with what enthusiasm, when young, they had read of the prodigies of valour and conduct for which the ancient republics had been distinguished: how celebrated they had become for the energy, the intellectual improvement, and scientific progress of their citizens. Indeed, no form of government had called forth more talent, more industry, more resources, and been distinguished by more remarkable deeds than the democratical. For energy, in particular, it transcended the rest, and had received the support and praise of many great men. But an oligarchy could boast of having performed nothing laudable; of having done nothing that could be approved; of having no panegyrist, (*hear, hear.*) Some oligarchies, however, were not so objectionable: they were merely aristocracies with a narrower basis, where the interests of the governors were not necessarily opposed to those of the people. The oligarchy of which he was speaking was, however, of a different character; it was an oligarchy of borough-mongers, whose interests were at variance with those of the rest of the nation; who corruptly usurped powers that did not belong to them, and trampled upon the rights of the people at their pleasure; in short, it was the most odious, the most degrading, and the most galling of all oligarchies. That 150 patrons of the representation should exist, that they should exist against all law, that they should exist against the resolutions of the house of commons itself, which resolutions were passed at the commencement of every session, and might be regarded as the law of parliament, or at least a declaration to the country, that such was the law, appeared monstrous and unaccountable. The law

to which he alluded on this subject was no new law, it was nearly as old as parliaments. The statute of Westminster I. prohibited any interference of great persons with elections, and expressly enacted that they should be free. It was written in old French, and said, that no great man should disturb the electors when in the exercise of their duties; that, "because elections ought to be free, the King commanded, upon great forfeiture, that no man, by force of arms, nor by malice or menacing, shall disturb any to make free election." This law was the foundation of the resolution passed at the beginning of every session, "that it is a high infringement of the liberties and privileges of the commons, for any lord of parliament, or any lord-lieutenant of any county, to concern themselves in the election of members of parliament." Who had now become of this law and this resolution? They were allowed to sleep; they were never acted upon; or rather they were perpetually broken, and had become a dead letter. A reform in the house of commons, so as to destroy this power of interfering, would be of more service than any law prohibiting it. The bill of rights had likewise declared, that elections should be free; but more would have been done towards securing that object by enacting, that there should be a more frequent and more universal exercise of the right of suffrage than by the long declaration of rights on which that bill was founded: one line to this effect would have been more efficient than all other laws and resolutions whatever. At the time of the revolution, the parliament, called the convention parliament, because it was disposed in some cases to go counter to the wishes of the government, was not suffered to remain so long assembled as to execute the great work of securing the freedom of the representation. It had declared *ex officio* information by the attorney-general to be contrary to the laws of England; and although there was a great spirit of freedom in the government of that time, yet, like all governments, it was averse to an abridgment of its assumed powers. *Ex-officio* informations were then declared to be illegal; and the history of this species of proceeding since, would be sufficient to excite our wonder at the change in our sentiments, and to call for a cautious jealousy over our remaining freedom. That proceeding, then denounced by parliament, was now declared to be law; and power was put into the hands of the attorney-general of imprisoning or holding to bail (which was equivalent to the power of imprisonment) any person whom he chose so to treat on his simple *ex-officio* information. What now became of the law for protecting the liberty of the subject; what became of that law which lord Coke called the bulwark of our freedom; our personal security? What signified all that was said about our presumed innocence and perfect impunity till our guilt was declared by a jury of our peers? All this was now mere rhapsody (*hear, hear.*) It had no existence, except in the imagination. The constitution which we were taught to praise so highly, and on which we were desired to rely so firmly, was found too fragile and insecure; and a set of borough-mongers elected a representation, which, instead of protecting our freedom, were disposed only to suspend our rights and liberties, [*hear, hear, hear.*] It was a maxim which he believed could not be disputed, that tyranny was generally greater under the forms of a free constitution, when perverted, than under an open undisguised exercise of despotic power; and that, at any rate, it was more difficult to be got quit of.



This was no new doctrine—it was no French principle, it had been declared by Machiavel, and supported by Montesquieu. This latter writer, who was not a beardless boy newly come from school, but a man who had devoted twenty years of his life to the study of governments, had given it as his opinion, that the liberties of England would perish like those of the ancient republics, when her parliament became corrupt. But corruption was supposed now to be harmless; it was even defended as a necessary part of the existing system, rather than denounced as tending to the ruin of the constitution. It had been argued by a right hon. gent. (Mr. Canning,) that government could not go on without it; but he [Sir F. B.] thought he should bring sufficient authorities to overbalance the opinion of that right honorable gentleman, when he stated that all our great men were against it; that there were no less than 150 laws on our statute book denouncing it. It would be pedantry to go into all the great authorities on this subject, but he might be forgiven for stating the opinion of Mr. Locke, that the corruption of the representation was the very worst of all evils, as it poisoned the source of all laws, and cut up our constitution by the roots. It would be strange indeed, as had been said by Plato, that corruption which was thought ruinous in every thing else should be thought good in government. In the time of Charles II. although the parliament which was suspected, justly, of corruption, had not been free from undue influence, they at least showed the necessity they conceived themselves under to affect purity, by taking an oath, protesting before God, that, “neither directly nor indirectly, they, or any of their friends,” for their use and with their knowledge, had received any sums of money from the king, or any other person by his majesty’s order, and that they had not given their vote in parliament for any reward or promise whatsoever. This corrupt parliament had a different opinion from the right honorable gentleman with regard to the necessity of being free and independent. It seemed indeed extraordinary that corruption could find its advocates: that the very word was so sufficient to deter from any open undisguised defence. Speaking of corruption, he could not help enlarging a little on the meaning of the phrase, and removing some prejudices and misconceptions which want of explanation had allowed to be entertained. It had a different meaning in the mouths of different persons, and as applied on different occasions. When used by a religious man in opposition to religious principles, it was called sin; in the conduct of those who transgressed the rules of honesty or virtue in private life, it got the name of immorality; and when applied to the conduct of public men in government matters, it was called political. Political corruption in this classification might be perfectly consistent with private morality. It might be defined that state in which individual interest was arrayed against public good, and private views influenced public conduct. When reform was spoken of, it had been said by some, that no reformation of the representation was necessary, but that the electors and the elected should reform themselves and that then corruption would cease. He remembered Mr. Wyndham, whom he always listened to with pleasure, had made the most ingenious defence of the present system that ever he had heard, which was founded on this maxim. He had, however, in the hon. baronet’s opinion, misapprehended the question. He had said, that if a vote was given for a job, the person who so bartered

his elective rights was the corrupt person, and not the minister who gave the place, or the member who accepted the seat. He inferred from this, that the corruption was among the people, and was greatest at the bottom. This was not the proper view of the matter; and the mistake arose from confounding political with private corruption, which were perfectly distinct in theory, and were often separated in practice. Taking the definition he had formerly given of corruption—namely, an opposition of private interest to public duty, and the natural bias which the former creates against the latter—a house of commons might be very virtuous as legislators, whose individual private conduct was most corrupt; and, on the other hand, a parliament might be corrupt which was entirely composed of saints. When he, therefore, spoke of the corruption of the members of the legislature, he meant no implied reflection on their private conduct; he believed that in the common intercourse of life they might be all upright in their principles, and honest in their transactions; but when their interests were opposed to their duty, in a parliamentary sense he could not but call the house corrupt. Nay, he would even go further, and say, that the more honorable the members were in their private capacity the more corrupt they might be in their public; as a member, from a private engagement which his honor might compel him scrupulously to observe, might be prevented from voting on a particular occasion according to his views of right, and be induced to surrender his seat, when, by keeping it and voting contrary to his patron, his services might be beneficial to the public. Though no member could be deprived of his seat when he had once obtained it, every one knew that a gentleman would be reckoned dishonorable who should not obey the instruction of his patron, or resign his seat at his desire. It had often been a question without the walls of parliament, and within, how far a representative was bound to obey the will or to act upon the views of his constituents. All disputes upon this subject would cease by a free election. We often heard of meetings of constituents to remonstrate against the conduct of their representatives; these, likewise, would cease, confidence would be restored between the house and the people; and the people would willingly submit to those laws which should proceed from themselves. Now that confidence did not exist, while the representation was in its present state, while the people had not the seats at their disposal, and the treasury had a market to settle such commodities. (*hear, hear.*) He brought no particular charges against ministers; they must act as they did, or otherwise they could not command their majorities; and without such majorities, the government itself, which emanated from the borough-mongers, could not be carried on. This was the avowed, acknowledged state of things; and that practice, at which the speaker said that our ancestors would have started with horror, was now openly and unblushingly defended. All parties had confessed its existence; and the noble lord opposite [Castlereagh,] who had been concerned in selling seats, was only more unfortunate than others, in having been detected, [*a laugh.*] He meant no personal attack on the noble lord; nor did he mean to say that he peculiarly ought to be impeached, as he had not been more criminal than others would be with the same opportunities. But the very public avowal of such a violation of the constitution was of itself a strong argument for putting an end to the present system which was plunging the country into ruin, and under which,

whatever success we might gain, whatever other advantages we might enjoy, liberty could not much longer exist, (*hear, hear.*) There was a time when such practices would not have been borne by the house: he well remembered that since he entered parliament they were not mentioned directly, but always in circumlocutions. When Mr. Pitt introduced his reform bill, he said there was a maiden coyness in the house about talking of the sale of seats: this maiden coyness, he was sorry to see, had now worn out. (*A laugh.*) The necessity of reform was apparent. He need not remind the house of the petitions which had been presented complaining of the grievance of the present system: they had been numerous, and pointed out different remedies. He did not think that the description of any specific plan was necessary: it was enough for him that the grievance was acknowledged, and that a remedy of some kind or other must be applied, which might be left to the wisdom of the house. He would not, therefore, trouble them with entering into any abstruse discussion, or offering any specific opinion. He had shown that the great evil was nomineeship to seats, and he hoped that it would be possible to induce the house to enter into enquiry. The gentlemen all over the country, who saw their property fast leaving them, who had been accustomed formerly to defend the liberties of their fellow-citizens, but the majority of whom unhappily now thought only of supporting government, and of giving it strength, while they should be adding to its honesty—who saw this once happy nation the seat of industry, and abounding in capital and credit, changed into a taxed, oppressed, overburdened and beggared people—would, he thought, now see sufficient reasons for inquiring into the cause of the evil, and applying the proper remedy. (*Hear, hear.*) It was said that our constitution was a glorious constitution. Yes, it was so in the books; it was so in the works of our political writers; it was so in Montesquieu; and in the descriptions which our old lawyers and statesmen had given of it: but, practically speaking, there was not more wretchedness, more tampering with liberty, or more corruption in any part of Europe, than prevailed under our boasted constitution. He hoped, therefore, that the gentlemen of England would see that it was not their interest to fortify this system, that there would be no check or control over government without a change in the representation, and that their property would soon leave them, unless there was an immediate change. When the members who might be returned after the reform should see, that every time they put their hand in the public purse they took something out of their own, that profligate and wasteful expenditure of the public money would of course cease. At present, the gentlemen of England saw that they must surrender their comforts, by the enjoyment of which they promoted that of the people—that they must renounce that hospitality by which they were enabled to gratify their own feelings, and to diffuse happiness around them—that they were driven from the seats of their ancestors, and obliged to hide themselves from the pursuit of their creditors and the tax-gatherers in a foreign land;—could there require any other arguments for reform? If they would take counsel from their wisdom and not from their fears, they would, instead of passing acts to oppress the people, step forward for their protection; and would see that the system of corruption was as destructive of their own interests as it was of that of their constituents. He hoped the people would not cease to demand their rights, and would compel

a reformation of the abuses complained of. The want of virtue in the representatives of the people was what the crown had as much a right to complain of as the people, as both were kept in thrall by the same oligarchy, and would both be relieved by the same remedy. If the people were always to be met with bills of severity when they presented their petitions; if when they were silent, they were supposed indifferent; and when they spoke out, their liberties were to be suspended, and all the bulwarks of their rights removed; how could we venture to boast of the glories of our constitution? He would not occupy their time with mentioning any more authorities, though great authorities might be quoted: he might cite lord Chatham, Mr. Pitt, and Mr. Fox, all of whom had supported the measure of reform. There was one person, however, for whose writings he should always entertain the greatest respect, and who, although he had taken alarm at the beginning of the French revolution, had deeply felt, and eloquently described, the necessity of rendering the house of commons a true representation of the people, as well as the evils which sprung from it, when it was not. What the opinions of that great writer might have been, had he lived to this day, he did not know; but these were his words, in the active part of his political life:—“Whatever alterations time and the necessary accommodation of business may have introduced, this character can never be sustained, unless the house of commons shall be made to bear some stamp of the actual disposition of the people at large. It would (among the public misfortunes) be an evil more natural and tolerable, that the house of commons should be infected with every epidemical phrenzy of the people, as this would indicate some consanguinity, some sympathy of nature with their constituents, than that they should, in all cases, be wholly untouched by the opinions and feelings of the people out of doors. By this want of sympathy they would cease to be a house of commons; for it is not the derivation of the power of that house from the people which makes it, in a distinct sense, their representative. For the king is the representative of the people; so are the lords; and so are the judges. For they are all trustees of the people, as well as the commons; because no power is given for the sole sake of the holder; and although government certainly is an institution of divine authority, yet its forms, and the persons who administer it, all originate from the people. A popular origin cannot, therefore, be the characteristic distinction of a popular representative, which belongs equally to all parts of government, and in all forms. The virtue, spirit, and essence of a house of commons consists in its being the express image of the feelings of the nation. It was not instituted to be a control upon the people, as of late has been taught, by a doctrine of the most pernicious tendency, but as a control for the people. Other institutions have been formed for the purpose of checking popular excesses; and they are, I apprehend, fully adequate to their object. If not, they ought to be made so. But the house of commons, as it was never intended for the support of peace and subordination, is miserably appointed for that service; having no stronger weapon than its mace, and no better officer than its sergeant at arms, which it can command of its own proper authority. A vigilant and jealous eye over executory and judicial magistracy; an anxious care of public money; an openness, approaching towards facility, to public complaint;—these seem to be the true characteristics of a house of commons. But an



addressing house of commons, and a petitioning nation; a house of commons full of confidence, when the nation is plunged in despair; in the utmost harmony with ministers, whom the people regard with the utmost abhorrence; who vote thanks when the public opinion calls upon them for impeachments; who are eager to grant, when the general voice demands reckoning and account; who, in all disputes between the people and administration, presume against the people: who punish their disorders, but refuse even to enquire into the provocations to them;—this is an unnatural, a monstrous state of things in this constitution." He wished the gentlemen of England would keep one fact in mind—that 150 borough proprietors had the property, the liberty, and the lives of this great nation at their disposal; that by their agents they constituted the executive or domineered over it, that they had become king, lords, and commons, and excluded every other power from the constitution. (*hear, hear*)—and he asked them if they would allow this state of things to continue? The Roman empire had been set up for sale by the corruption of its legislature; and the Athenians were so attentive to the purity of theirs, that it was declared high treason for anyone not a citizen to intrude into the legislative assembly. So long as such a house of commons as that which he described should continue in the country, neither foreign nor domestic dangers would create alarm. He wished to see no other house of commons than that which answered to the description by a great man of what a house of commons ought to be. He called Mr. Burk a great man, because it was an epithet due to his extraordinary abilities, and to those principles which he had so strenuously supported during the greater portion of his life, whatever had been his subsequent departure from them, or whatever had been its cause. Mr Burk had indeed gone farther, and declared it to be better that the house should partake of every epidemical phrenzy of the people, than that it should show a perpetual jealousy of their rights. It was not, however, a jealousy of which he now complained; it was an open hostility to popular rights, a want of all common feeling with the country at large, and a cheaply won character of magnanimity, in affecting to despise what was called the clamor of the people. This appeared to him, he confessed, to be hardly decent; but as he did not think it right to take upon himself to point out what particular course it might be most advisable to pursue, he could only entertain hopes, that the house would consent to an enquiry into the facts and allegations contained in the petitions. Most particularly he trusted, that the committee, if appointed, would direct its attention to the alleged nomination of members by peers; a nomination which could not be practised but in defiance of all law, decency, and reason. It was upon these views of the difference between the constitution as it now existed, and as it was settled at the revolution, that he invited the house to listen to his proposition. Our present practice had varied from the standard then established in many important points. It had been judged necessary at that period to enact, that every privy-counsellor should subscribe his name to a copy of the advice which he gave his sovereign. Another regulation had for its object the exclusion of persons holding offices under the crown from seats in parliament. Every thing, however, which had been interposed as a security against the encroachments of power had been either taken away, or had been suffered to become a dead letter. Nothing could furnish a

more decisive proof that the house of commons had lost its former connexion with the people; that they no longer regarded themselves as their stewards or servants, but as a master uniting in himself all the different springs and species of authority. Whatever might be thought of the wisdom or expediency of annual parliaments at present, it was not true that they were unknown to the history of the constitution: in the discussions on the triennial act, the contrary was maintained by the most eminent public characters of that day. With regard to the septennial act, indeed, he wished to say no more, than to allude to the opinion expressed of it by Dr. Johnson, who, he supposed, if living, would now be considered a jacobin. (*a laugh.*) Dr. Johnson, when reprobating as unconstitutional the measure by which 12 persons were raised, during the reign of queen Anne, at one time to the peerage, speaks of it as nothing equal or approaching to the contempt of all human right, and of all human means of asserting it, which was exemplified in passing the septennial act. But the pretence then was, the existence of a popish faction; another proof of the aversion which had so long prevailed to trust to the sense and wishes of the country. He believed that this pretence was now abandoned, but with very little alteration even in its name. The dread was no longer excited by jacobitical, but a jacobinical party. Believing, however, as he did, there was no danger to be apprehended except by the government continuing to do wrong, and still more to alienate instead of regaining the affections of the people, by restoring to them their undoubted rights, he should conclude by moving, "That a select committee be appointed to inquire into the present state of the representation of the country; and to report their observations to the house."

### Mercantile Law Case.

A decision has been recently made by the constitutional court of South Carolina, consisting of judges Bay, Nott, Colcock, Johnson, and Cheves, which must be interesting to the mercantile world, and as the report of the case is too long for insertion, we give a summary of it. The following is the state of the case.

*Charleston, 19th of May, 1817.*

*GEORGE DUNCAN vs. ISAAC COURSE.*

This case was tried before Mr. Justice Nott, at Georgetown, in November term, 1811. It was an action of assumpsit, in which the defendant gave in evidence, as payment of the sum demanded, a bill of exchange drawn by a Mr. Holmes, of Charleston, on a person in New York, payable to the defendant, and endorsed by him to the plaintiff. This bill had not been accepted, nor paid, of which the plaintiff had given due notice; but he had omitted to have it protested for non-acceptance.

Two questions were raised upon the trial—

1. "Whether a bill drawn by a person resident in Charleston, on a person resident in New-York, and payable there, is to be considered a foreign or an inland bill?"
2. "If it is to be considered a foreign bill, whether a protest for non-acceptance is indispensably necessary to give the indorsee recourse to the indorser."

The presiding judge, on the circuit, charged the jury, that such a bill was a foreign bill—and that a protest was indispensable; and a verdict was accordingly found for the defendant. On a motion to set aside that verdict, on the ground of misdirection in the judge, the court unanimously refused the motion, and confirmed the charge on both points.

On the first point, among other things, the court say—"However such bills may have been considered in other states, there has never been but one opinion on this subject, in this state. Indeed the principle was considered so well settled, that on the trial, until a different opinion was found important to the event of the cause, the council concurred that there could be *no doubt about it*. And it cannot be expected, that we should vary our practice, and change our opinions with the varying and conflicting opinions of other states.

On the second point, it is laid down, that—"The English law has been received in South Carolina in its full extent, and may be considered as constituting a part of the common law of the state"—and the practice is said to have been uniform on the necessity of a protest.

### Prisoners with the Indians.

FROM THE GEORGETOWN (KENTUCKY) PA. RIOT.

We have been furnished, for publication, with the following letters, received by Col. R. M. Johnson from the acting secretary of state, on the subject of the American citizens who were made prisoners in the late war, and were supposed to be held in captivity, by some of the Indian tribes in the neighborhood of Lake Huron. From the enquiries that appear to have been made upon the subject, we are induced to believe, that the representations made to our government were incorrect, and that but few, if any, of our citizens who were captives in the late war, remain with the Indians.

*Department of state, September 16, 1817.*

SIR—I have received a second letter, dated 12th of this month, from the British minister on the subject of American citizens who were made prisoners in the late war, and were said to be still held in captivity by some of the Indian tribes in the vicinity of Lake Huron. Of this letter I beg leave to enclose you a copy, together with the copy of one which was enclosed in it, from the governor general of Canada to Mr. Bagot.

I have the honor to be, with great respect, yours,  
&c. RICHARD RUSH,

*Acting secretary.*

Hon. R. M. JOHNSON.

*Washington City, September 12, 1816.*

SIR—in reference to my letter of the 15th of March last, I have the honor to enclose to you the copy of a letter which I have this day received from his excellency the governor general of Canada, acquainting me with the result of his enquiries upon the subject of the American citizens who were stated to be still held in captivity by some of the Indian tribes in the vicinity of Lake Huron.

It is very satisfactory to observe, by the enclosed letter, that every means have been taken by Sir John Sherbrooke, for the proper investigation of this affair, and that there is the fullest reason to believe that the representations made upon the subject, to the American government, were incorrect.

I have the honor to be, with the highest consideration, your most obedient humble servant,  
CHARLES BAGOT.

The hon. RICHARD RUSH.

*Castle of St. Louis, Quebec, August 24, 1817.*

SIR—Referring to my letter to your excellency, of the 19th of February last, I have now the honor to acquaint you, that, after the most assiduous and

minute enquiries among all the Indian nations, in the neighborhood of Lake Huron, as well as among all the other different Indian tribes throughout the Canadas, I have received the most positive assurances that there is not a single instance of an American citizen being held in captivity among them.

These enquiries have been made by our own officers and agents, upon whose diligence to discover such a fact, and on the correctness of whose information I can confidently rely. I am therefore satisfied, that upon your representation hereof, Mr. Monroe will be convinced both of the inaccuracy of the statement made to him on the subject, and of my desire to have discovered and redressed the grievance, had it existed.

I have the honor to remain, &c &c.

J. C. SHERBROOKE.

The right hon. C. BAGOT.

### Origin of Trials by Jury.

*From the charge of the chief justice of the province of Lower Canada to the grand jury of that district.*

In the administration of justice in criminal cases, our law has wisely provided for the accusation and trial of every culprit by his peers; and with a view to his protection against the possibility of oppression, has rendered the indictment of a grand jury, and the verdict of a petit jury, alike indispensably necessary to his condemnation.

The trial by jury in *civil* cases, is undoubtedly of great antiquity, of an origin so remote, that the earliest accounts of the northern nations of Europe, in which it appears to have been almost universally in practice, affords us proof of its existence.—But the previous accusation of suspected persons in criminal cases, by one jury of twelve or more of their fellow-subjects, and a subsequent trial thereupon, by a second jury of twelve others, is a course of proceedings which seems to have been adopted in England only, and to have arisen, with the great principles of her constitution, out of events and circumstances peculiar to herself.

In the Saxon government of England, we find the origin of grand jury: the counties were then divided into hundreds, which were again subdivided into decennaries; of the former each contained within its limits one hundred families; of the latter, each contained ten. It was required of every man that he should be enrolled in some decennary, and those who were not, were considered if not as offenders, at least in the light of suspected persons, and as such were committed to custody, until some decennary should receive them, and thereby become pledges for their good behavior; every member of the subdivisions being security to the crown for the conduct of the others, and bound that all and every of them should keep the king's peace should be in all respects of good behavior and should abide by the enquiries and awards of justice.

To ensure the effect of this obligation, the sheriff of each county, as the guardian of the public peace within its limits, perambulated his bailiwick twice in every year, and in each hundred held his court or torn: an appellation which in England is now perhaps obsolete, but which the annual tourne of the courts of law in this province renders still familiar and intelligible to us. Before this officer in every hundred were impanelled twelve men summoned from the several decennaries of which the hundred was composed, in such manner that one at least was returned by each of them. This inquest investigated the state of the hundred, in-



quired into the conduct of its members, and upon specific articles of charge referred to them by the sheriff, or by their own presentment, accused all who had been guilty of offences.

In consequence of the Norman conquest, the torn of the sheriff, so far as it related to criminal cases was superseded by the appointment of justices in Eyre, who made circuits through the whole kingdom, and held their court in each county, where they took cognizance of every crime committed within its precincts.

To this court in Eyre, the practice of the sheriff's jurisdiction was transferred, and the king's subjects were as before called upon to assist his judges, in the detection of offenders against his laws; but the jury which was *thus* summoned, in consequence of the courts being held, not merely for the hundred in which it met, but for the whole country, was very greatly augmented in number.—The bailiff or chief peace officer of each hundred was first sworn to choose four knights out of his hundred, and these took oath, that they would faithfully elect twelve other knights, or if knights could not be had, twelve "good and lawful free-men," not suspected of the death of any man, or of breaches of the peace, or other offences; and qualified to despatch the king's business; and by these means a jury was impanelled, composed of twelve jurors for every hundred in the county.

It is material to observe, that the finding of the jury, was not in the Saxon nor in the Norman period of English history conclusive against any who were accused by it. In the Saxon period, the person indicted was discharged in minor offences upon his own oath of his innocence, and the oaths of an indeterminate number of his friends and neighbors, who vouched for his credit, and swore to their belief that he had spoken the truth.—In major offences, by a successful appeal to the judgment of Heaven, by the ordeal of fire or water. In the Norman period, the ordeal was succeeded by the trial by battle, which though equally uncertain and equally impious, was more consonant to the martial spirit of the age; and the Saxon purgation by the oaths of an uncertain number, was succeeded by the canonical purgation, as then practised in the ecclesiastical courts, by which the oaths of twelve persons, *at least*, selected by the accused and sworn to their belief of his innocence, were required for his exculpation.

The trial by battle declined as the influence of the clergy increased, while the canonical purgation fell rapidly into disrepute and disuse, from the vast complication of perjury and subornation of perjury to which it gave rise, and to these modes of trial (if they deserve that name) succeeded in the courts in Eyre another course of proceedings, which as it is evidently the origin of our present practice, and has been accurately preserved to us, deserves a more particular attention.

The commissions from which the justices derived their authority being first openly read and the jurors being elected, as the twelve of each hundred appeared. The first juror took an oath in the following words: "Hear this ye justices, that I will speak the truth of that which you shall command me on the part of our lord the king, nor will I *for any thing* omit so to do, according to my ability, so help me God, and these holy gospels." The remaining eleven were then sworn each in the following words: "The oath which he (John) here hath taken, I will keep on my part, so help me God, and these holy gospels." The justices then read to them the charge and articles of inquiry, as in the

Saxon times: enlarging upon the benefits which followed from keeping the peace and good order, noticing the violations of the laws which had been committed within the county, and requiring the whole assembly to give every assistance in their power for the discovery of all offences and offenders. The jury was then informed, that if they knew of any suspected persons, they were bound instantly to cause them to be apprehended, if they could be found, if not, to convey their names to the justices in a schedule privately: that they might not escape but be secured. The jury then proceeded to enquire into all the matters contained in the charge and articles of inquiry, and presented all whom they judged to be offenders upon their own knowledge or upon evidence. The accused was then put to plead, and if he denied the charge after hearing him and his witnesses, it was recommitted to the jury, who were desired by the justices to reconsider their accusation, and upon a review of the subject and of all that was connected with it, to say by a free declaration, or verdict, whether in fact he was guilty, or not guilty, and according to their verdict, he was acquitted or condemned.

The danger of submitting to the same persons, the power of accusing and the power of deciding upon the validity of their own accusation, being soon particularly illustrated, suggested not only the expediency but the necessity of a second distinct and independent jury, and from hence, (to the exclusion of all the preceding modes of trial) arose the petty jury or jury of trial in criminal cases.—In contradistinction to the grand jury or jury of accusation, the title of the petit or smaller jury, which in imitation of the canonical purgation to which it succeeded, was composed of twelve persons and the title of the grand or greater jury, which though afterwards reduced to twenty-three, was then a very numerous body, being derived from the superiority of the one, and the inferiority of the other, in point of numbers.

In this brief summary, we can trace the principles of the duty of grand jurors at this day in many respects.

## Cruise of the Essex.

FROM THE SALEM GAZETTE OF OCT. 17.

It is interesting to trace the steps of our fellow-men, of whatever rank or character, through extraordinary adventures, perils or sufferings. Capt. Page, who was lately, in the ship *Indus*, of this port, at Nooahevah in the south sea, the scene of Capt. Porter's warfare with the Typees, has related to us the following distressing account:—That at that place five of Capt. Porter's men stole a boat, and deserted, probably intending to harbor about among by-places till the departure of the American expedition should enable them to return and take up their abode for a time with the natives.—But whatever might be their plan, it was soon overthrown by an act of Providence. They proceeded first to a small island or cluster of bare rocks, called the Hergest rocks, their heads just peeping above water, and which produced no edible substance for man or beast: this, however, they concluded to make their resting place for the night, and accordingly anchored, and went ashore to sleep; but before morning a wind arose, which dashed their boat to pieces against the rocks, leaving them no means of return.

Here then they were obliged to remain, and endeavour to live as it were upon nothing: one of them, after a while, attempted to swim towards

Nooahvah, but was soon devoured by the sharks; the others successively perished: but the fifth (whose name was Thompson) made out to subsist there, chiefly upon the flesh and blood of such birds as he could kill, lighting upon the rocks, and upon the dripping water caught in the skull of one of his deceased comrades, which he used as a vessel for that purpose, for about eighteen months, when he was discovered by a passing vessel, by which he was taken off, and carried to Nooahvah, a picture of famine and despair. Here he remained till his health and strength were repaired, when, about a year since, he shipped on board the brig *Russel*, Capt. Almy, of New-Bedford, for Canton, but which has not been heard of since her departure from Nooahvah, and is considered lost, and all her crew unfortunately to have perished.

Another of Capt. Porter's men, by the name of Ayres, was relieved by Capt. Page, in his late voyage. He was one of those who jumped overboard and swam ashore, to avoid being taken prisoner at the capture of the frigate *Essex*. Thence it will be recollected, Capt. Hillyar, refused to receive as prisoners and send home in the cartel with those taken in the ship. Ayres therefore remained at Valparaiso, and when the Royalists became masters of the place, was taken up and confined in the castle, where he continued a prisoner till March, 1816, when Capt. Page, being at that place through compassion received him on board, and brought him home. Ayres was a young man, belonging to Philadelphia, where he had served his time at the hating business: he was a private of marines with Captain Porter, and this extensive cruise was the first of his ever being at sea.

### General La Fayette.

It cannot be uninteresting to any American to hear of the felicity enjoyed by La Fayette in the shades of retirement. Amongst all the interesting scenes presented to us by the lively pen of lady MORGAN (formerly Miss Owenson) in her account of a late visit to France, none has more attraction for us than the following notice of the distinguished friend of liberty and of America. [*Nat. Int.*]

FROM LADY MORGAN'S "FRANCE."

General La Fayette has not appeared in Paris, since the return of the Bourbon dynasty to France. And I should have left that country, without having seen one of its greatest ornaments, had not a flattering invitation from the Chateau La Grange enabled me to gratify a wish, long and devoutly cherished, of knowing, or at least of beholding, its illustrious master. Introduced by proxy to the family of La Fayette, by the young and amiable princess Charlotte de B\*\*\*, we undertook our journey, to La Grange with the same pleasure as the pilgrim his first unwearied steps to the shrine of sainted excellence.

In the midst of a fertile and luxuriant wilderness, rising above prolific orchards and antiquated woods, appeared the five towers of La Grange Blessneau, tinged with the golden rays of the setting sun. Through the boles of the trees appeared the pretty village of Aubepierre, once, perhaps, the dependency of the castle, and clustering near the protection of its walls. A remoter view of the village of D'Hieres, with its gleaming river and romantic valley, was caught and lost, alternately, in the serpentine mazes of the rugged road; which, accommodated to the grouping of the trees, wound amidst branches laden with ripening fruit, till its rudeness suddenly subsided in the velvet lawn that

immediately surrounded the castle. The deep moat, the draw-bridge, the ivied tower and arched portals, opening into the square court, had a feudal and picturesque character; and combined with the reserved tints and fine repose of evening, associated with that exultation of feeling which belonged to the moment preceding a first interview with those, on whom the mind has long dwelt with admiration or interest.

We found general La Fayette surrounded by his patriarchal family;—his excellent son and daughter in law, his two daughters (the sharers of his dungeon in Olmutz) and their husbands; eleven grand children, and a venerable grand uncle, the exgrand prior of Malta, with hair as white as snow, and his cross and his order worn, as proudly as when he had issued forth at the head of his pious troops, against the "pagan foe," or Christian enemy. Such was the group that received us in the saloon of La Grange; such was the close knit circle that made our breakfast and our dinner party; accompanied us in our delightful rambles through the grounds and woods of La Grange, and constantly presented the most perfect unity of family interests, habits, taste, and affections.

We naturally expect to find strong traces of time in the form of those, with whose name and deeds we have been long acquainted; of those who had obtained the suffrages of the world, almost before we had entered it. But, on the person of La Fayette, time has left no impression; not a wrinkle furrows the ample brow; and his unbent and noble figure is still as upright, bold, and vigorous, as the mind that informs it. Grace, strength, and dignity still distinguish the fine person of this extraordinary man; who, though more than forty years before the world, engaged in scenes of strange and eventful conflict, does not yet appear to have reached his climacteric. Busting and active in his farm, graceful and elegant in his saloon, it is difficult to trace, in one of the most successful agriculturists, and one of the most perfect fine gentlemen that France has produced, a warrior and a legislator. The patriot, however, is always discernible.

In the full possession of every faculty and talent he ever possessed, the memory of M. La Fayette has all the tenacity of unworn youthful recollection; and, besides these, high views of all that is most elevated in the mind's conception. His conversation is brilliantly enriched with anecdotes of all that is celebrated, in character and event, for the last fifty years. He still talks with unwearied delight of his short visit to England, to his friend Mr. Fox, and dwelt on the *witchery* of the late Duchess of Devonshire, with almost boyish enthusiasm. He speaks and writes English with the same elegance he does his native tongue. He has made himself master of all that is best worth knowing, in English literature and philosophy. I observed that his library contained many of our most eminent authors upon all subjects. His elegant, and well chosen, collection of books, occupies the highest apartments in one of the towers of the chateau; and, like the study of Montaigne, hangs over the farm yard of the philosophical agriculturist. "It frequently happens," said M. La Fayette, as we were looking out of the window at some flocks which were moving beneath, "it frequently happens that my merinos, and my hay carts, dispute my attention with your Hume, or our own Voltaire."

He spoke with great pleasure on the visit paid him at La Grange some years ago, by Mr. Fox and General Fitzpatrick. He took me out, the morning after my arrival, to show me a tower, richly



covered with ivy. "It was Fox," he said, "who planted that ivy! I have taught my grand-children to venerate it."

The chateau La Grange does not, however, want other points of interest.—Founded by Louis Le Gros, and occupied by the princes of Lorraine, the mark of a cannon ball is still visible in one of its towers, which penetrated the masonry, when attacked by Marechal Turenne. Here, in the plain, but spacious, *salon-amanger*, the peasantry of the neighbourhood, and the domestics of the castle, assemble every Sunday evening in winter, to dance to the violin of the *concierge*, and are regaled with cakes, and *eau sucrée*. The General is usually, and his family are *always*, present, at these rustic balls. The young people occasionally dance among the tenantry, and set the examples of new steps, freshly imported by their Paris dancing master.

In the summer this patriarchal re-union takes place in the park, where a space is cleared for the purpose, shaded by the lofty trees which encircle it. A thousand times, in contemplating La Fayette, in the midst of his charming family, the last years of the life of the Chancellor de l'Hopital recurred to me,—he, whom the *naïve* Brantome likens to Cato; and who, loving liberty as he hated faction, retired from a court unworthy of his virtues, to his little domain of Vignay, which he cultivated himself, &c. &c.

## Foreign Articles.

ENGLAND, &c.

The British affect great surprize that the United States, in a time of profound peace, are exerting themselves to build a few ships of war; and some of them, very tenderly, seem disposed to think that the cause ought to be enquired into. It is a fact, that Great Britain is now giving her numerous ships a complete overhaul, and is building many new vessels. What would these folks say, if *we*, in return, should modestly demand why she is doing so? "It is a bad rule that will not work both ways."

A most extraordinary depression has taken place in the value of exchequer bills and India bonds, the former having fallen from 84s. to 21s. *prm.* and the latter from 126s. to 75s. *prm.*

*Greenwich Hospital.*—The Hospital and Chest, notwithstanding the immense claims made upon them, have been able to accumulate in the funds no less than £3,760,000 3 per cents.

Since 1814, a system of registry of seamen has been adopted, and of the 32,000 out-pensioners now on the books, not less than from 12 to 15,000 are capable of active service afloat, and a further number might be found useful for shore or harbor service. The committee recommend government to pay a minute practical attention to the operation of this part of the system.

The *Tarstock canal*, forming a communication with the Temar, and which was commenced 14 years ago having cost £70,000, was opened on the 26th Aug. A numerous company of between 3 and 400 persons, in boats constructed of sheet iron, proceeded through the tunnel a distance of a mile and three quarters under ground, beneath a canopy of solid rock, to a depth of 450 feet from the summit of the hill, accompanied in their dark passages by songs and music. The duke of Bedford has very liberally contributed to this service.

*Liverpool, Sept. 16.*—Am. flour 45 to 46s. per *bbi.*

FRANCE.

The *Moniteur* contains a royal ordinance, dated the 25th of August. The object of it is to autho-

rise the establishment of majorats for the hereditary peerage. A majorat is a hereditary fief. No person is in future to be called to the house of peers, ecclesiastics excepted, who has not previously obtained the king's authority to form a majorat. There are to be three classes of majorats, viz. those attached to the title of duke, consisting of property producing not less than 30,000 francs annually; those of the title of marquis and count, producing not less than 20,000 francs; and those attached to the title of viscounts and barons, producing not less than 10,000 francs. Thus the king, by his own personal command, without the concurrence of either chamber, makes regulations of the greatest importance.

A letter from Paris to the editor of the *Columbian*, says—The newspaper called the *Constitutionnel*, edited by a society of gentlemen of the highest literary acquirements, and perhaps the best edited daily paper in the world, was suppressed on the 16th ultimo, because (as is reported) in giving an account of the pictures exposed in the gallery of the Louvre, and speaking of those of *Isabeau*, it was said, "We have observed among the most beautiful designs, the picture of a child, bearing in his hands a very large bouquet of roses. The association of these beautiful products of spring with the graces of infancy, excites the idea of hope in the mind. In the midst of the bouquet, the artist has placed some beautiful violets, which has given to the whole a most cheerful effect. These flowers are known in Germany by the name of *wergiss mein nicht*—do not forget me."

[The violet, with the motto "do not forget me," is supposed to be the rallying point of the Bonapartists—and government seems to tremble at the mention of any thing that belongs to him.]

Gen. Debèle, whose sentence of death was commuted to 10 years imprisonment, has received a free pardon.

SPAIN.

The new system of taxation in Spain very properly affects the revenues of what is called "*the church*," and the monks have begun to preach against it—some of them have been arrested for interfering with the temporal authority. So far Ferdinand is right, and we wish him success.

NETHERLANDS.

Lord Wellington had been nonsuited in his prosecution of the Ghent Journal, and adjudged to pay the cost. It is said the duke had appealed from this decision.

GERMANY.

*Breslau, August 23.*—In consequence of a riot which took place on account of the arrest of some citizens, whom it was attempted to set at liberty, and respecting which the particular details are not known, the government issued a proclamation, as follows:

1. Every house-keeper must keep his door shut, nor suffer any of the inmates to go out without urgent necessity; and also to keep the windows shut.
2. Parents, teachers, masters, &c. take care that all persons under their care remain at home.
3. All public houses of every description to remain shut, and the sale of strong liquors not allowed on any pretext.
4. No more than three persons may stand together in the streets, nor may single individuals stand still there. Whoever transgresses this order will be driven away by force of arms, and no regard paid to his life.
5. Every large collection of people will be dispersed by the unreserved employment of artillery.

The military will, for this purpose, use their full power.—Every one has to observe this, and to ascribe to himself alone the inevitable consequences of his disobedience.

## RUSSIA.

We hear that gen. baron Zuyl is to be succeed Mr. Daschkoff, as minister to the United States from the court of Russia.

A princess of Prussia who was to be married to a brother of the emperor, was received with great pomp at St. Petersburg—she was escorted into the city by 40,000 soldiers. But the marriage could not take place until the lady *changed her religion—and she fainted twice in going through the ceremony of renouncing her former faith.* Thus every thing bends to "legitimacy."

The emperor has lately increased the pay of his soldiers, and is very attentive to his army. He is also building a number of 74's and frigates.

Russia is negotiating a loan in Germany.

## SWEDEN.

Two of the Swedish literati, Dr. Bugellen and professor Irah, have been sentenced to imprisonment, one for life, for having drank the health of Gustavus Vth, as king of Sweden.—The Gustavus alluded to is the son of Gustavus-Adolphus who abdicated the throne in 1809—he is the nephew of the empress of Russia, and now educating under her care, and about 18 years old. The present king of Sweden is about 70 years of age, and when he dies it is probable the Bernadotte, the "crown prince" will be dismissed to make room for the young Gustavus.

## HUNGARY.

A baker's boy nineteen years of age, convicted in Hungary of having seven times committed the crime of arson, has been condemned by the Tribunal of the county of Eissinburg to be burned alive!

## ST. HELENA.

A letter from St. Helena, published in a London paper, says—"Madame Bertrand continues the same gay creature as ever. She was brought to bed a few days ago. Bonaparte paid her a lying-in-visit.—She took her child in her arms, and presented it to the ex-emperor, saying, "Sire, I have the pleasure of shewing you a great curiosity—in a word, an unique—the first stranger that ever was allowed to approach your majesty in this island, without permission from the governor, or an order from the secretary of state." Bonaparte was quite pleased at the bon mot, and laughed heartily.

## BRAZIL.

A Paris paper says—A private letter from Bahia, dated 10th June, says, that Martinez had been repeatedly interrogated. On one of those occasions, the president asked him what induced him to assume the title of "prince of liberty?" Martinez replied, "I exacted nothing from the people. They wish to be free, and they will be so. I was not guilty of the absurdity which you commit, in uniting the word "liberty" to that of "prince." "If my pretended friends at Rio and Bahia had kept their word as I kept mine, you—gentlemen commissioners—would have played before me the part which you are now making me play. You seek for my accomplices. Examine yourselves—look among yourselves—and perhaps many of my judges will quit the bench to place themselves at the bar."—This speech has been variously interpreted; but the fate of Martinez, and of his four comrades is certain, and they expect it.

## SPANISH AMERICA.

There is a report that gen. Mina had intercepted two couriers on their way from Mexico to La Ve-

ra Cruz, and it was said he had obtained possession of one of the mines.

The failure of the attack by gen. Morillo on Margareta, has already been mentioned. It appears that he was completely defeated: the patriots led him into an ambush, killed 600 and wounded many more of his men, in a very short space of time, and threw his forces into such confusion that many were drowned in regaining their vessels—others fled to the mountains, where they perished. The victors were employed three days in securing the ammunition and stores abandoned by the royalists. "*Perish the invaders!*"

While in Margareta, the infernal Morillo destroyed *everything* that came within his power—he murdered 14 of the inhabitants, who offered submission, with his own hand, and caused 400 women and children to be thrown into the sea. The villain yet lives—but heaven is just.

*St George's, Grenada, August 9.*—In the course of yesterday and this morning, the greater part of a Spanish royalist squadron, consisting in all of 17 sail, arrived here from the Gronoke commanded by brigadier de Torres, in the corvette Mercia.—It appears that the Royalists have been compelled to evacuate Augustura, and four vessels of their squadron are said to have been captured by the Independents.

*Kingston, Jam. Sept. 9.*—We are authorised to state that his majesty's sloop Tyrian will sail on Wednesday morning next the 17th inst. and will afford *protection* to whatever merchant vessels, laden with *British manufactured goods*, and bound to Carthagena and Santa Martha, which may be in readiness to take advantage thereof.

## FLORIDA.

We have nothing important from Amelia Island—where there now appears to be a respectable force, well organized. The design seems manifest that those who hold it mean to keep it merely as a place of deposit.

## CHRONICLE.

The PRESIDENT has returned to the seat of government from a short visit to his estate in Virginia.

Major Gen. Scott has gone to West Point, where a strict scrutiny will be made into the conduct of the officers of that institution.

Flour at Baltimore, Oct. 21—\$3.25, in "county bank paper"—about 85 "Baltimore money." Whiskey, 66 to 68 cents.

A vessel belonging to Bristol, R. I. has been brought in by the revenue cutter, on the ground of having increased her armament after leaving the port.

*Emigration.*—The British ship Mary Ann, has arrived at Boston in 50 days from London, with two hundred and four passengers. The Mary Ann was bound to St. John, (N. B.) but the passengers not wishing to go there, rose upon the crew, and brought the vessel into Boston.

*The Seminole Indians.*—It does not appear that these indians have yet complied with the requisition of gen. Gaines, respecting certain murderers harbored amongst them. One of the chiefs in answer to the general, is reported to have said, that he expected an *English* agent, who would settle the affair, by driving the Americans back.—Gen. G. has, however, adopted measures to punish them if they do not behave peaceably, and also to restrain any persons from committing unauthorized depredations upon them.



*An Importing Company*, with a capital of three millions, is about to be established in Baltimore. Its object is to afford a seasonable, regular and full supply of goods from all parts of the world, for the country trade, on the most liberal terms. The character of the gentlemen who have embarked in this grand undertaking, gives us the most favorable prospects of its complete success—to the advantage of the stockholders, and in securing for the city of Baltimore its rightful share of the trade of the interior. Its business will be conducted by men of high minds and extended views.

*Naval*—It is reported that captain Morris leaves the Congress frigate, and is to take command of the *Java*, now lying at Boston; and that the sloops *Lynx* and *Prometheus*, in this harbor, will soon proceed to the gulph of Mexico.

The U. S. brig *Saranac* has detained a schooner bearing the Mexican flag, in consequence of her commission not appearing genuine.

*Rarities*.—A woman was lately executed for the murder of an infant child, at Hudson, N. Y.—it is remarked that the gallows erected for her was the first that had ever been seen at or near that city.

A man committed a robbery on the road, in Vermont, and is noted as the first footpad in the state.

*Pennsylvania election*.—The returns received give a majority of about 6000 to Mr. Findlay, whose election is certain. His whole majority may rise from 10 to 12,000. When the returns are complete we shall give the votes of the several counties.

*Missouri election*.—The following is the official return of the votes taken at the late election for a delegate to congress for the territory of Missouri—

Counties.	Scott.	Easton.
St. Louis	607	312
St. Charles,	173	407
Washington,	254	123
St. Genevieve,	469	158
Cape Girardeau,	365	242
New Madrid,	141	72
Howard,	138	170
Lawrence,	211	185
Arkansas,	48	345
	2406	2014

*Gen. Jackson*. A report has been circulated that the hero of New Orleans had been killed in duel. We are happy to believe there was no foundation for it.

It was erroneously stated that Mr. *Brackenridge* had left the United States in the sloop of war *Onizaria*. He is now at Washington city. The National Intelligencer intimates that that vessel is bound for a cruise "on the American coast of the Pacific ocean."

The governor of New-York has recommended Thursday, the 13th day of November next, to be observed by the inhabitants of that state as a day of thanksgiving and prayer to the Almighty God for his manifold blessings and gracious dispensations.

*Cotton*.—Frauds in the packing of cotton are still spoken of. Why do not the legislatures of the southern states adopt some measure to preserve the character of their great staple?

Sales of cotton at Charleston, Oct. 15—Sea island 45, Santee, &c. 40 a 41, short staple 29 a 30; middling 26 a 27.

From the *National Intelligencer*.—At a general court martial, convened at Erie, Pa. on the 11th day of September, 1817, and by adjournment until the 16th day of the same month, of which Robert T. Spence, esq. a captain in the United States navy, was president, and Ralph Marlin, esq. judge ad-

vocate, Daniel S. Dexter, esq. a master commandant in the navy of the United States and the commanding naval officer of the station at Erie, was tried upon charges, and specifications of the same, preferred against him by lieutenant John A. Wish, of the United States navy.

#### SENTENCE OF THE COURT.

The court, after maturely deliberating on the testimony in support of the charges and specifications of charges, preferred against Daniel S. Dexter, master commandant, United States navy, by lieutenant Wish, unanimously acquit him, in a full and honorable manner, it not appearing to said court that any censure should attach to his conduct as commanding officer. ROBT. T. SPENCE, president.

Ralph Marlin, judge advocate.

The preceding sentence of the general court martial has been approved, and master commandant Daniel S. Dexter ordered to reassume the command of the station at Erie.

*INDIAN TREATY*.—We understand that a treaty was signed at the foot of the Rapids of the Miami of Lake Erie, on the 29th ult. by gov. Cass and gen. McArthur, commissioners appointed by the president of the United States, and the chiefs of the Wyandot, Delaware, Shawanoes, Seneca, Otto-way, Chippewa and Potowatamy tribes of Indians; by which these tribes have ceded to the United States all the lands which they claimed within the limits of the state of Ohio.

It is understood that the Indians now residing on the ceded lands will not remove from them, but will remain and be subject, consequently, to the laws of the state of Ohio, and those of the United States. They have reserved to themselves within the ceded territory a number of separate tracts of land, amounting altogether to about three hundred thousand acres, which is to be held by them in fee-simple, under a patent from the president of the United States, and subject to be alienated with his approbation, but to be exempted from taxation, so long as it remains Indian property.

This treaty, whether considered in its fiscal, political, or moral effects, may be considered as one of the most important which has ever been entered into with our red brethren. The quantity of land acquired is between seven and eight millions of acres, equal in quality and situation to any other tract of land, of similar extent, in the United States, and which will, from the facility afforded to emigrants from the New-England states, and that of New-York, by means of the lake navigation, be settled with an unexampled rapidity, and will bind together and strengthen the whole extent of our north-west frontier, in such a manner as to make the acquisition, in a military point of view, invaluable.

The treaty lately concluded with the Cherokees, and that now alluded to, forms the commencement of a system by which the white and red population of our country will be amalgamated by a gradual but sure process; the foundation of which was laid by Mr. Jefferson, when he introduced his system for the promotion of civilization among the Indians; a system that has diffused among them a knowledge of the value of property, created a corresponding desire to appropriate it specifically, and impressed them with the necessity of adequate laws for its protection.

These treaties were entered into under instructions, issued through the department of war, and will evince to the citizens of the western states that their essential interests are understood and attended to by the government. [Nat. Int.

# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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*Colonization of the free blacks.* A very friendly and polite writer, who "has agreed with me most cordially in sentiment upon every general subject that I have touched with my pen, since he has been a reader of the Register," except my remarks on the "colonization-scheme," has addressed a long and ingenious letter to me through the *Delaware Watchman*, in support of that plan. I have not yet had leisure to read this letter with the respectful attention that is due to it. The subject is one of the greatest interest; and the writer may rest assured, though a difference of opinion may exist between us as to the means, that there is none in our objects: and if by this essay, or any thing else that I see or hear, I shall be convicted of error, and stand convinced that the colonization plan is competent to relieve us of the pressure of an evil every day becoming more and more extensive, I will not only freely acknowledge it, but sincerely thank its author as a benefactor of the human race.

## National Education.

RESPECTFULLY ADDRESSED TO THOMAS JEFFERSON AND JAMES MADISON, PAST PRESIDENTS OF THE UNITED STATES.

It is not a common occasion, venerable fathers of the republic, that could induce me to prefix your names to a public address. In my estimation, there is something in it that may make me liable to be considered indiscreet, if not impertinent, by some who will not take the trouble to ascertain whether I am influenced by an honest intention, or not. I am unwilling to be suspected of either of these, towards you—and yet when I regard the vast importance (in my opinion) of the matter that I have to propose, and feel the weakness of my powers to press it upon you as I think it deserves, I am truly humbled. There is no affectation in this—several gentlemen in the United States can produce evidence in my own hand-writing, that I have long entreated them to undertake that which I am now about to do—they have unanimously, and in very flattering terms, approved of the project, while they referred it back to myself, calling upon me to lay it before you and my countrymen, for consideration. Thus situated, the only alternative is to abandon one of the fondest wishes of my heart, or to attempt to excite an interest in favor of it.

There are very few men that live for themselves, or belong to themselves, only. Some isolated individuals, like specks in the great ocean, are so barren of ought that is good, as to exempt them from this general remark: but we belong to our families—to neighborhoods—to counties—to states—to nations, and to the world, according to our different abilities to serve the human race. Hardly any man's cha-

acter or talents are entirely his own—they are the property of the circle within which he moves: and every one may be respectively called upon to exert them for the common benefit of his sphere.

Impressed with these sentiments, I am about to invite you to lend to the people of the United States, (to whom it belongs) the weight of your talents and character to influence the education of their children—to teach them, not only the reverence due to their Creator in the days of their youth, and the necessity of a due observance of the moral law, but to impress upon their tender minds an unextinguishable love of country and a profound respect for its republican institutions; so that, as they come to maturity, they may proudly feel that they are MEN;—and acknowledge no superior but God and the law.

"Delightful task to rear the tender thought,  
"And teach the young idea how to shoot."

I have exerted myself a little, according to the ability afforded, and I trust not without some profit, to build up a NATIONAL CHARACTER—but "the work is great and the laborers are few." I am much encouraged, however, by the belief that a proud monument is erecting in the hearts of my countrymen, sacred to freedom; pledged to perpetuate the principles of the revolution, and to preserve inviolate those of our invaluable system of government. In this glorious edifice, I would entomb party distinctions, whenever the republic should be assailed. "A difference of opinion is not always a difference of principle," as to the choice of men and measures; but I sincerely deprecate the unsafe state of things which must inevitably grow out of a too easy yielding up of our wills to the wills of others. A manly and intelligent opposition is the life of liberty—without it, the most active and generous form of government will sink into a dangerous calm, the precursor of unprincipled faction, or finished despotism: but there is a point at which opposition ought to cease, and "all, at the call of the law, should rally round the standard of the law, and unite in common efforts for the common good." But how is this point—this most important, most essential point, to be discovered, in the bustle of party and phrenzy of faction? I can see no other way than through an appeal to the hearts and consciences of men—and as these are much moulded by EDUCATION, "for as the twig is bent the tree's inclined," how interesting is it that that education should be properly conducted!—that its elementary principles should lead to a love and inspire a pride of



country! Like a rock, planted by the Eternal in the great deep, it will resist the buffetings of nations, or bear the eagle-banner to the mountains' tops, if the valleys and plains should bow to an oppressor. But *you*, gentlemen, require none of *my* arguments to convince you of these things.

Our *nation* is young—we are but just separated from a country whose rule of action and habits of thinking are much the reverse of what our's *should* be. We have not yet had time, perhaps, to ascertain all that is needful to us in our *national capacity*; and it is hard to break through old rules, however erroneous they may appear to the *few* that trouble themselves with investigating their operation. We are too generally disposed to do a thing which our fathers did before us, *because they did it*; shrinking from the labor of examining for ourselves.—Hence it is peculiarly the duty of the *few*, when they observe that the ancient tract (though originally good) from time or circumstance, ought no longer to be followed, not only to expose its errors or imperfections, but also to direct the many to a new one that may be travelled safely.

Much has been accomplished by the general devotion of the people—by a wise administration of their public affairs, and by the courage and skill of the army and navy of the United States, to exalt the character of our country and countrymen: but the pride which these have justly excited is not yet fully *rooted*: the warm feelings of patriotism that burst forth from such causes will be deadened as Time lays his hand upon them, unless we seize *him* by the forelock while we impart them to our children. And this, in my opinion, can be the most certainly done through our *common schools*—in the very A. B. C. of manhood. I solicit you to penetrate these, by giving to us two or three elementary *books*, fitted to lead our children to moral and political truth and virtue.

Without condemning *en masse* the books generally used in our schools, it may safely be said, that for the false principles of men and things which so much abound in the United States, we are more indebted to the use of books carelessly put into the hands of our youth, than to any thing else. Many of them are expressly calculated to inspire a belief in the "divine right of kings," and the train of silly notions that are pendant on this grand absurdity. These books, if not always of foreign product, very generally possess foreign feelings—for he must fear the lash of criticism that dares to diverge from the line laid down by our British masters in literature, who rule as absolute in this department as they once did in the political. We seek a new revolution, not less important, perhaps, in its consequences than that of 1776—a revolution in letters; a shaking off of the fetters of the mind: and, like the political dismemberment from England, it

requires the wisest heads and ablest hands in the republic. To effect it, it seems to me most needful that we should begin with the establishment of first principles; which, as the Declaration of Independence, shall be the base of all the rest—the *common reference* in cases of doubt and difficulty.

The compilation of these books, from the abundant materials that may so easily be obtained, with your mature judgment and nice discrimination, would not much interfere with the repose that you have so richly earned;—and, stamped with the authority of either of your names, would *instantly* supersede most others used in our schools. So great would be the confidence of parents in these works, that they would, unreservedly, direct them to be put into the hands of their offspring, "*the hope of posterity*;" assured, that while their literary education was accomplishing, they would also learn their duty to themselves and their country, as men and citizens. The books that I would wish to see written or compiled, are, plainly, a *spelling-book* and a *reading-book*.

If I could suppose there was any thing in this request derogatory to the dignity of your characters, I entreat you to believe that I am one of the last men in the United States that would prefer it. On the contrary, and after the best reflection I could give to the subject, I have firmly believed, that such performances by you would have a mighty effect to hand down your names to future ages, as rivals for the fame of *Socrates* and *Plato*; and give a finish to your reputation as philosophical *statesmen*. It is the glory, the imperishable glory, of the greatest men of antiquity, that they were instructors of youth; that they taught, even as it were in the market place, those doctrines which have given them to immortality. We ask not this labor of you, venerable fathers—we only ask from you the introduction of a *line of principles* by which our children shall be taught. All men will agree that you are competent—most competent, to this; and when the weight of your character is superadded to the excellency of your talents and the power of your acquirements, the *tout ensemble* of the effect will be irresistible. How can it be a falling off from the dignity of the author of the Declaration of Independence, that he was also the author of a plan to perpetuate its inestimable principles?—or that he, under whose administration his country rose into a blaze of glory, in the shades of retirement devoted a part of his leisure to keep the flame alive?—that one who had been twice elected chief magistrate of the republic by the deliberate ballot of its citizens, and who passed into the ranks of private life, after two periods of service, with his own free will, felt himself inclined to lend his support to those rules of action under which his country had prospered, and he himself received the highest honors that it was in the

power of his countrymen to bestow? This applies to either of you, and the request is made jointly, or severally, that you would undertake the things proposed.

One more remark, and I have done. This address is made *publicly*, because in my private character I would not have presumed to hope to induce a compliance with the request that is made. But, perhaps, I may have struck a string that is in unison with the feelings of the people: if such is my good fortune, success is almost certain—for, it is my opinion, that neither of you will resist the general wish of your fellow-citizens, in a case like this.

With the most sincere desires, that the evening of your days may be as happy as the dawn and meridian of your lives have been beneficial to your country, I am, your very respectful and grateful friend,

*The Editor of the Weekly Register.*

### "The Red Book."

FROM THE LONDON STAR.

"The American Journalists, like our own, are crying up the necessity of economy. To prove their position, they are publishing the whole contents of the Republican Red Book. The president has 25,000 and the vice president 5000 a year—*Pounds?* No, *Dollars!*—The salaries of the officers in the state department are 17,096 dollars—in the treasury 16,010, &c. &c.—They appear therefore to have great cause of complaint; for in one way and another the grand total of the salaries of the officers and clerks employed, at Washington, absolutely amounts to 351,887 per annum—almost 99,000 *pounds sterling!*—This is almost as much as it costs England to keep BONAPARTE at St. Helena."

The "*Red Book*," alluded to, so far as I have seen copies of it, and I have seen several, is a *green book*, or a *blue book*, if my eyes have not deceived me as to the color of the leather in which it was bound. The British register of officers and agents has descriptively received the name of the "*red book*," because it is always done up in red leather: but in respect to such a register for the United States, we are so reluctant to use any thing that is not *imported*—so little zealous to have any thing characteristic of us as a separate and independent people, so little inclined to risk the displeasure of our "*British masters*" in all that relates to *books*, that our editors have unceremoniously, and even *undirected*, declared that *green* was *red*. Hence the error of the British editor, alluding to certain things that he had seen in our newspapers. *What a pity it is that we cannot have any thing of our own.*

In the contrast presented there is much to gratify American feeling—and, although the whole amount of monies paid to the president of the United States, and all the high officers of government with all their assistants and clerks, for transacting the business of the nation, is not equal to what it costs England to

imprison Napoleon Bonaparte at St. Helena, and falls short of what the people of that country pay to *Charlotte Gulph* and her Dutch husband for their services in endeavoring to increase a breed of men so long noted for *probity, wisdom* and *valor*—still we are not without some reasons for pointed censure and severe reproof. *One family*, it is stated, without any peculiar merits, has managed to monopolize *several* offices and situations, chiefly at Washington, whose united product is 20,000 dollars, per annum; one man holds two offices or appointments, *each* producing about 5000\$ a year; and there are other odious and disgusting pluralities, with liberal salaries to each.—I am inclined to believe that these things were not adverted to by government until after the "*Register*," the *blue book*, was published, and it has been intimated to me, that the procedure will be corrected. Indeed, the *e* is something in it so repugnant to the equality that prevails, as, we think, ought to dismiss any administration that will indulge in it, after being made sensible that the fact exists. The *Register* is directed to be published biennially, and the people will thereby discover how their money is appropriated. I have heretofore expressed my opinion that the salaries of our officers and agents were generally too low—but that opinion does not apply to the case of any of the persons now alluded to.

### Economical Societies.

We have been much interested with an account of the "*Brighton Cattle show*," and by the proceedings of the "*Berkshire Agricultural Society*," both in Mass. The details are too long, and have not, perhaps, enough of general interest, for insertion—but some notices of them may encourage the establishment of similar associations in other places, and the effect must be salutary.

At the BRIGHTON CATTLE SHEW, many fine animals were exhibited for premiums. Among them a pair of oxen, expected to weigh 3000 lb. each—some other very large and fat oxen—fine bulls and cows, hogs and sheep; all shewing the *improvement* that may be made in the breed of these animals by a proper attention. A few foreign animals were also exhibited—among them a very excellent cow.

After these, there was a *ploughing match*, in which there was an interesting trial of expedition and skill; and some of the ploughs were much approved.

The premiums were then awarded for *manufactures*—woolen and cotton cloths, coverlids, shawls, stockings, carpeting, native silks, &c. of very superior qualities, were exhibited. Among them, some cotton goods from the Waltham factory,—at which there are 60 looms in operation by water, and where 151,947 yards of cloth were wove in the last 20 preceding weeks: and a perfect pair of women's shoes, made of the skin of goat, who was killed between 12 and 1 o'clock in the night between the 13th and 14th ult. and whose hide was perfectly manufactured and converted into the shoes exhibited at half past 2 o'clock, P. M. of the same day.

Then followed the premiums for some interesting



agricultural experiments—one was given for 752 bushels of carrots raised on an acre of ground—another for 720 bushels of turnips on an acre; a third for 402 bushels of potatoes on an acre, and a fourth for 36 1-16 bushels of wheat to the acre, threshed out, cleaned and measured.

The business of the day concluded by bestowing premiums for improved implements of husbandry—among them were threshing machines, ploughs and cutting machines.

THE BERKSHIRE SOCIETY has long been known to the public, and the great benefits that have resulted in the neighboring country from it are manifested in its rapid improvement. It has excited a most happy competition among the farmers and manufacturers, and the time of its meeting is the "*Farmer's holiday*." A spirit of industry, and of rivalry, has penetrated every branch of the farmer's family; and his wife and daughters labor with a pleasing and profitable enthusiasm, to obtain a silver cup or set of spoons, the most general premiums of this society. Its meetings are held with much dignity and considerable ceremony, and numerous attended by both sexes—being opened by prayer, after which an appropriate address is delivered, and some pieces of fine music performed. Upwards of forty premiums were awarded at the late meeting, and one *honorary diploma* was granted—for various products of agriculture, the best domestic animals, and sundry manufactures: in the latter, the ladies carried off nine of the prizes—one of them received a cream-pot, valued at 20 dollars, for having manufactured, in her family, woolen, cotton and other cloths of the value of 250 dollars, since the last anniversary of the society.

We most heartily wish success to these institutions—may every county, in every state of the union, have a centre point from whence *emulation*, the great principle that leads to improvement, shall flow, to add to the prosperity and secure the independence of the republic!

### Commodores Porter and Hillyar.

The editor of the "*Enquirer*" has republished our remarks on a presumed discrepancy in the opinions of com. Porter respecting com. Hillyar, who, with the *Phæbe* and *Cherub*, captured our little frigate the *Essex*, at Valparaiso, and with it the following remarks from his correspondent, who first agitated the matter. We regret that it was agitated—for it has provoked some remarks in explanation, which, though generally just, might as well not have been made, at present: And here, we hope, that the affair may be permitted to rest.

TO THE EDITOR OF THE ENQUIRER.

Sir—I perceive by the last number of the *Weekly Register*, that the editor has republished the communication made by me to the *Enquirer*, relative to commodores PORTER and HILLYAR, together with commodore Porter's explanation extracted from the *National Intelligencer*, accompanied by some strictures from Mr. Niles himself. This latter gentleman with an ingenuity peculiar to himself, and an ardor for which his useful and patriotic labors have been distinguished, attempts to reconcile the apparently conflicting declarations of the commodore, by adopting an alternative which I think, upon cool reflection, his mature and impartial judgment would disavow. Nay, I am sure that the chivalrous and high minded Porter himself would not be willing to adopt the consequences, in their full extent, to which his explanation might

lead. But let me be more distinct in stating the proposition and inference, which I understand to be admitted by him.—Commodore Hillyar has been guilty of a base violation of every principle of honor and generosity, and moreover wantonly and treacherously inbrued his hands in blood—but com. Hillyar is among the most honorable of British naval officers. Now, what is the syllogistic conclusion, but that even the very best of British naval officers are base, treacherous and cruel? I am aware that much is due to the consideration that com. Porter was marked out as the peculiar object of British indignation and outrage—a distinction which I agree with the *Weekly Register* was honorable to him—and had this sweeping anathema been hurled at his adversaries before the termination of the war when the remembrance of his wrongs was fresh, it might readily have been placed to the account of a noble and exasperated spirit.—But I hope the commodore will pardon me, if at this late period, when the passions kindled in the late war have in a degree subsided and men have leisure to survey past events with an unprejudiced eye, I cannot agree with him to involve in indiscriminate censure and reprobation—a particular class of men, commencing with the really generous and humane and passing through every shade and gradation of guilt to the vile and dishonorable.—Nay, I doubt very much whether such a course of undistinguishing vituperation, does not weaken the effort to fix upon the *really guilty*, the stain of merited infamy.—In justification therefore of the unwillingness which I felt to place that construction upon the commodore's note, which he has himself avowed, permit me to furnish you with a few examples among many others, going to shew that *some British naval officers at least* are not only free from the odium which attaches to the greater number, but are actually entitled to our respect and admiration for their gallant, humane and honorable conduct. For this purpose I will confine myself to a single volume of the *Weekly Register*, not having leisure to examine the rest.—And first, let us advert to a correspondence between commodore Porter himself and captain T. M. P. Langhorne, commander of the British sloop of war *Alert*, after the capture of that vessel. (*W. R.* vol. 3, p. 42)—The commodore having a number of prisoners, proposed to his adversary, that the *Alert* should be fitted out as a cartel to convey them to some British port, but that himself should be detained as a hostage for the fulfilment of the terms of the cartel. Captain Langhorne remonstrates against what he calls "an indirect suspicion against the faith of the British government," and Porter finally agreed that he should have liberty to proceed with the prisoners, stating, that he had sufficiently evinced in two former instances "that he entertained the highest confidence in the honor and faith of the British government, as respects the fulfilment of contracts entered into by their officers."—Now, I do not contend that commodore Porter might not with propriety have used this language at this time—being early in the war and before he could have had sufficient experience of the enemy's conduct: but this arrangement with captain Langhorne, proves, that he had confidence, in the honor of that officer—and upon that confidence gave him his liberty; and we have never understood that captain L. did not punctually comply with his engagements.

Again—neither the *Weekly Register* nor com. Porter have surely forgotten, that Decatur, after the capture of the *Macedonian*, refused the sword but took the hand of captain Carden, in token of

his private esteem for that officer;—and that in one of Bainbridge's letters after the destruction of the Java, (see page 411.) that amiable officer said—"The Java was exceedingly well fought and bravely defended—Poor Lambert, whose death I sincerely regret, was a distinguished gallant officer and a worthy man."—Once more.—Who has forgotten, the humane, generous and excellent Byron, and his treatment to the gallant capt. Southcomb, and his two wounded tars? His eulogy is recorded by Stewart; and the editor of the Weekly Register declared that his manly behavior would have been required a thousand fold, should the fortune of war have thrown him into our hands, (page 413.)—But it is useless to multiply examples, where a solitary case would be sufficient. "*Fiat justitia*" is an invaluable maxim, and is well interpreted in the trite saying, "*Give the Devil his due*."...Let me close, by distinctly disclaiming any wish to charge upon com. Porter inconsistency, after the explanations given by him—I am convinced his intentions were pure, however ambiguous his manner of expression, or unjust the consequences which might be inferred from it. His name is already brilliant in history; and Britain herself will long remember the defeat which she sustained in the very moment of her triumph over him.

H.

## Manufactures of Iron.

MEMORIAL TO CONGRESS.

The annexed petition (says the New York Gazette of the 24th ult.) was received from a committee of Merchants of Philadelphia, and published in the Evening Post of Tuesday, with a notice that it would be left at the Tontine Coffee House yesterday, for the signatures of our citizens; but, in consequence of a publication that appeared in the Post of Wednesday, signed "P. S. I. Old Sober," the petition will be withheld for a few days, to give those persons, who may be called on for their signatures, an opportunity of judging of the propriety of signing it.

*To the honorable Senate and House of Representatives of the United States of America, in Congress assembled.*

The memorial of the subscribers, citizens of the United States, respectively represents—

That your memorialists believe it to be a truth, confirmed by reason and experience, that a nation can be independent, only in the proportion that she possesses and makes use of the means of producing those things within herself which are essential to the subsistence of her people, and the protection of the state. That most of the governments of Europe, convinced of the truth of the above proposition, have afforded to the active industry of their citizens such aid against foreign competition as circumstances appeared to require; and the consequences have been that those countries have increased in trade and manufactures—in wealth and independence. If in those older countries of Europe the protection of the government was found necessary to secure the artist and the manufacturer against foreign competition, it is reasonable to suppose, that, in this young and rising nation, such protection must be peculiarly necessary. In Europe arts and manufactures have been long progressing, and have attained to a degree of perfection, which, connected with cheapness of labor, and the excellence of their machinery, must enable them to undersell our own productions in our own market, and thus break down our rising manufactories, unless the arm of our government is extend-

ed for their relief. It is with no little satisfaction that your memorialists have perceived their government has felt the force of these important truths, and has taken some measures for the protection of our infant manufactures.

It is, however, with much regret, that your memorialists have perceived, that the interest of the manufacturers of iron has not received that degree of attention and support which its vast importance in a national point of view would seem to suggest.

Need we go into detail to prove its importance? The ship builder and the agriculturist—the manufacturers of wool and cotton—in short, every art, trade, and manufacture, would be paralyzed, and the national defence compromised and endangered, were a supply of that essential article wanting. We know that it may be answered that we can be supplied by foreigners. But, we would ask, is it either safe or honorable, to depend upon others for the supply of an article absolutely necessary to our independence, our prosperity, and happiness? A supply too which will be sure to cease at the very moment it is most needed. Your memorialists believe that the manufacturers of iron are at present in a very depressed state, owing to the great influx of foreign iron, and the reduced price at which it is sold. They believe, that unless timely aid is afforded, this important branch of our national industry must sink into total ruin. And they believe, that the loss of a large proportion of the immense capital employed therein must inevitably follow, with the diversion of the remainder to other objects, and the consequent dispersion of the numerous workmen employed in the business, will be a national calamity which will be severely felt—more especially if the nation should unhappily be engaged in a foreign war.

The great length of time which it would require to re-establish those expensive works, and to bring them to the state of perfection they are now in, and to form and initiate new workmen, forms, in the opinion of your memorialists, a very strong reason for preventing their destruction.

Many of your memorialists being engaged as artists in the use of iron have no hesitation in stating, that the superior quality of the American iron, and the facility of procuring it of suitable sizes for particular purposes, renders it an article of primary importance in their business, and that the want of a sufficient supply of American iron would be an injury of the most serious nature.

Your memorialists respectfully request, that your honorable bodies will take the premises into your serious consideration, and that you will lay such a duty upon the importation of pig iron, castings, and bar iron, as will afford a reasonable protection to manufactures, and such as will comport with the true interests of the United States. And your petitioners as in duty bound will ever pray.

## American Manufactures.

FROM THE UNITED STATES GAZETTE.

Notwithstanding the great sacrifices that have been, and are still suffered on the sales of imported manufactures, we observe a powerful effort making to maintain the permanent competition already founded in the United States in various articles of indispensable consumption. Societies for the promotion of domestic manufactures are organized in many of our towns and in almost all our capital cities—They are actively engaged in preparing to submit to the consideration of the next congress



their claim upon the national protection. At the same time individuals are striving to effect this permanency of competition by the invention and adoption of labor-saving machinery, and an improvement of their several fabrics. By the experience of the late contest with Great Britain we were taught our necessary wants of foreign manufactures. By this lesson many persons stimulated by a desire somewhat connected with patriotic views of national independence, have retired from mercantile pursuits, and applied their ingenuity and pecuniary means to mechanical arts—amongst this class of our worthy citizens there are some who have already conferred a benefit on the nation, inasmuch as they have unfolded to us a portion of our mineral wealth, and have extended the knowledge of our domestic resources.

We have in our possession, several pieces of earthenware, made at the factory of Mr. David G. Seixas near this city—if we had not obtained proof of its domestic origin we should not have hesitated to believe it from its general appearance, to be of transatlantic production. In this belief we should have been chiefly guided by the knowledge that many attempts have proved unsuccessful, to imitate the Liverpool white crockery. We should have been biased by the popular opinions that the United States could not furnish suitable materials. Or if the materials could be had that we were ignorant of the art of compounding them. But the result of the research and exertions of Mr. Seixas, the proprietor of the pottery alluded to, at once sets aside the erroneous prejudice of these opinions. We are informed from an authentic source, and it gives us satisfaction to promulgate, that every material which he makes use of is derived from our own soil, and exists in such abundance that they may be said to be inexhaustible—and furthermore, that no foreigner has ever had any concern, or superintendence or employ in his manufactory.

As this is the only white ware pottery in the United States we have obtained permission to lay before the public some particulars relating to the materials, and manipulation.

The principal of the materials are clay and flint. The former is of a grayish blue colour, and contains pyrites or sulphur and iron chemically combined, the presence of which impairs the colour of the ware. They are separated by an economical and expeditious process, an art not practised or known in the European potteries. The clay is copiously diffused in water and passed through fine law sieves to detach the larger particles of sand, &c.

The flint is of a grayish black colour. It is exposed to a strong heat, and is suddenly plunged into cold water. By frequent repetition of calcination and refrigeration, whiteness and friability ensue. It is then ground to powder finer than superfine flour, so perfectly impalpable that it will remain many hours suspended in water, it is then subjected to a purification to extract the small portion of oxide of iron it usually contains.

It is then mixed by measure with the purified liquid clay—both of a fixed specific gravity, and the mixture poured into vats, the solids in time subside—the water is run off—the residuum further exposed to the solar heat, until the remaining water has evaporated to suit it for forming into the required vessels.—This is performed on wheels on horizontal and vertical movements—handles and spouts, &c. are subsequently affixed—the vessels are perfectly dried, and placed in cylindrical pots, these are placed in columns in an oven or kiln, and exposed to a heat of 80° degrees of Wedgwood's

Pyrometer. When the kiln is cold the ware withdrawn, and each piece separately immersed in the intended glaze. This is prepared principally of oxide of lead and powdered flint—and all colours are imparted to it by the addition of metallic oxides—of zinc for straw yellow, of cobalt for blue, of iron for red, of chromate for green (this is prepared from the Baltimore chromate of iron) the component parts of the glaze are diffused in a sufficiency of water to render the whole of the consistency of cream—the ware in being dipped therein absorbs a portion, leaving the solid parts on its surface.

A second firing in another kiln under a heat of about 10 degrees, Wedgwood—causes the glaze to pass into a state of perfect vitrification. The ornamental painting is performed with variously coloured glasses, ground to an impalpable powder and mixed with essential oils—these are melted on the ware in an enamel kiln, by a heat at which the glaze softens.

Thus is the hitherto opinion that we must remain dependent on Europeans for white crockery, because of the supposed deficiency of suitable materials and talent to imitate theirs, proved erroneous, by the present application of native materials wrought by the enterprise and industry of a native citizen.

## Steam Navigation.

The daily increasing importance of steam navigation, and the mighty consequences that are dependent upon it, renders its safety a common concern of the civilized world.

Several incidents that have lately occurred in the United States shews us the possibility of constructing boilers that "cannot be exploded by the elastic power of steam, to any dangerous degree;" and we are happy in presenting the following to our readers, in proof of this most interesting proposition, of Mr. *Oliver Evans*.

FROM THE AUTHOR.

Explosion or (more properly) yielding of the boiler in the steam boat on the Delaware.

This occurred on the 16th inst. October, in passing from Bordentown to Philadelphia. The engineer discovered it at Bristol, twenty miles from the city, and it was with difficulty that he kept the boat in motion. The passengers however did not discover it at all, but only observed that the boat had lost its speed. It proved that a sheet had been brittle and cracked in the binding in constructing the boiler, and that being the *weakest part*, had opened a small aperture by the equal pressure of the steam, so as to let out the power; the water or steam, extinguishing or checking in some degree the fire, reducing the power of the engine and speed of the boat. This is one of the many instances confirming the declarations of the inventor heretofore published, viz. "That he has discovered the form and mode of constructing his boilers, that they cannot be exploded to any dangerous degree by the elastic power of steam; but can only be made to yield to the irresistible and equal pressure, a small aperture in the *weakest part*, from which the stream of water issuing will not scald at the distance of three or four feet. It being a most curious fact, demonstrable and ascertained by actual experiment, and demonstrated by the officers of the mint of the United States, viz. That the greater pressure and hotter the water in the boiler, the less will be its heat, at the distance of two or three feet issuing from an aperture of half

an inch diameter; because the elastic power of the heat confined in the water explodes and dispenses the steam, the instant it issues, to a mist so thin that mixing with the air the heat is reduced below a scalding degree, at two or three feet distance.] But when it issues inside the furnace, it checks and extinguishes the fire, stopping all danger." The boiler was repaired the next day, and the boat has resumed her daily tocks. This happened with the boat Etna with a high pressure steam engine, and it tends to prove it to be the safest steam boat on the waters, and that its boiler cannot be exploded

**Export of Cotton, &c.**

For the following exhibit of the exports of cotton from Savannah, from 1st October, 1816, to 30th September, 1817, to Great Britain, France, Holland, other ports in Europe, and coastwise, we are indebted to a circular letter from the house of Johnson and Hills, of that city.

Great Britain—Sea Island, 9191; Upland, 54,333  
 France—Sea Island, 447; Upland 9161. Holland—Sea Island, 53; Upland 2757. Other ports in Europe—Sea Island 44; Upland, 4585. Coastwise—Sea Island and Upland, 53,861. Total Sea Island, 6731; Upland 106,997. Grand total, 116,728 bales.

Very little Upland cotton, of crop of 1816, remains in the country. It is difficult to ascertain with any precision what will be the extent of the present crop, but from the best information we can obtain would estimate the Uplands grown in this state at 100,000 bls.

And there may be received at Augusta from S. Carolina	10,000
	110,000

The crop of sea islands will be very short and cannot exceed 6,000

There may remain over of last crop 500

The quantity sent here for sale from South Carolina depends much on the prices at Savannah and Charleston, supposing it as high at the latter as the former place, we may receive only 1,500

8,000

Rice—There was shipped of the last crop 16,435 trs.

We estimate the present crop at 20,000

Tobacco—Shipments for the year ending 30th Sept. 4,224 hhd.

The present crop will probably amount to 6,000

**EXPORTS**

From South Carolina, Georgia, and Louisiana, from the 1st of October 1816, to the 1st of October 1817.

	Sea-Island cotton.	Upland do.	Rice.	Tobacco.	Sugar.
Charleston	15,523	87,414	50,406	3,545	none
Savannah	9,731	106,726	15,792	4,316	none
N. Orleans		67,200		18,000	18,000

Total 25,254 261,340 66,198 25,855 18,000

**Indian Lands.**

**FROM THE CHILlicothe SUPPORTER**

In our last paper we mentioned that a treaty had been held with the Indians, by which their claims to certain lands within this state had been extinguished;—we can now state some of the particulars relating to this purchase. The treaty concluded by gen. D. McArthur of this vicinity and governor Cass of the Michigan territory, allows the Wyandots an

annuity of 4000 dollars—Shawanoes 2000 dollars—and Senecas 500 dollars; together with the sum of 3,300 dollars for fifteen years. To be divided between the Pottowatomies, Chippewas and Ottawas.

The following estimate, though probably not entirely correct, will afford some idea of the extent of the tract of country purchased.

The whole tract, including the Indian reservations, and the unceded land west of St. Mary's river, contains by a rough calculation— acres, 3,852,129

Within this tract the Indian reservations are,	
12 miles square at Upper Sandusky,	acres, 92,160
10 miles square at Wappakonata	64,000
7 miles square at Lewistown,	31,360
5 miles square at Hog creek,	16,000
7 miles square at Fort Seneca.	31,360
The tract west of St. Mary's (supposed) about 300 square miles	192,000
	435,880

And there remains, to which the Indian title is extinguished, 3,435,540

To this may be added the tract within this state lying north of the river Miami of the Lakes, and east of a meridian drawn north from Fort Defiance, ceded by the treaty of Detroit in 1807, say 840,800

Making, of unoccupied lands in the state of Ohio, to which the Indian title has been extinguished, an aggregate of acres 4,276,340

**Law Intelligence.**

**FROM THE SOUTHERN PATRIOT.**

The following case arising out of the late navigation act of the United States, has been decided by Judge DRAYTON, in the court of admiralty.

*The United States of America,*  
 vs.  
*Brig Mary, and 35 hogsheads of rum, 2 barrels of oranges, and 4 barrels of limes.*

This case arose out of the late navigation act of the United States; and libels were filed by the district attorney, against the vessel and cargo, as having arrived in the port of Charleston, on the 5th of October, 1817, from Jamaica, in the West Indies, the said brig not being then a vessel of the United States, nor a foreign vessel truly and wholly belonging to the citizens or subjects of any country, of which the said goods are the growth, production or manufacture; or, from which, such goods can only be, or most usually are, first shipped for transportation; and which had not then adopted a regulation similar to the regulation mentioned in the first section of the act of congress of the said United States approved the 1st March 1817, and entitled "An act Concerning the Navigation of the United States," contrary to the true intent and meaning, and against the form of the statute in such case made and provided. By reason whereof, the said brig or vessel, her tackle, apparel and furniture, and the said goods, wares and merchandize, have become forfeited, &c.

Parker, district attorney, suggested to the court that since the libels had been filed, it was ascertained the Mary was a British vessel, and the cargo was the produce of a British island or colony in the West Indies:—That the term *country*, used in the first section of the act, embracing every part of the British territories, however widely separated, which are subject to the same supreme executive, and ic-



gislative authority; therefore, the act being complied with, no forfeiture had accrued. Whence, he moved the court, to dismiss the libels; and to certify a probable cause of seizure.

*John Drayton, district judge.*—This is the first case, which has occurred before me, under the late navigation act of the United States.\* The British brig Mary and cargo have been seized by the collector; and they are severally libelled in this court, on the supposition, that the said navigation act had been infringed. Doubts had arisen, as to the construction of the term *country*, used in the first section of the said act. "Of which the goods are the growth, production, or manufacture; or, from which such goods, wares, or merchandize, can only be, or most usually are, first shipped for transportation." It was supposed, this vessel coming from the British West Indies, must be also owned in the British West Indies; and that the law might have required her to have been owned, at the very British island, from whence the cargo had been shipped. Upon a fair construction, however, of the late navigation act, and of the convention done at London in 1815 † between the United States of America and his Britannic majesty, for regulating the commerce between the territories of the United States and of his Britannic majesty, I am of opinion, the term *country* would most appropriately be considered, as alluding to all the territories of his Britannic majesty, as relating to shipping; So that the ships and vessels of one portion of his Britannic majesty's dominions or territories, may carry the goods of the growth, production, or manufacture of another portion of his said majesty's dominions or territories. Hence, British vessels bringing British cargoes, of the growth, production, or manufacture, of the British islands or colonies in the West Indies, into the ports of the United States, are within the meaning and intention of the navigation act of the United States. To decide otherwise, would be construing a state paper, and an act springing out of it, by a rule that would lead to endless embarrassments between the two nations, in their commercial relations; and might tend to frustrate the very ends, for which both the commercial convention, and the navigation act of the United States, have been framed.

It is true, that by the latter part of the second article of the said convention, each party remains in the complete possession of his rights, as respects any intercourse with his Britannic majesty's possessions in the West Indies, and on the continent of North America. And until those rights be farther legislated upon by the congress of the United States, there can be no forfeiture under the present act of navigation of a British vessel, importing a British cargo, of the growth, production, or manufacture of a British island in the West Indies. In passing the late navigation act, congress determined how far they would then proceed, in acting upon their rights, as to the commercial intercourse of the United States with the British West Indies;—and although that body has the power of enforcing our national rights, and of increasing the restrictions in the premises; yet, as they have not done so, the act can only prevail, so far, as its provisions have contained.

It is not, however, to be inferred, that because such restrictions have not been enacted in the navigation act, the British trade from the British West India islands, is upon the same footing or re-

ciprocacy, which it is from the British European territories, with the United States; for, by the revenue laws of the United States, 10 per cent. is required on the amount of goods imported from the British West Indies, together with alien tonnage duties of \$2 per ton, and of 50 cents light money, more than is required from British vessels coming from British European ports; and the goods so imported are under the restriction of not being allowed to be re-shipped for drawback.

As then, the brig Mary has entered this port of the United States, under the provisions of the late navigation act; and as both the vessel and cargo are British property, and the latter is the growth, produce, and manufacture of Jamaica, a British island in the West Indies, there is no cause for further arrestation: Although there has been a probable and reasonable cause of seizure.

It is therefore ordered, that both vessel and cargo be restored, on payment of costs.

October 13.

### Mr. O'Connor's Narrative.

FROM THE LIVERPOOL MERCURY.

From a desire to make the people of England acquainted with Ireland, of which they know worse than nothing, receiving, as they do, all their accounts through the medium of a description of persons in the constant habit of calumniating that people; and from a wish to give the people of England the means of forming a judgment between the government of Ireland (during the residence there of lords Camden and Cornwallis) and me; it cannot, especially at this moment, be thought obtrusive in me to lay before a just but prejudiced public, a faithful narrative of those facts which took place in my particular case, commencing on the 27th of December, 1796, and ending on the 8th of May, 1803; a space of nearly seven years; during the whole of which time a continued fire of persecution was kept up at me.

Connorville, the former place of my residence, is situated about 14 miles from Bantry bay, where a French fleet made its appearance on the 23d of December, 1796. To oppose a landing of the troops on board this fleet, about 5000 of the Irish militia had advanced, and occupied the villages about me. For the manner in which my tenants, my friends and myself, treated these men, I refer to the panegyrics in the house of parliament in England and Ireland, at the time. We cheered them in their distress; we administered to their wants, of which they had no ordinary share. On the 27th of December, about nine o'clock at night, such a hideous night my remembrance cannot parallel, I was informed, that my porters' lodges were full of soldiers, in quest of quarters. I went to them. They were in a sad plight. I found them to be two companies of the Wexford militia, with seven or eight officers. Day or night, rough or smooth, my countrymen were welcome to me. I had then a large house, well stored. I was in the midst of plenty; full of happiness; I brought all the men to my house. My mind has no register of the time they remained with me, nor what I did for them. My tenants were very good to those with them. My friends (that was the whole country, far and wide) opened their doors to the native army; let them want for nothing; and even when the terror of invasion had subsided, my tenants and myself presented the poor fellows with the billet-money to which we were entitled, to buy them shoes and stockings. I did my utmost to make the situation of the officers as comfortable as possible; and this I will say, that

\*Laws of United States, vol. 13, page 213.

†Laws of United States, vol. 13, page 157.

‡Laws of United States, vol. 13, page 159.

I received from all more thanks than were due, and experienced their gratitude far exceeding the obligation. I learned afterwards, that these officers (strangers heretofore to me) had been directed by some agitators to my house, in the expectation of my not admitting them, which was the opinion also of all the officers in that army. I dare say, such of them as live at this day will acknowledge, that they received a more hearty welcome at Connorville, than at the house of the most "loyal" man in Ireland; that is, the man that has the largest pension, or most lucrative sinecure, or post, in the kingdom.—Whilst this division of the army was in their cantonments, in my neighborhood, when the men lost their muskets, bayonets, and ammunition, which frequently happened, they came to me; I had the things restored to them. The soldiers became attached to me. Long, indeed always before these events, I had been an object of great jealousy and hatred; I had ever been in the habit of committing a crying sin in Ireland. I had borne myself so to all the people, that they were greatly attached to me. I had appointed arbitrators in every parish, throughout an immense district, who decided all controversies; the occupation of the pettyfogging lawyer was nearly gone; I curbed the vice of drunkenness; I prevented riots; I did all the good I could. It will not, therefore, surprise any person, in the least conversant with the character or complexion of the ruling factions in Ireland, that I was an abomination to them; and when to these vices, in their eyes, the thanks of the poor soldiers were superadded, my crimes were not to be endured, and I became an object of suspicion and distrust.

In this state of things (the French force having long left the coast,) a young man from my neighborhood had gone, in the beginning of March, to see some friends at Bantry, where he was arrested for administering the oath of union. On being questioned, he acknowledged that he had received it from my steward, a lad not more than 18 years of age who was also arrested, and conveyed to the prison of Cork, where every means were used to extort confessions from them, to implicate me. They declared, however, that I was the last person to whom they would disclose any thing of the kind. Their honesty and persistence in truth were called treason to their country, and attachment to me; and a council was called together in Dublin, at which it was determined, that I was very dangerous and a warrant was issued to arrest me on suspicion—the act of habeas corpus being at the time suspended. The secret, however, was not well kept. I discovered the plot. I lay down in my house the night on which I knew that an attempt was to be made to seize on me by a large detachment of horse (attended by lords, esquires, and generals, and the staff,) and before they had reached half a mile from their quarters, I was (at a distance of 12 miles) apprised of their having set out. They made their search for me, and a considerable depot of arms, which they were informed were secreted in the lofts and cellars of my house; neither were there, and they marched back. The next day I wrote to the judge, who was then holding the assize at Cork, saying, that "if he would give me assurance of a trial then, of any thing that could be alleged against me, I would go to him; otherwise that I would not surrender."

As he was not authorized to give me the assurance I demanded, and as I preferred the liberty of the common air, and the use of my own limbs, to unlimited imprisonment, I stood out till the latter end of April, when finding my health somewhat hurt

from the manner of my living, particularly from damp, I left home, and came to England on the 27th of April, where I remained till the middle of June, when I received advice from home, that several of my tenants, and others of the poor people to the amount of 51, had been flung into prison; and that two unhappy men had been induced to swear against them. The same packet also contained a proclamation that had been issued by lord Camden, on the 17th of May before, inviting every person to come in and surrender, and give security for the peace, on an assurance of being no further questioned. Very happy at the opportunity this proclamation afforded me, to develop the conspiracy against the people in prison, and to aid them in their defence, I returned to Ireland, surrendered myself at Mallow, to lord Kinsale and sir James Cotton, on the faith of the proclamation; and performed the terms required of me, which was to give bail to be of the peace for seven years; of all which I apprised lord Camden and his secretary, Mr. Pelham, now lord Chichester, the 18th of June. From Mallow I went home, on the 5th of July; and on the 14th was arrested by brigadier-general Eyre Coote, at his camp, whither he had invited me. Before he detained me, he looked, for greater certainty, into his orderly book, and there found, as he said, an order, dated the 1st of July, to arrest me. On his having done so, he was at a loss what to do with me, and attended me to Bandon; where I was to remain till he should hear from Dublin. On the third day of my stay in Banton, I received a letter from Mr. Pelham, dated in Dublin, the same day I was arrested at the camp near Bandon, 180 miles from town, saying, that lord Camden wished much to see me at Dublin; and that, if I would comply, I might depend upon my person being perfectly safe from arrest; and that I should be permitted to return home immediately. This letter I communicated to Mr. Cooke, who said, that as government did not know of my arrest at the time Mr. Pelham wrote, he could not let me go till he received an answer from Dublin to his letter, apprising the government of my being in custody. In a few days he received his orders, which were to send a military officer to attend me and captain Roche and I set out for Dublin. The captain had a sword, and he had on his sash and gorget. There is a high hill between Bandon and Cork; we alighted from our carriage; it is a place of rendezvous; some 20 or 30 carriers were assembled here; they had not seen me since my return from England. Captain Roche first saw his danger; and his sword could not defend him; his sash and gorget could not protect him. I perceived the workings of his mind; a look of kindness from me to him would save his life; I superadded a word of esteem. Captain Roche was not molested. We arrived in Cork that evening, where we halted for the night. A man of the city got access to me. Cork is the place of my nativity; I have friends there: would that every man could say the same where he is best known! I discovered it was intended to offer violence to captain Roche; I prevented it. I took him in safety to Dublin. On our way we called at the camp at Arprianan, where the Wexford militia lay. All the officers requested of captain Roche to tell lord Camden the services I rendered them, and the thanks they owed me. We arrived at Dublin and saw lord Chichester, who liberated me from arrest, and wrote to Mr. Cooke that I was not to be molested again. I returned home, and in the beginning of September I went to the assize of Cork, for the purpose of defending my tenants against the conspiracy before mentioned. I sent them all to



their homes, and prosecuted the witnesses, *who were both transported, for perjury to Botany Bay.*

I now hoped to enjoy with my family that peace which innocence has always a right to expect. I was cruelly deceived. An unsigned, unsworn-to paper was sent up to the grand jury on the 17th day of the assizes, when two of the judges had left the county; and a *bill of indictment was found against me for high treason.* On this paper I was arrested and flung into prison, where, *in a dungeon nine feet square, filthy beyond description, I lay rotting for seven months, never having felt the influence of the sun, nor been breathed on by the air, during the whole time; at the end of which I was conveyed from this dungeon to the court, to go through a "trial," upon charges of every species of treason and rebellion.* Two witnesses were brought up under a strong military guard. They were sworn. What did they depose? *That they knew nothing of me; that one of these papers was written without the knowledge of the witnesses; that when it was read to him, he declared it to be false, and refused to swear to it; that he was offered 300*l.* a year to swear to it, and threatened to be instantly shot if he persisted in his refusal, and he did persist.* The other witness swore, that what was called his information was all written down without consulting him; that when he refused to sign it, he was threatened to be hanged; and that, at length, he was prevailed on to put his name to it, on his receiving an assurance that it never was to appear, and that it was only a matter of form. *I was acquitted instantly.* All the people, all the military, expressed their joy; the judge trembled; he was seen stretching out his imploring arms from the bench to me, in the dock, amongst robbers and murderers; he was heard to cry to me for mercy to protect him; and I did protect him: not a hair of his head was touched.

On my being released, I did not return even to my house; I did not even take one day's repose. No, my beloved brother was a prisoner at Maidstone; he is one year younger than I am; we were reared and educated together; never one day or night apart for 18 years. The thought of him banished every other idea from my mind; I set off to him that very night, and arrived in London in four days, as quickly as I could travel. I wrote to the duke of Portland for permission to be admitted to my brother; I received his answer at five o'clock next morning, *by four king's messengers, with a warrant to arrest me; and from my bed I was taken to the house of Mr. Sylvester, and that evening I was taken off for Ireland.* We landed about ten miles from Dublin, at night; I saved Mr. Sylvester and the Bow-street constable, my companion, from a watery grave, and conducted them safe to Dublin, where we arrived at three o'clock in the morning. I now, for the first time since I left London, lay down, and had not been in my bed more than three hours, when Mr. Sylvester awaked me, to tell me, that another king's messenger had that moment arrived from the duke of Portland, *to take me back instantly to London.* This was about 7 o'clock in the morning; about 12, Mr. Sylvester informed me, that Mr. Cooke desired to see me at the castle. Mark the instability of fortune. Behold O'Connor brought by a constable, to have the liberty of being admitted in the presence of Mr. Edward Cooke! I did see him; the interview was not of long duration; the conversation was not of many words, but it is important. I asked him the meaning of these proceedings; what post-haste treason I had committed in the four days that I travelled from Cork to

London, above 400 miles. Hear his answer:—*We do not "pretend to have any charge against you; but we know your power, and suspect your inclination; had my advice been taken, you should not have been brought to trial in Cork. My opinion was, that you should have been kept in confinement under the suspension of the habeas corpus act; and it now appears I was right."* Well, that afternoon, about 2 o'clock, I was obliged to set off back again towards London, where we arrived on the fourth morning, having been forced to perform journeys of nearly 1200 miles, and cross the Irish sea three times in thirteen days and nights: during the whole of which time I never was permitted to take off my clothes, nor to lay down *for more than seven hours!* I was kept in custody at the house of Mr. Sylvester, till my brother's acquittal at Maidstone,\* when we were both taken to Dublin, where we were lodged in the same prison room, on the 2d of June, 1798. In July, a special commission was opened in Dublin for the trial of all those against whom any charges had been exhibited; amongst whom, neither my brother nor I were. Three had been executed. Mr. Byrne, a relation of the marchioness of Buckingham, was condemned, and was to be executed on the 24th of July. On Sunday, the 22d, some *negociation* was set on foot in a way never yet ascertained, between the government and some of the state prisoners in Dublin, of which, it appears, that neither my brother nor I had any intimation till Tuesday, when Mr. Dobbs and the sheriff of Dublin entered our apartment, and showed us a paper, purporting to be an acquiescence, on the part of seventy three of the prisoners to give information of any arms, ammunition, and plans of warfare; and to emigrate on condition of a general amnesty: and of pardon for Mr. Byrne, who was to die that day; and for Mr. Oliver Bond, who was at that moment on his trial, *if he should be condemned.* My brother and I declined entering into any agreement. Mr. Byrne was ordered for instant execution, which instantly took place; Mr. Bond was to die on Friday. We heard no more of the paper till Thursday evening late; when the same Mr. Dobbs, accompanied by Mr. Samuel Nelson, one of the prisoners from another of the prisons, came to that where my brother and I lay. All the prisoners were called together; Mr. Dobbs produced a letter he had just received from Mr. Cooke, stating, "that if my brother and I would enter into a treaty with the government, by which we should engage to give every information in our power to all matters relating to the rebellion, and particularly our relations with *foreign states* there should be a general amnesty; Mr. Bond should be

\* I well remember, I never can forget, the meeting at Maidstone between Roger and Arthur O'Connor. They had not seen each other for very many months in the interval they had both been imprisoned and their lives put in jeopardy. Under what circumstances did they meet!! Roger was a state prisoner in the custody of a king's messenger, Arthur was in the dock about to be tried for high treason! I stood in the dock on the right hand of Arthur O'Connor, the court had not yet taken their seats. I heard a noise on my right and saw a dignified and commanding looking man enter the bar. "It is my brother" said Arthur in a voice almost suffocated by feeling. Roger advanced to the dock, Arthur grasped him by the hand; they were not permitted to interchange a word; the big tears rolled down their manly cheeks, they pressed each others hands and parted.

*Dem. Press.*

pardoned, and we should be permitted to emigrate to any country, not at war with England; but that if we persisted in our refusal, military commissions should be issued in the north, for the trial of the prisoners there, *the courts should proceed in Dublin, and the yeomanry should remain on active duty.*" We both refused. We said, *if there are any charges against us, proceed upon them. Why proceed against others, because we will not enter into any negotiations?* We went to our own rooms, whither Mr. Hobbs presently came. He represented to us the dreadful scenes of slaughter and devastation that would follow close upon our declaration. It appears that my brother was influenced by these considerations; and, to save an unarmed people, he consented to sacrifice himself: but I heard these proposals and threats with a very different ear. My answer was that *I set at defiance all their machinations*—that I was ready to meet any charge that could be brought against me; but that I never would enter into any agreement with the castle of Dublin during my life. Nothing now was left unattempted to induce me by every fair promise, or to intimidate me by the most alarming threats, to sign this agreement. *All were unavailing.* At length Mr. Marsden came, as if *secretly, and as a friend,* to let me know what, *by chance,* he had heard at the castle. That it was determined to *seize my estate,* if I did not comply. My answer, was, that I was prepared against every thing, that I was absolute never to comply.

In consequence of which, orders were dispatched to the officer commanding at Bandon, to send detachments of horse and foot to take possession of my house, which they did, to the amount of between 2 and 300 men; they *expelled four of my infant children, and my servants;* the officers broke open my cellars, and drank all my wine; they ordered the men to kill my sheep and oxen, on which the whole party subsisted; they converted my iron gates into shoes for their horses: they made firing of windows, doors and frames of the house and offices; burned all my farming utensils, destroyed my gardens and the wall trees, the hot-house, and all the plants; turned all their horses out into young plantations which were all ruined; stole every thing moveable; and committed every species of devastation, for eight or nine weeks, that they remained there, for which I never received one penny as remuneration, from that day to this. After this visitation, it was again required of me to *sign the paper.* My answer was always the same. Still I was kept a prisoner; and when those who had entered into the agreement were sent to Scotland, I was forced, by Justice Atkinson, and a company of Buckinghamshire militia, at the very point of the bayonet into a coach, conveyed on board a tender, and conducted to Fort George, in which military garrison I was kept for a year and ten months, where by the *lenient treatment* I received, I lost the use of my limbs, and was reduced to the very verge of life; at the end of which time I was brought to London, and let go on the 24th of January 1801, upon a dreadful recognizance to some immense amount, *not to return to Ireland,* and to reside in such part of England, as the king of England should from time to time appoint, (and Middlesex was named) *during the then war.* I took a house at Southgate, in Middlesex, where I resided for half a year; but having no land there, I looked out for a place with land, to occupy my time. I found one to suit me at Elstree. As I was a stranger, and as the rent amounted to 500*l.* a year, I applied to my old friend and companion, sir Francis Burdett, who imme-

diately became my security. There I lived for one year, when the treaty of Amiens taking place, I was desirous of returning to my own country, and applied to sir Richard Ford, the magistrate, before whom I acknowledged the recognizance, to get it up *In vain.* After many fruitless efforts he at length informed me, that it was determined never to give it up, as long as *I retained the power of living in the South of Ireland.* I judged it better to part with Connorville than to be shut out from my country. I got a passport to Iceland, and, on the 1st of May 1803, I let a *lease forever, of the place of my earliest days.* Whereupon, I got up my recognizance immediately. I purchased, for forty thousand pounds, *from lord Wellesley,* the castle and estate of Dungan, within a few miles of Dublin, where I have resided with my family ever since, coming over occasionally to visit sir Francis Burdett and a few other friends in England, where, *though I have estates,* I have never been known, directly or indirectly, to interfere with any concerns of the country; I never attended a public meeting or a public dinner; though I have many friends, I seldom associate with any one but sir Francis Burdett and his family. My fortune is ample; and neither I, nor any one of my family ever ate one morsel *that was not produced from our own estates.* We never received any of the people's money in the shape of pensions and places: nor was any man's meal or comforts ever diminished by one of us. Surely, then, I must be a *most disloyal traitor!* In fine, many, very many of the people of Ireland love me; the militia was attached to me. I surrendered on the solemn faith of a proclamation, which faith, towards me, was broken; I protected captain Roche; I defended the judge; I saved Mr. Sylvester, and the Bow-street constable. There is no kind of place that has not been my prison; my own house, camps, guard-houses, taverns and hotels, castles, wherries, packet-boats, messengers' houses, court-houses, bridewells, states prisons (as they are called) tenders, garrisons, palaces; and as a prisoner, have I travelled about from my own house in the south, to Carrickfergus, in the north of Ireland; from the western extremity of Wales, to Maidstone, nearly the western extremity of England; from Dublin to Fort St. George in Scotland, within 40 miles of Jno. O'Grot's house, to London: a mail-coach, hackney-coaches, post carriages, and carts; on foot and on horseback; and all because (for I know of no other cause) that, ten years before the French revolution, I saw the absolute necessity of a *reforma in the commons of Ireland,* which was acknowledged afterwards by the factions of England and Ireland; and because I would not consent to a legislative union, which I regarded as equally ruinous to both parts of the kingdom.

On the whole, then, let the people of England, *now that they are in possession of their sober senses,* decide between my accusers and me, whether the laws were infringed by me, who have gone through every ordeal; who have always courted investigation and enquiry; who for years never ceased to demand trial; or by them who sought the protection of a bill of indemnity, passed by an assembly of which they themselves made a part.

## Foreign Articles.

ENGLAND, &c.

It was publicly known in England that lord Cochrane with large supplies of arms, &c. was about to leave that country for South America.

The "Wheat Sparrow" tin and copper mine, after



a suspension of two years, is again worked. It is mentioned as the only mine in Great Britain that has produced any considerable quantity of cobalt:—one stone was taken from it that weighed 1333 lbs.

Persons at Liverpool interested in the importation of cotton from India, have sent different seeds there to improve the quality. The price of cotton in India, is about 8d. per lb.—300 lbs. are compressed into a bale of 9 cubit feet for exportation.

The price of labor in India does not exceed two cents per man a day.

A letter from Liverpool, of Sept. 2, says—cotton twist is actually becoming an article of exportation from hence to India.

A committee of the house of commons has made a second report, of the most decisive character, upon the police of London. It recommends the abolition of the system of parliamentary rewards for the apprehension and conviction of felons, commonly called *Blood Money*, which has lately excited so much horror. The money, thus expended in 1815, amounted to 18,000 pounds!

An experiment was made on the 12th Sept. on board the ship *Wellesley*, of a newly invented *siphon*, which is intended to water ships from a tank vessel, instead of pumping. The instrument is two feet and a half in diameter, and it discharges hourly 20 tons and half, which was considered a most satisfactory proof of its efficacious power.

Typhus fever is carrying off many of the poor, at Liverpool.

The new crop of wheat is pronounced excellent—and American flour in England had fallen to 4s. per *bb*l.

Stocks.—Sept. 16. 3 per cents 79 1-2.

2 159 persons embarked at Belfast for the United States, from the 17th of March to the 21st of August of the present year.

The prevailing fever has become very alarming at Armagh, and in Derry.

American flour at Dublin is in demand, at 58s.

It is officially notified that the bank of England would pay specie for all its notes dated prior to the 1st of January 1817, on the 1st of October.

The prince regent has given to the duke of Wellington the colossal statue of Bonaparte.

Accounts from Bengal to the 21st May state that since the fall of Hattrass, the British troops had taken eleven other forts, which had left the enemy's country at the entire *mercy* of the British.

By an order from the British war office, it appears that pensions granted for wounds received subsequently to the 24th of June 1817, are not to increase with rank.

The Americans (says a late London paper) have reduced their naval force upon the lakes, to the same scale as ours; but the exertions with which they are cutting roads in the directions of those waters, felling timber, and preparing it as knees, bends, &c. for vessels of war, are circumstances which excite so ne attention.

*Stock exchange phrases.*—The following is an explanation of the singular terms used in the stock exchange of London:—A bull is a stock holder, who has contracted to take, at a certain time, a large quantity of stock, which he has neither the intention nor power of paying; and who finds himself in consequence, obliged to sell it at a profit or a loss, to honor his engagements at that period. A bear is, on the contrary, a stockjobber who has promised to deliver a large quantity of stocks, which he has not, and which he is obliged to purchase at a profit or loss, for the purpose of fulfilling his obligation. It may thus be seen that the bears are enemies to the

bulls. As the former has a stock to sell, they seek by every species of bad news, to create a fall. The latter being obliged to accept stock, endeavour to raise the price, that they may sell it immediately without loss, and even with advantage. There are frequently some stockjobbers who do not fulfil their engagements, and who are called by the singular name of *Lame Ducks*. These persons are only banished from the exchange; they still act as stockbrokers. If they can subsequently settle with their creditors, they may return to the stock exchange.

*SCOTS AND IRISH.*—From a *Dublin paper*.—It appears from sir John Sinclair's report, that Scotland possesses only 1,804,864 souls, or about one third part of the supposed population of Ireland, and yet, in the year 1813, (the period at which the report was completed,) the people paid 4,204,097l. 7s. 9d. of net revenue, exclusively of the expense of management and drawbacks. This comparatively immense sum amounts to within about half a million of the net revenue of Ireland, and it exhibits, most clearly, this important fact, namely, that the people of Scotland are able to bear a rate of taxation exceeding that of Ireland in the proportion of three to one, or in plain language, a Scotsman pays three pounds to the state for every one paid by an Irishman: and, by the same rule, Ireland, instead of paying 4,822,264 13s. 11 1-2d. of net revenue, which was the amount in the year 1813, ought, on this account alone, to afford 14,466,793l. 1s. 10 1-2d annually, without burthening the people more heavily than they are in Scotland. But Ireland enjoys local advantages superior to those of Caledonia, in as far as her soil and climate are more favorable to the productions of the earth. But, in comparing the circumstances of the two countries, there is another consideration of the utmost importance that bears upon the question. The total extent of Scotland includes nearly nineteen millions of English acres, of which only 5,033,050 are fully or partially cultivated. The total extent of Ireland may be estimated at more than twenty millions of English acres, of which 15,000,000 are fully or partially cultivated. Here we find that the people of the latter country have the superiority over those of the former, in the proportion of nearly three to one, in all that relates to the products of the soil, which are, in fact, the primary source of national wealth.

*PAROCHIAL CLERGY.*—From the *London Monthly Magazine*.—The annual revenues of the parochial clergy of England and Wales have been stated at 2,557,000l. But it must be remembered, that these revenues arise as well from glebe and augmentation lands, with surplice fees, as from tithes in kind or by composition, which, on each parish, can scarcely be estimated on the average under 40l. per annum, which, according to the number of 10,649 parochial benefices, will amount to nearly 526,000l.; which being deducted from the gross revenue of the parochial clergy, will leave 2,031,000l. as the actual receipt from the tithes in their possession. The impropriations are usually estimated at 3,845 in number, and of these about one-third belong to the bishops, dignified clergy and two universities; and the other two-thirds to the lay impropriators: and the laity are also lessees of the one-third belonging to the superior clergy and universities. The collective income of which impropriations from tithes alone, at this time may be taken at 1,538,000l. per annum. It appears, then, that the total receipt from the tithes in the possession of the parochial clergy, and impropriators, whether paid in kind or accounted for by composition, amounts to 3,569,000l. per annum: which, in proportion to that part of

the agricultural lands in the kingdom, subject to the payment of tithes, namely, 28,000,000, and valued or rented at 15s. 20s. or 25s. per statute acre, will be under 3s. 5d. in the pound at 15s. per acre, a little above 2s. 6d. in the pound at 20s. per acre, and a little above 2s. in the pound at 25s. per acre.

*Translated for the Columbian.*—A German journalist in the conclusion of his observations on the suspension of the habeas corpus act in England—says, "Tacitus remarks very correctly, that spies and secret denunciations announce the fall of empires. External splendor cannot impose on us; it is merely found where the people have ceased to be virtuous.

"The proud fleets of England may ride in triumph on every sea; their flag may wave on the Ganges and on the high rocks of Malta and Gibraltar—the spirit of the great Chatham dwells not in his successors, and it is spirit alone that constitutes life.

"Before Augustus could establish his rule, the people had been accustomed to the sway of individuals. Let the Britons be once accustomed to the absence of their palladium, and it will not require a century to bury its memory in oblivion."

## FRANCE.

It is stated that the king of France has issued an ordinance forbidding the export of grain. The prohibition is expected to continue throughout the year.

Desbans and Chayoux have lately been shot at Paris, for some political offences. The latter when told he was to be divested of the insignia of the legion of honor, took his cross, rolled it up in the ribbon, and swallowed it! They requested that they might not be tied or bandaged, which was granted—they joined their arms together, gave the word fire, and were instantly killed. They had been convicted of a plot to assassinate Monsieur and his son.

Messrs. Comte and Dunoyer, joint authors of the work entitled *La Censure Européenne*, have been condemned to a year's imprisonment, and a fine of 3000 francs each, for publishing the "Manuscript transmitted from St. Helena!"

The picture of David representing Cupid and Psyche, has been purchased by the Count of Sommariva, for 30,000 francs.

The person who pretends to the throne of France, as the son of Louis the 16th, at least performs his part well, and appears to have excited much sensation in France. He is well supplied with money and lavishes it freely, demanding with great earnestness an interview with the duchess of Angoulême, or a public trial, to produce conviction that he is the true king of France. His pretensions have been considerably encouraged—but he is arrested, and will no doubt be confined in some secret place for life, if there is the shadow of a prospect that he really is what he pretends to be—another "iron mask."

Stocks—Sept 14, 3 per cents 66½. Sept. 25, 65½. 85c.

In France, the duke of Feltre had resigned the office of minister of war, and marshal St. Cyr was appointed his successor; count Mole was appointed secretary of state in the marine department.

The widow of count *Poniatowski* has arrived at New-York.

## BONAPARTE.

A London paper says that lord Amherst has duly delivered to the Prince Regent the letter from Bonaparte to his Royal Highness, of which his lordship was the bearer from St. Helena.

## ITALY.

The present population of Rome is 131,356—in 1816, 127,997.

## NETHERLANDS.

We have very distressing accounts of the state of the German emigrants attempting to reach the United States through the ports of the Netherlands. One ship with 500 on board, after being a considerable time at sea, was forced back,—60 had died on board of her while she was out. In another prepared to sail, a destructive epidemic had broken out, and carried off many persons. There were 700 at the Texel engaged to go to Philadelphia, but prevented by the want of means, and in great distress, &c. Two vessels, crammed with these unfortunate people, touched at St. Michael's, one of the Azores, for supplies—one of them a Dutch brig, had been out ninety-one days—during which she had lost 40 passengers—the other had 400 on board, but they were tolerably healthy.

## SWEDEN.

The interdiction of colonial produce, &c. in Sweden, has not prevented its use, but has raised the price—as it must be smuggled. The drinking of coffee being prohibited, it is now called *soup*, and eaten with a spoon.

## RUSSIA.

The emperor, with more than 100 distinguished persons of his court, lately dined on the quarter deck of vice admiral Crown's ship at Cronstadt. Crown is a Scotchman—and second in command in the Russian navy.

British writers, in many ways, manifest great jealousy at the power of Russia.

The emperor of Russia has transferred the seat of government of Finland (a province wrested from Sweden some years ago) from Abo to Helsingfors—which has a commodious harbor in the gulf of Finland.

## GERMANY.

Young Napoleon, it is said, when arrived at a proper age, will be created archbishop primate of Ratisbon, and arch chancellor of the Germanic empire.

## PRUSSIA.

A school for swimming has been established at Berlin. Each company of the body guards and grenadiers has a swimming master. It requires only 15 days practice to acquire the art, and already more than a thousand soldiers have learned it.

## POLAND.

Prince Radzivil, of Poland, who sometimes unites the elegance of southern taste with the barbarous pomp of Sarmatia, once entered Warsaw in his carriage, drawn by six white bears, taken in his own Lithuanian forests, and completely broken and richly harnessed for the purpose.—*London paper.*

They write from Poland, that a forester, having heard that a reward of 500 crowns was offered to any person who would kill a wolf which was the terror of the neighborhood, resolved to obtain it. This furious animal, accustomed during the late campaigns, to live upon the dead bodies of soldiers, would not attack the flocks, but used to fly upon the shepherds and devour them. The forester took his child, only about two years old, and fastened it to a tree near his cottage, with a view to attract the animal, while he remained upon the watch with a musket. The wolf came, and was instantly killed; the infant sustained on injury, and the man claimed the reward.—*ib.*

## FLORIDA.

There were eight large prizes, fully laden with sugar, coffee, &c. at Amelia. One of them had on



board 1000 boxes of *segars* that had been made expressly for the use of the "adored" Ferdinand,

The armed vessels there on the 11th inst. were—the brig American *Libra*, of 3 guns; and the *San Joseph*, of 6 guns, belonging to the government—and the private armed vessels American Congress, of 12 guns; the *Morgiania*, of 18; and the *Republican* of 2;—two others were fitting out. McGregor and the infamous Woodbine have arrived at New Providence from Amelia.

Our latest accounts from this island report, that the civil and military authorities are literally at "*daggers points*"—being actually in arms against each other. There is an "American party" and a "French party"—Hubbard, as the civil governor, is at the head of the former, and Aury, as commanding the military, of the other. Battle between them was expected.—and report adds that Aury, with his fleet, was actually blockading the island. A Com. Champlin was however expected with four sail, and it was supposed would give the preponderance to Hubbard's party.

\* \* These particulars are fully confirmed—but the affair at Amelia has lost its interest with us, and seems to be nothing else than a semi-piratical business. We should be glad if the United States force in that quarter was immediately strengthened.

#### "SPANISH AMERICA.

The London Courier proposes that Spain should acknowledge the independence of the South Americans, on condition that they would accept a prince from another branch of the house of Spain for their sovereign—England and the allied powers, generally, to guarantee the fulfilment of the terms thus granted.

A Buenos Ayrean privateer said to be called the *Porpoise*, of 7 guns and 86 men, lately overhauled a British vessel and plundered her of several articles. A person on board the latter remonstrating against it as downright piracy, was retorted upon by a reference to the plunderings of the Americans by the British under their orders in council—a cutting reproof and well earned. The *Porpoise* is owned in Buenos Ayres, and commanded by a native said to be called *Tucuman*—who had a few days before plundered an English vessel and then sunk her.

From Havana, under date of Sept. 21, we learn that in an official account printed in the city of Mexico, 12th August, it is stated that *Mina*, *Borja* and *Moreno*, are completely besieged in *Comanja*, and that *Navarre* had already taken from them a small fort that protected the only water they had to depend upon. [We very well know what a "Spanish official account" is.]

An article under the head of *Ghent*, 1st Sept. says; Many vessels of war and transports have sailed from different ports of France for Spain, to be employed in an expedition to America.

The *Ghent* papers adds—if the government does not send *men*, it is because it would be disagreeable to the nation, and it is feared they would join the insurgents.

No doubt the Spanish ambassadors at the different courts of Europe, are endeavouring to aid their country—and perhaps they make remarks *unfavorable to the U. States*.

The "*church*" and a *bull feast*!—The government of Havana have granted an extraordinary *bull feast* for the benefit of the convent of *St. Juan de Dias*.

*Liverpool* Sept. 12.—The court of Spain entertains great hopes that Russia will assist in the subjugation of the American colonies. An inundation of

Russian troops, destined to this object, is talked of, and this last calamity that can befall those unfortunate regions is confidently anticipated. An expedition of Spanish troops, to the amount of 15 or 20,000, is likewise preparing. [We venture the opinion, that unless England is a party in the affair, that she will not permit Russian troops to be sent to Spanish America.]

[We have rarely seen a more spirited and feeling article than the following—and its glorious merit is, that the expected attack was made upon *Margarita* and resisted as promised—to the complete discomfiture of the bloody *Morillo*, and his "adored" king.]

FROM THE CURRACOA COURANT OF 13TH SEPTEMBER.

#### *Manifesto to an Impartial World.*

Since God created the universe, or this huge abode of mortals, from which period we reckon an interval of more than six thousand years, there have been revolutions which have afflicted it with the destruction of the human species.

Venezuela occupies the last page in this dismal history. On the 19th April, of the year 1810, she tuned the sacred hymn of her emancipation, and among remarkable periods, she struggles against the strongest concussions to obtain it.

Glorious journies—Brilliant and distinguished conflicts are the most irrefragable proofs of *Venezuelian* valor.

The island of *Margarita*, one of the principal and complete parts of the confederated states, reared likewise the standard of honor, and walked upon the tracks of her fellow-citizens.

On the 4th of May of that same year, he desposed with the greatest moderation the Spanish commander; the same who at the entrance of *Monteverde*, in *Caracas*, had been commissioned to afflict in the prisons of *Puerto Cabello*, among other Americans, the natives of *Margarita*.

*Carthagen*a supported the cause of *Venezuela* in the year 1813—and a leader chosen by the suffrages of the people, marched forward to break asunder the chains of his oppressed brethren.

They all blessed the work of their liberator, but in opening a new campaign, this same people was doomed again to suffer mournful vicissitudes;—their unfortunate emigration, witnessed by the windward islands, presents one of the most melancholy pictures of honest families breathing by the mercy of foreign nations, whose generosity is stamped in the heart of every good American.

If Providence, casting an eye of compassion on their sufferings, should one day grant them the well-deserved chart of their liberty, that they may have a government of their own to secure and protect the sacred rights of man, they shall by distinguished benefits requite the religious hospitality, which has been afforded to them by these friendly colonies.

The circle of their revolution is not yet closed. This furious volcano is still emitting dreadful flames—The Independents are ambitious of their liberty—they demand to hold a seat among nations;—death cannot discourage them—they look upon him as a relief from ignominy.

Notwithstanding these liberal ideas, there are degenerated Americans, who stooping servilely before the false idols of *Iberia*, have caused innumerable evils to the soil which gave them birth.

Against these only are directed the pointed steel of the freemen—their names are, by an unanimous voice, erased from the number of beings who beautify nature.

To conquer or die is the alternative of the children of the Great Columbia; although struck by a panic, some of the eastern people, have lately separated from the coalition, while Margarita, amid the hazards of war, looked up to them for a brave defence of their country.

The city of Cariaco fell, in a manner not to be conceived, and her disorders may infect the adjacent countries. To preserve that union, on which so highly depends the safety of the states, Margarita received in her bosom the supreme government of Venezuela, convoked by Gen. Marino—but on the 31st of May last, twelve days after its establishment, it withdrew from Margarita, and in our squadron proceeded towards Maturin; and the island fluctuating alone, in the middle of dangers, blockaded at that time by two corvettes and five brigs, and threatened by a fresh naval force, far from desponding, confirmed the oath of the 17th Nov. when with *only fourteen muskets*, she defeated in 10 pitched battles, the formidable hosts of Gen. Morillo. Three thousand Republicans, whom the world has admired for their bravery, are this day with arms in their hands, determined to repel with undaunted vigor the attacks of tyranny.

Margarita will be reduced to ashes, *but she shall not be enslaved*.—The enemy have sworn her destruction, and it appears that she will soon have to walk through the glorious field of Mars. She calls to the unprejudiced nations, once more to fix their eyes upon her, and to be the spectators of this new and interesting scene, which shall not less excite their admiration, than that which had diffused fear, terror, and confusion among those who swore to enthral her.

Great and Generous Nations! Suffer not the phalanxes of our invaders to complete their baneful purposes—to destroy the peaceful inhabitants of Margarita. Have compassion, ye men of the present age, on a small city which has given to the world sublime lessons of civic virtues, and if by your generosity, she should be enabled to stand this glorious trial, she swears before heaven and earth, that the wise and valorous Greece, were it now to exist in the meridian of its former glory, which had attracted the admiration of the world, it should doubtless envy the great sacrifices which the illustrious defenders of Margarita have been known to offer at the hallowed shrine of liberty, erected by the new World in the nineteenth Century.  
*Margarita, 19th June, 1817.*

### CHRONICLE.

The laying of the keel of a 74 gun ship has been commenced at Norfolk.

Capt. Morris, being transferred from the Congress to the Java frigate, is succeeded in the command of the former by Capt. Downes, of the sloop Ontario.

Dr. THOMAS COOPER has been unanimously elected professor of Chemistry and natural philosophy, in William and Mary college, Virginia, vice Dr. Jones, resigned.

A petition is to be presented to the next legislature of Virginia, praying for a law to incorporate a trading company under the title of "*The Richmond East India Company.*"

*Vermont.*—Gov. Galusha is re-elected governor of this state by a majority of 6,326 votes.

His address in our next.

*Pennsylvania election.*—We have not yet received the official account of the late election for governor in Pennsylvania. The majority for Mr. Findlay will be less than we expected—from 6,800 to 7,200.

### RESULT OF THE LATE ELECTION IN NEW-JERSEY.

	Republican.		Federal	
	Coun.	Assem.	Coun.	Assem.
Bergen,	0	0	1	3
Essex,	1	4	0	0
Morris,	1	4	0	0
Sussex,	1	3	0	1
Somerset,	0	1	1	2
Hunterdon,	1	4	0	0
Middlesex,	0	1	1	2
Monmouth,	1	3	0	0
Burlington,	0	0	1	4
Gloucester,	1	0	0	3
Salem,	1	3	0	0
Cumberland	1	3	0	0
Cape-May,	0	0	1	1
	8 26		5 15	

Making a republican majority of thirteen in joint-meeting.

*A court martial*, consisting of the following officers is assembled at West Point to investigate the late disturbance at that post and for the trial of capt. Partridge—

Major general SCOTT, president.

*Members.*—Col. J. R. Fenwick, col. G. E. Mitchell, col. H. Leavenworth, col. H. Atkinson, col. T. S. Jessup, lt. col. J. G. Totten, major B. Birdsall, major A. S. Ebooks.

R. H. Winder, judge advocate.

*Another gone!*—Died on Friday morning, the 24th Oct. at 2 o'clock, col. *Nathaniel Ramsay*, of Baltimore, who in the revolutionary war distinguished himself, as a brave, meritorious and humane officer. He was loved and esteemed by all the army, particularly by that great, good and discerning man, general Washington.

At the battle of Monmouth, when our army was pressed, by the enemy advancing rapidly, general Washington asked for an officer; col. Ramsey presented himself—the general took him by the hand and said if you can stop the British ten minutes, (till I form) you will save my army. Col. Ramsay answered, I will stop them *or fall*. He advanced with his party, engaged and kept them in check for half an hour, nor did he retreat until the enemy and his troops were mingled, and at last in the rear of his troops, fighting his way, *sword in hand*, fell pierced with many wounds, in sight of both armies—add to this he was one of the best husbands, fathers and friends in the world; and will long be lamented by his neighbors, and all who knew him.

*Also died*, at the Warm Springs of Virginia, Col. John Mercer, of Fredericksburg, son of the gallant General Mercer who fell at Princeton, in the revolutionary contest. Col. M. was educated at the public expense, by the state of Virginia, at Princeton, near the spot where his father fell, in testimony of its respect for his memory. Of the deceased it is said "Virginia would not boast of a better man, or a patriot more firm and unchangeable. His head was filled with every science; his heart replete with every virtue."

*Sickness.* The number of deaths in Charleston, (S. C.) from the first of October, 1816, to the 1st of October, 1817, agreeably to the report of the city inspector, was 1249; of which 623 were during the months of July, August and September—252 being of the yellow fever.

The deaths at New-Orleans from the 25th of August to the 3d of September, inclusive, amounted to 100—being an average for that period of 10 a day.

The Board of health at New-Orleans, report 89



deaths in that city and suburbs for one week, viz: from the 18th to the 25th Sept. inclusive. Of these 48 were men, 8 women, 4 children and 17 colored people.

*General recapitulation of the interments which have taken place during the year 1817 in the burying grounds of New-Orleans.*

	Catholics.	Protestants.
January	71	15
February	60	13
March	68	13
April	74	7
May	67	24
June	74	17
July	91	28
August	174	131

Those who have died at the Charity hospital are not counted; but it is known that during the month of August the number amounted to 73.

A letter from *New-Orleans* of the 28th ult. received in *New-York*, states, that the fever in that city was abating among the Americans, but that the creoles still suffered by its ravages. The most exorbitant charges have been exacted for services rendered the unhappy victims of this fatal malady. Attendance was charged at the extravagant rate of \$9 a day—\$25 for a rough unplained coffin—and \$5 for the use of the hearse. These excessive extortions are a disgrace to humanity.

A dangerous malady prevailed at *Natchez* about the end of last month. In an official notice of the selectmen of the town, we find it stated, that it is not believed that people can safely inhabit or frequent the city before frost; and those whose avocations will admit of it, are advised to remove and keep out of town, until Providence shall please to bestow that desirable change of weather. The meeting of the new legislature is, in consequence, by a proclamation of the governor, changed from *Natchez* to *Washington*; at which place the legislature met on Monday the 6th Oct. *Nat. Int.*

*Judicious appointment.*—We observe, with pleasure, that major Jonathan Keasley, who lost a leg in the late war, gallantly fighting in defence of his country, has been appointed collector of the revenue of the United States, for the *Harrisburg* district. *Lanc. Intell.*

*Our squadron in the Mediterranean.*—“The Americans have a fleet in the Mediterranean. It was, when the last accounts came away, cruising off *Leghorn*. The commander was on board the *Washington*, an 86 gun ship, with a crew of 780 men. We believe, says the Catholic official paper, it would be difficult for any one vessel in the world to take her. This is the first vessel of her class the Americans have. [The *Independence* and *Franklin* are of the same size, &c.] She bears the name of one of the great est men that the sun ever shone upon. He found his country a pitiful province of Britain, and left her—Oh, glorious destiny!—an independent nation! *Dublin Chronicle.*

The *Diario di Roma*, of August, last says—“For the first time has appeared in these seas, passing from *Leghorn*, an American squadron, which has been off our port for several days, but has since sailed for *Naples*. We remarked the uncommon good appearance of these ships. A very exact military discipline, a perfect knowledge of naval affairs, and of navigation, appeared in every thing. Their spring-locks combined ease, simplicity, and instant effect, and were equally admirable in their fire arms and in pistols, and multiplied their discharges at pleasure. The exercise, activity and readiness of their mariners, and their perfect ac-

quaintance with every thing, were observed not without surprise and wonder, and do honor to the nation to which they belong. Their vessels were well found, fast sailors, and as neat as they were well built.”

*The sea serpent* that lately visited *Gloucester*, &c. about which so much has been said in the news papers, is supposed to have been in *Long Island* sound, on the 5th ult.—moving rapidly, at the rate of a mile in a minute, and shewing what was thought to be from 40 to 50 feet of his back above water.

We have seen a colored print which is said to be a correct representation of this animal: it is truly terrific.

*Incedon*, for many years the pride of the British stage as its first singer, is performing at *New York*, with the unbounded applause which his great talents in his line seem justly to merit. The effect of the ballad “*Black eye'd Susan*,” as sung by him, is spoken of as astonishing. Among other of his songs is the following, composed expressly for him before he left England, by Mr. Cory, and set to music by *Bishop*—it was received with thundering approbation, and tumultuously encored.

RECITATIVE.

Hail Columbia! patriot nation,  
Star of hope, to th' oppress'd  
In battle darting desolation,  
But in peace sole ark of rest.

PAINÉ.

SONG.

When first infant liberty dropp'd upon earth,  
The mountains and forests then cradled her birth,  
Deck'd by nature she dwelt among savages wild,  
Whilst numerous nations adopted the child;  
Her mind was for ages as dark as the night,  
Her form unador'd, wander'd naked to sight,  
She in huts and in colleges only was found,  
Reposing at eve, on her grass clothed ground.

But banish'd and spurn'd by a profligate race,  
Long time she conceal'd both her grief and disgrace,

Till beaming forth glory, great *Washington's* star  
Recall'd the bright goddess from regions afar,  
*Columbia* hail'd her, delighted to see  
Men firm to their land, and resolv'd to be free:  
Then in *Columbia* forever may liberty reign,  
United, the states, and the pride of the main.

*The Sinking Fund.*—The secretary of the United States treasury, has given official notice, that the commissioners of the sinking fund have determined “that the provisions of the act entitled ‘an act to provide for the redemption of the public debt,’ should be carried into effect as far as the same might be practicable; and that, in pursuance of the said resolution, *Richard Smith*, cashier of the office of discount and deposit at *Washington*, has been appointed agent, under the superintendance of the secretary of the treasury, to make purchases of stock of the United States, within the limits prescribed by law; and to whom all persons desirous of disposing of their stock, will make application.” *[Com. Adv.]*

There was a report in circulation at *New-Orleans*, of *Lord Cochran's* arrival off *Applachicola*, with a frigate and other armed vessels; and it was said that his lordship meditated an attack on *Pensacola*.

A vessel supposed to be bound for the *Oronoke*, with several passengers (British officers) on board, and laden with supplies, has been detained at *Philadelphia*:—the passengers have been committed to prison.

# NILES' WEEKLY REGISTER.

NEW SERIES. No 11—Vol. 1] BALTIMORE, NOVEM. 8, 1817. [No. 11—Vol. XIII. WHOLE No. 323

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

## Hydraulic Machines.

The genius of our countrymen every day furnishes something to subserve the public convenience and advance the public prosperity.\*

All that the plodding German can contrive--- the quick-sighted Frenchman jump upon, or the persevering Englishman perfect, seems to be found in the American character. Genius has its full play, and enterprize and industry their *natural* inducements in the United States, in the general hope of the people to arrive at *independence*; and every man follows the profession that pleases him best. The free American "takes a trip to the South-Seas," or establishes a manufactory of "Boston-China,"† at will, and locates himself where he likes, not being driven, like a blind-horse in a mill, as is the case of artists and workmen in the old world. He always looks to an improvement of his condition, and *calculates* on future wealth--- because the avenues to it are opened by temperance, frugality and application. Unlike the European *laborer*, he never brings his mind to *settle* in the opinion that while he is able to work he shall live just as he does, and at last find a refuge in the *poor-house*. It is in these simple, but exceedingly important facts, that we find persons amongst us capable of attempt-

\*A few weeks since we had a pompous account in the English papers, which, *of course*, was copied into many in the United States, stating that for a large wager, of 500 or 1000 guineas, I believe, a sufficient quantity of wool had been taken from the sheeps back, and completely manufactured into a coat, in the space of *thirteen* hours and *twenty* minutes ---and sir John Somebody had put it on and marched about among the wondering multitude to shew it. Well---Messrs. Buck, Brewster & Co. managers of the Ontario manufactory, at Manchester, hearing of this, and considering the perfection of their own machinery and the skill of their workmen, engaged to do all that had been done as above, except the shearing of the fleece (*only ten, minutes' work*) in less time---and they did it. The wool passed through *all* its usual operations until it became a *finished* cloth, which was then cut out and made into a coat, that well-fitted the person for whom it was designed, in the space of *nine* hours and *five* minutes, exactly. The proprietors of this factory will engage to make a coat of *elegant superfine broad cloth*, in *twelve* hours.

Now, where is this "Manchester"?---In Ontario county, in the state of New York. But Mr. Spafford's very minute and very valuable Gazetteer of that state, published in the latter part of the year 1813, does not mention such a place. The village is, perhaps, about *three years old*---And as to the great and populous county of Ontario---it was a wilderness, the habitation of the Indian, in 1791.

†Wooden ware---"tubs and piggins."

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ing *any* thing that may promote their fortunes and raise them in the estimation of their countrymen---and, happily, they are not so closely pressed by bodily labor, for present necessities, as to prevent exertions for future profit.

The "National Messenger," published at Georgetown, Col. notices a machine used there by which the channel of the river has been deepened from 7 to 14 feet, at a very small comparative expense; and the mayor, John Peter, esq. has certified his approbation of it.

It is known, perhaps, to but few persons in Baltimore that a machine, lately invented by Mr. Samuel Davis, in which also Mr. Christian Slemmer is a joint proprietor, has been operating for some time, in McClure's dock, in this city. The bottom of this dock is composed of gravel and rock, or stones, from the smallest size to 4 or 500lbs. weight, knit together and cemented in many places as though it were paved---it was a part of what had been called "gravelly bar;" and the machines, heretofore successfully used to deepen our basin, could make no impression upon it. The importance of giving it a depth of eight feet, for the admission of craft, had suggested to the holders of property upon it the very expensive, if practicable, plan of damming out the water and laying the bottom bare. But the machine just mentioned is very rapidly effecting it, and on moderate terms. It consists of a wheel, 14 feet in diameter, furnished with iron scoops, well shod with iron, which break through the surface of the ground and cast the mud, stones, &c. into as many apartments or depositories in the wheel, which are opened and closed by a small boy as the wheel passes round, and their contents discharged, by an inclined plain, into a scow lying alongside of it. Being raised and lowered at pleasure, this wheel of 14 feet diameter, has made the dock *eight* feet deep, so far as the work is considered completed. It is put in motion by the labor of *three* men, and has scooped up and raised stones supposed to weigh 500lbs. There appears no difficulty in believing that a wheel of 100 feet in diameter might be made, if required, and furnished with scoops that would raise *very* large rocks, if necessary---but a wheel of 70 feet would give a depth of forty, which is more than is wanted any where in our harbors, or at their entrances. With one of these wheels, and their cost is not great, the bars and shoals at the mouths and in many of our rivers, might be easily removed, and the objections that exist to some of them, as places for naval depots, be obviated, for a trifling expense.



### “Niles and Cobbett.”

[The subsequent article was written and intended for my last paper. But, exceedingly reluctant to publish it at all, I retained it to see if the article from the “*Delaware Watchman*” should be copied into other papers, as “*requested*.” It has been copied into several, and the disagreeable necessity seems to be imposed upon me that I should say something about it.]

The following paragraphs from the “*Delaware Watchman*,” edited by Mr. *Sellick Osborne*, from the request at the conclusion, “that other editors would give currency to them,” compels me to revert to a subject that I had already cast *behind* me, and consigned to senseless oblivion.

Whilst I am blest with one ray of reason, and a solitary moment of sobriety is left to me, I shall applaud and feel grateful for the kind motives that influenced my friends to cause their publication—but I regret that the publication was made: I sincerely regret that any of my numerous and inestimable friends in Delaware should have thought it needful to interpose themselves as a shield to defend me against the “rank-and-file witticism,” as Mr. *Osborne* pointedly calls it, of *Wm. Cobbett*.

FROM THE DELAWARE WATCHMAN.

*Niles and Cobbett*.—We lately published the letters of Mr. *Niles* and *William Cobbett*—in which the former manifested his usual correctness of thought, and that manly, frank, and truly American spirit, for which he has long been distinguished—While the latter, equally consistent, but less respectable, in this instance, showed himself to be still the unreclaimed “porcupine”—the incorrigible hedge-hog.

Those who do not personally know Mr. *Niles*, or who have not the means of knowing his private character, may possibly draw the inference from *Cobbett's rank-and-file witticism*, that he is addicted to irregular habits. In this case they would do him great injustice. Mr. *Niles* was born and bred in this borough, and left it with the esteem and regard of its best inhabitants; which, to their knowledge, he has continued to deserve. Mr. *Niles* will not view this article in the light of an officious and superfluous interference of an individual in his concerns, when he is informed that it is written at the request of several worthy men, who remember him with kindness and respect; and who would be gratified if other editors would give currency to this tribute of esteem.

To explain this, it is necessary to state that Mr. *Osborne*, in his paper of the preceding Saturday, had published the letter that I addressed to Mr. *Cobbett* on the 13th of Sept. last—see page 33, of the present volume—together with “*Cobbett's reply*” thereto, and my “*replication*”:—

COBBETT'S REPLY.—In the following retort, from *Cobbett's Register* of October 2, we recognize the old Porcupine of 1798:—

“Mr. *Niles*, in his paper of the 13th of this month, has addressed a letter to me, to write which was, he says, determined on while he was “*drinking his coffee* that very evening.” For coffee read grog, and Mr. *Niles's* letter stands in no need of apology from him, or of answer from me. But if, unfortunately, Mr. *Niles* should insist, that coffee really was his

only beverage on that evening, how ashamed will he be of his conduct before this day six months; or how destitute will he prove himself to be of all feelings of shame!”

REPLICATION.—From *Niles's Register*, Oct. 11.  
“Just as the last page of this paper was closing for the press, I happened to recollect that *Wm. Cobbett* has mentioned my letter to him, with so little regard to what belongs to his own character as a gentleman, as to have excited no other feeling than that of contemptuous pity; though it forbids all further notice of him in the WEEKLY REGISTER.”

Mr. *Osborne* acted correctly. He gave his readers “a view of the whole ground,” and left them to judge for themselves. The words of what he calls my “*replication*” are strictly the truth. If I had not nearly forgotten what the veteran of the quill had said of me, I had, at least, cried “*pshaw!*” to it, and “*given it the go-by,*” until the last page of the number was just about to close—and in it I would also have inserted *Cobbett's* “*reply,*” without further comment, if I could have believed that it was fit matter to lay before my readers, circumstanced as I was. Personal controversies have always been avoided—they do not come within the line of conduct that I had laid down for myself, and are not only unpleasant but, generally, very unprofitable, too. There is no general rule, however, so absolute as not to have its exception; and, for the special reasons given in the letter itself, I thought that I was bound to reprove Mr. *Cobbett*—and I endeavored to do it in a way that he might understand it.

As to that letter—it has been republished in at least fifty “*republican*” newspapers in the United States, already—with the decided approbation of their editors; and there cannot be any doubt but that every one of them was as much affected by “*grog,*” when they gave out the copy, as I was when I wrote it. The letter, in itself, methinks, however destitute of talents it is, or common place as it may be, has an evidence of reflection and remembrance not commonly possessed by a person in the state so charitably insinuated: and, further, doubtful of the propriety of diverging from a course I had so cautiously followed, I did with this letter what I never had done with any thing I had written before—I read it, separately, to three gentlemen, intelligent and respectable merchants of Baltimore, and “*republicans of the school of '98,*” for their friendly and confidential opinion whether I could consistently publish it. They not only expressed themselves satisfied on that score, but also applauded the matter and manner of it, except that two of them thought it was not sufficiently severe: and I really believe that I have received an hundred private letters in which the subject is alluded to, in terms too flattering for me to mention. I have never heard that any American was displeased with it. Thus supported, *Cobbett* cannot affect me except by disproving what I have said, and let him do this if he can. I defy him, with all his ingenuity of mind and freedom of

the pen, to do it. But if he does it, I will acknowledge my errors, and thank him, even as he is, for correcting me. He has lately praised me and my "Register" to the skies—I never returned his compliment. I have admired some of his essays and have circulated them, because I thought they might do good, or, at least, amuse my readers,—but I never had the shadow of a confidence in his political integrity. *I knew the man*—and if he comes out with that which he so loudly threatens, I pledge myself to make him *known* to thousands of my younger brethren to whom he is pretty much of a stranger, *through extracts from his own works*. He shall feel the force of the saying of Job, "*O that mine adversary had written a book!*" But there cannot be any intercourse between him and me, through this paper—the line of demarcation is drawn, by his vulgarity. Not that I would fear to meet him, perfectly skilled as he is, in a contest of *hard words*; but—

It is now only on account of the article first quoted that his name is mentioned—that has already passed into the hands of many who never have seen and never would otherwise have heard of the *porcupiniad* against me; for the circulation of his paper is, I believe, very limited—only four or five reach Baltimore through the post-office, and I do not know that any more are otherwise transmitted to this city—nor has any other paper, that I have seen, inserted his reply, but the *Watchman*.\*

To revert to the origin of this notice. There are in Wilmington, Delaware, many men that I never think of without a pulse quickened by the sweetest recollections, though long separated in person from many of them. There are men there whose friendship I so much esteem and whose virtue I so much venerate, that if they were to say to me, reprovingly—"what are thou doing?" or "what are you about?" would shake my nerves more than all the writings of all the *Cobbetts* from the creation to the end of time could do, if congregated and thrown at me at once. It is impossible, therefore, that I can be *offended* with their act;—yet it grieves me. There might be an occasion when I would hug such a testimony to my heart as a glorious reward for my endeavors to sustain the character of an honest man—but my friends will excuse me for frankly expressing the opinion, that they have given an importance to the scurrility of *Cobbett* that it did not deserve. They ought to have known him better, for he lived some time among them about 20 years ago;—and, though he has apparently shifted his ground in politics, they had no reason to suppose that his *manners as a gentleman* were changed.

\*Since the above was written, the reply, copied from the *Watchman*, has reached me in the *Charleston Times*."

Political Designation

Of the 14th and 15th Congresses of the United States.

The following comparative view is from the *Norfolk Herald*. It shows a great decline of the power or spirit of party.

STATES.	14th CONGRESS.		15th CONGRESS.	
	DEMO.	FED.	DEMO.	FED.
Vermont . . . . .	:	6	6	:
New-Hampshire . . . . .	:	6	6	:
Massachusetts* . . . . .	3	17	7	11
Rhode Island . . . . .	:	2	:	2
Connecticut . . . . .	:	7	:	7
New-York . . . . .	21	6	22	5
New-Jersey . . . . .	6	:	6	:
Pennsylvania . . . . .	19	4	19	4
Delaware . . . . .	:	2	1	1
Maryland . . . . .	4	5	5	4
Virginia . . . . .	17	6	20	3
North-Carolina . . . . .	10	3	11	2
South-Carolina . . . . .	8	1	9	:
Georgia . . . . .	6	:	6	:
Ohio . . . . .	6	:	5	1
Kentucky . . . . .	8	†2	10	:
Tennessee . . . . .	6	:	6	:
Indiana . . . . .	1	:	1	:
Louisiana . . . . .	1	:	1	:
Mississippi . . . . .	:	:	1	:
Total . . . . .	116	67	142	40

Democratic majority in the 14th congress 49.  
Do. do. 15th do. 102.

Giving the democratic republican side of the house the enormous gain of 53.

"The era of good-feelings."

The real or apparent moderation of party spirit, has caused the present to be called "the era of good-feelings." The following toasts afford us a very remarkable evidence that it is so—so far as toasts can be taken in evidence.

*Arnold Welles, esq.* lately resigned the command of the 3rd brigade, 1st division, Massachusetts militia. The officers very handsomely gave him a dinner at Boston—among the guests were gov. Brooks and lieut. gov. Phillips. The following were among the regular toasts drank on this occasion, after the cloth was removed.

Our country—Her march has been with a quick step toward her station in the front rank of nations.

The constitution of the United States—May party spirit never make it a dead letter.

The army, navy and treasury—The nation's best friends, and only natural allies.†

The officers and soldiers of the last war—who, in raising their own characters, exalted that of their country.

\*In two of the districts of Massachusetts there was no choice, which will account for the deficiency of that state in the present congress.

†These two are put with federalists, though they were more properly non-descripts or neither-sideans

‡"Seek protection under the British cannon, and unfurl the republican banner against the imperial standard," officially advised a late governor of Massachusetts.



The American navy—In *whose stripes the world beholds the rainbow of its freedom* from another "dominion of the sea."

National justice—Our republic we trust is *erect, let us wheel neither to the right nor left, nor halt in our integrity, but forward march.*

Political harmony—*Soldiers know no party but their country.*

The patriots of South-America—May success crown the exertion of all who aim at the emancipation of mankind.

### Postage on Newspapers.

The *National Intelligencer* says—"The abolition of the tax on news papers, in the shape of postage, is proposed in Niles' Weekly Register. The duties of the post office department would be greatly simplified by such an arrangement, and the convenience of the people consulted. There must, however, be a limit ultimately to the circulation of newspapers; for already their transmission is frequently delayed, because the mail would be, with them, to cumbrous for transportation. It is time to look for a remedy for this difficulty."

☞ The delays spoken of are matters of notoriety. But we are unfriendly to any regulation that may "limit the circulation of newspapers." They must be left to regulate themselves. And the evils complained of will be lessened as the country is improved and the roads made better; whereby the mails may be more generally carried in stages than they are at present.

### Colonization of free blacks.

FROM THE DELAWARE WATCHMAN.

The subject of the following communication has lately awakened much attention; and the public opinion is divided upon it. In such a case it is proper that both sides should have a fair hearing through the medium of the public papers.

TO H. NILES,

Editor of the "*Weekly Register*," Baltimore.

SIR—Although we are, personally, unacquainted with each other, yet your "*WEEKLY REGISTER*" has long since introduced you to me, in such a way as to leave upon my mind an impression of the highest respect for your person, and your character. It is no more than simple justice to its editor to say, that a more ably conducted and extensively useful periodical work than the "*Register*" it has not been my fortune to see published in the United States, or elsewhere.

I have agreed with you most cordially in sentiment, upon every general subject which you have touched with your pen, since I have been a reader of your paper; with the single exception of a publication which appeared on the 4th Oct.—and I regret exceedingly that the *first* difference should have arisen upon a subject, than which few indeed, in my humble estimation, are more important to the people of these United States. I allude to the black population of our country; and the scheme now in agitation for colonizing them upon the coast of Africa.

Perhaps it betrayed great simplicity in me, to suppose that the sentiments of *all men could be united upon any subject, however happy the thought, or perfect the scheme.* Yet I was induced to think, that the plan for colonizing the free blacks would hardly meet with opposition from any candid, humane and rational man in this country. I find, however, that I was mistaken; for I freely

allow you all these, and many more good properties; and yet I see that you have objections to this project. To advocate it, therefore, has fairly become the duty of its friends.

Your remarks, which are at present the subject of examination, seem merely prefatory to the introduction of certain calculations, copied from the United States' Gazette; and made, as it would appear, to shew the enormous expense which would necessarily attend a completion of the colonization scheme. You will allow me, sir, to say, that if these remarks and calculations had appeared no where *except* in the Gazette, I should, as one individual, have felt quite disposed to suffer them to pass unnoticed, as being comparatively harmless; to have viewed them merely as a new edition to the mass of errors which characterize that paper.—But I assure you I design no compliment when I say, that by copying these estimates into your Register, and by your remarks, countenancing at least, if not absolutely advocating them, as correct, you have stamped upon them a *character*, and given to them a *currency*, which they could not otherwise have obtained.

You have made enough of these calculations your own, to hazard, in terms the most unequivocal, an opinion, that the whole scheme of a foreign colony of blacks, is utterly impracticable; and if *practicable*, you add that it would be *useless*. If I have understood you correctly, you deem the project impracticable, on account of its *expense*—*useless*, on account of the *slowness* with which it will operate—and conclude, that we must "*look at home*" for the means of benefiting these people, and ameliorating their condition.

As a want of time will compel me to be brief, allow me, my dear sir, to be candid; grant me, in this instance, the privilege of an old friend, although not even an acquaintance. Pardon me, if you think me too hasty, when I say, that I believe you to be, upon this subject, mistaken. The ideas of *expense* and *inutility*, held up to view by the publication in question, *are not—they cannot be true.*—If the affair of planting, and maintaining, or rather of protecting colonies was at this day totally *new*, then indeed might a license for speculating in opinion upon this probable expense, and utility, be granted: and then too might the grossest errors upon this subject be pardoned, as mere mistakes. But this certainly is not the case. Since the earliest periods, at which we have any knowledge of mankind as living under any regular forms of government, the *establishment, or acquisition*, of colonies, has been a part of their policy: and I believe, *even in common cases*, it has been a policy, the soundness of which, in a national point of view, has rarely, if ever, been questioned. If the contrary has been the fact—if colonies have been either dangerous, or unprofitable to their mother countries, the general conduct of nations, upon this subject must have been grossly inconsistent; for the subjugation and security of colonies have cost many bloody and expensive wars.

As a citizen of the United States, I never wish to see this government, as a mere matter of national policy, unconnected with views of internal security to ourselves; and as a matter of strict justice to others, reaching after foreign territory, or foreign conquests, either by planting colonies from home, or by subjugating the people or territory of other nations. With us there remains no necessity for pursuing such a policy, *as it has generally been pursued by other nations.* Of territory we have sufficient—of the necessaries of life, and even its lux-

uries, we are in no danger of wanting.—Our local situation, and the rapid progress of our white population forbids the idea of *external dangers*:—and views of mere ambition, do not suit the genius, either of this government or people.—Yet, however, there are other reasons—powerful and humane reasons—reasons arising from circumstances in themselves peculiar—such perhaps as few nations before us could assign for the establishment of a colony in a foreign land. The colony itself, too, would, I trust, in this instance, not only be planted and protected, from *motives*, differing in their origin and tendency, from those which have generally actuated other nations in such cases: but our after conduct, in relation to the jurisdiction, which we should attempt to exercise over this settlement, would be materially different. If a colony of free blacks should be established upon the coast of Africa, and under the fostering care of the United States should flourish and grow strong, even beyond the most sanguine expectations of its warmest friends—I hope and believe that this government never would, for one moment, permit ambitious views of aggrandisement to urge upon the colonists the slightest unwished for restraint, either as it regarded their lives, their liberty, or their property. Such a settlement as I hope and believe it is the wish of the friends of this measure to make, would in fact not deserve to be considered as an appendage to the government of the United States. We would wish now to act as a mother, who, from some circumstances of past error in conduct, making the event disgraceful and unfortunate, had brought into the world an offspring which she deemed it dangerous both to herself and her issue to keep about her person; and yet would not abandon it to mere chance;—she places it at a secure distance, where she nourishes and protects it in infancy—she gives it good example and wholesome precepts in riper years; and when of full age she passes it upon the theatre of life, to take its station amongst mankind, and to rear up a name and fortune for herself.

A few premises assumed, and I hope they will be granted, will make the *necessity* and the *propriety* of a colony clear. The probable *expense* of the establishment will require some remarks; which with a few *general* observations upon the whole subject, shall end the trouble that I design to give you at this time.

*First*, then, I shall take it for granted, that, in a free representative government, such as we have the happiness to enjoy, *all should possess alike, personal and political liberty*; so long as no act is done by the individual, making it *lawful* to deprive him of those rights.

*Secondly*, there are now amongst us (according to the Gazette estimate) 1,200,000 human beings deprived of their *personal* freedom; and 1,500,000 debarred from all *social* and *political* rights; which number is daily and rapidly augmenting.

*Thirdly*—From long and firmly established habits, and modes of thinking amongst the white population of these states, and I might add, of nearly the whole civilized world, 'tis as utterly and obviously impossible, that the negroes should, even whilst amongst us, be admitted to a full, free, and equal participation in those rights, and privileges, as it is to change the whole of their skins from black to white; for, leaving out of view the question as to the original sameness of the black and white, or the African and European,—time, with an endless variety of circumstances, too easily felt and understood to need a repetition, has, *in effect*, made them

two distinct orders of mankind, which cannot now, I think, by any human effort, be peaceably and quietly amalgamated.

*Fourthly*—If it were possible, suddenly, or even gradually, by legislative interference, or by the operation of reason and the dictates of humanity upon the minds of the slave holders, to liberate from servitude the *whole* of the negroes, and to soften the asperity of their manners by education; if still kept amongst us, and yet deprived of the freedom of social and common unrestrained intercourse with the whites—and, politically, as it regards many of the most essential privileges of citizens, to all intents and purposes slaves—they would not, they could not, as their numbers became formidable, and their rights as men better understood, rest thus easy and satisfied: a convulsion must sooner or later follow, dangerous as well to the whites as to themselves. Here then seems an instance where “necessity” does not only “supersede law;” but also usurps the place of *right*. And where “acts of violence” appear to be “justifiable, in order to prevent a greater and more permanent evil.”

*Fifthly*—According to some of the fundamental principles upon which the federal compact, constituting the *magna charta* of these states, was found, there *should be no order of free men* born amongst us, or naturalized with us according to the laws of the land, and yet *held back* from a full participation in *all* the rights of citizens. Following the spirit of these principles, when 'tis clearly seen that natural and absolutely unconquerable difficulties have gotten up between a numerous class of individuals and those rights, it becomes imperiously the duty of the government, to provide a place, and the means of protection, where they *can* have extended to them, in their fullest sense, all the rights and privileges, which, as men, belong to them.

*Sixthly*—Those unfortunate people came originally from Africa, where they were placed at a period beyond our knowledge, by the great author of their and our existence. That country possesses an immense population, immersed in barbarism, and in heathenish darkness. By the establishment of a colony upon their coast, under the direction of the United States, not only a correct knowledge of rational government, but also the arts of civil life, and the principles of christianity, might soon be generally diffused amongst them. Who can tell what an immense and important superstructure might soon rise upon such a foundation? It would seem as if Providence had permitted a part of these people to be separated from their country, and dragged into bondage, that there might be sent back with them the light of civilization, and the blessings of christianity, to their benighted and unhappy countrymen. By similar means are great events often brought about by HIM who, from the greatest apparent evil, can at pleasure bring the utmost possible good. The time seems at hand, and we are called upon to “let them go to enjoy their rights, and worship their God in the land which he has set apart for them to inherit.”—If we hearken not, but harden our hearts, the plagues of Egypt, or worse, may be visited upon us. To keep these people much longer amongst us with safety, and yet do them justice, truly “presents a question hedged about by difficulties.” It is, sir, utterly impossible. The God of nature has left us no tract, except the right one, to pursue. We are in this instance without an alternative. The “wisest heads may be *bothered*,” and the most cunning invention racked, to devise other means and other ways; but to a colony it must come at last. The spirit of justice and



of humanity has seized forcibly upon the minds of too many of the people of this country, to permit these wretched Africans in our land to remain much longer in a state of brutal vassalage, without a door of escape. Such is our situation as a society, and as a government, that we *cannot* do them full justice here; and we dare not be partial in our grants. We can only *allow* them the *power* to go where the *rights of man can be fully and safely* extended to them.

Is this scheme then practicable?—this seems to be one question: Another is, will it, if adopted and persevered in, answer the purposes designed by its advocates?

I have heard much conversation upon the subject of establishing this colony, since the project was first mentioned in public: but until I read your remarks in the Register of the 4th Oct. I never heard the idea of *expense* advanced as an objection to the measure. Either the people generally must have had very mistaken impressions upon this subject; or the calculations which you have copied from the Gazette must be extravagantly wild indeed. It is really a frightful picture of expense, which has here been presented to the people with a few strokes of the pen. And if the estimate be true, even after "*deducting from it fifty per centum,*" he would be a madman who would attempt to urge the scheme an inch further. I have my doubts, however, if a deduction of *ninety and nine per centum* from this calculation would reduce the sum *below* what actual experience may hereafter shew to be the truth.

It would be superfluous to advert to ancient times, for examples of the expense incurred by planting and supporting colonies; or rather by *protecting* them: for if colonies are judiciously settled, they will very soon be *more than able* to support and protect themselves. The chief care which mother countries have generally had over colonies, has been to cripple them in their resources, by way of keeping them in a condition to be peaceably governed. When large naval and military forces have been kept up in colonies for the purpose of keeping them in servile subjection, then indeed may they have been unprofitable bargains.

Colonies have been established or acquired in America, at different times by England, France, Spain, and Portugal. Amongst innumerable other examples, these may be sufficient.

England lost nothing by her colonies here, until she began to make war upon, in order to oppress them. As consumers of her surplus manufactures, taken upon her own terms, she in fact drew a large annual revenue from her possessions here. France lost nothing by hers so long as she was allowed to hold peaceable possession: so valuable on the contrary did she consider them, that, from the day she lost them to the present hour, she seems never heartily to have forgiven England for having wrested the most important of them from her hands. And has England ever evinced a wish to yield her possessions in Nova-Scotia and the Canadas, as a too troublesome or expensive bargain? Have we ever heard it *officially* said that those provinces were not a real and substantial benefit to the crown of England? It is not long since France received from the U. States fifteen millions of dollars in exchange for her right of sovereignty over the soil and people of Louisiana—could this, then, which was nothing more or less than a colony, and one to which the emperor of the French had but a doubtful title, be considered as a useless, as a troublesome or an expensive appendage to that government? I presume, on the contrary, that if France

had not at the moment been pressed for money, joined to a perfect understanding upon her part that she could not, by force, long hold it in possession; four times the sum would have failed to make the purchase. What are the advantages of the Portuguese colonies in South America, to that government? This I cannot exactly tell; but think it fair to presume, from the king and court having left ancient Portugal, and settled down in those provinces, that they were estimated as being *more valuable* than her possessions in Europe.

And Spain—has she not in fact *existed* upon the wealth of her South American colonies, for at least the last half century? and does it not at this moment seem as if she would willingly enlist all Europe in her armaments, in order that she may retain these possessions? So immensely important are the Spanish settlements in America to that government, that a prediction might safely be ventured, in the event of her losing them, as she most assuredly will, that with them will the Spanish monarchy expire.

Have we in truth ever heard it said, even where territory had been wrested by force of arms, and the natives subjugated or exterminated by tedious and bloody wars, that the settlement and protection, whilst in infancy, of colonies, has been to nations an unprofitable business? I repeat it, and I think, upon the authority of all history, ancient as well as modern, that when the expense of this affair has exceeded its profits, it has been by the maintainance of a naval and military force, not for the *protection* of these settlements, but to keep them in abject *subjection*.

The editor of the Gazette finds his calculations, with which you have acquiesced, upon a supposition that 15,000 negroes will be transported to the colony the first, and a like number every subsequent year, and that the expense of this transportation, as well as their subsequent maintainance, will come, *ad infinitum*, from the public purse. Here, I take it, is the ground of the error. It cannot be admitted, I think, as in any degree probable, that 15,000 of these people could be had, willing to venture this experiment *at once*; and if *four times* that number should, as they probably would, emigrate annually to the settlement, after it had become completely established, and in a flourishing condition, neither their passage, or maintainance would be demanded from the government. Those for whom the colony was intended would, as soon as its situation and the design of its establishment came fully to be understood by them, make their way to and find their support in it, as the poor and oppressed people of Europe now do to the United States. It does not require that mankind should be *forced*, as to a prison, from misery and oppression, to happiness and liberty. Let them but *feel* their wretchedness, and *see* the land in which they can find relief, and the passage is made sure. There are no difficulties too great for man to surmount, in pursuit of his happiness; and the more he is *pressed* upon, the greater will be the *reaction*, when he finds an opportunity of throwing off the burden. If 1000 negroes can be found disposed to go to this colony the first year, it will be as many as could either be expected, or wished for. Taking, then, the Gazette estimate as correct, and apply it to one thousand, the sum required would be about \$250,000—and if a like sum be required for the *two* succeeding years, amounting in the whole to \$750,000—this, *loaned* to the establishment, would, I imagine, be about the extent of the assistance, as it regards money, which it would be necessary for the government to afford. If a few of



these people can once be comfortably established, upon a spot in Africa judiciously chosen, and peaceably and securely obtained from the natives, I presume it reasonable to believe that the whole affair of trouble and expense to this government will be over.

The habits of industry, with the arts of civil life, will be taken with them from this country. Agriculture and manufactures, of some description or other, will soon give a surplus, upon which will naturally be bottomed a commerce with this country; and so long as we shall have the expense of protecting them, so long will this government have the right to regulate, and, consequently, to receive a profit from this commerce, as a matter of mutual interest to individuals of this country, and to those of such a colony; and from every such example as has heretofore been afforded by the world, I take it for granted, that such a commercial intercourse would commence, coeval with the colony itself, as would not only afford all articles of necessity to the settlers, but also give constant opportunities of removal to those whose inclinations might lead them to join the colonists.

Such an establishment, instead of being a dead weight upon the hands of this government, might, in a very few years, indeed, be, in a commercial point of view, an affair of interest, and a matter of real importance to the people of this country. As the number and resources of the colonists increased, they would, as a natural consequence, extend themselves, either by an admixture with the natives, or by a purchase of their possessions, or perhaps by both.

I feel certain, owing to a variety of causes, that at first few of the free blacks in this country would be willing to hazard such a change. Yet it seems equally clear that such a colony, once fairly settled and established, with some of the subordinate stations in the administration of its government committed to the most active and intelligent negroes, whilst the rights and privileges of men and of citizens was extended to all, without exception—the establishment would rapidly acquire a character, which could not fail to insure a speedy and certain growth. If such an outlet be afforded to the negroes of this country, I am greatly mistaken if it would cost this government either money, or trouble, and comparatively but a little time, to drain off nearly, if not entirely, these people from amongst us. The prospect of such a place of refuge would greatly tend to encourage the liberation of slaves, who now are, and (without such an establishment) together with their posterity, will perhaps remain, in perpetual bondage. It would moreover afford the opportunity to the legislatures of the different states, to change the cruel and unnatural punishments which are now inflicted upon this description of people for the commission of crimes, to that of transportation to this colony.

Admit, what seems quite probable in this affair, that there are many, very many, of the negroes now amongst us, who have already worn out the best part of their lives in personal and under political slavery, and who yet have formed certain local attachments, in despite of accumulated ill treatment, sufficient to hold them by choice to the land in which they have grown old: and admit also, that there are many now young, and some not yet born, who might, from a feeling of respect for the opinions, and attachment to the persons of their venerable relations, for a while forego the privileges of men, and submit to the conditions of beasts—yet the former of these would in a few more years have

passed to that land where "troubles cease and the weary are at rest." And the latter would in all human probability gradually avail themselves of the opportunity of taking that rank among the nations of the earth, which they could no where find except in this colony.

In the common course of events, a few years would doubtless find these people, thus settled, strong enough, in numbers and resources, not only to feed, clothe and defend, but also to govern themselves. As soon as such an event happened, I presume there would be no contest for supremacy between the colony and the mother country.—We no doubt would at any time be ready to sever the bond of connection, politically speaking, and leave them as other nations, "enemies in war, in peace friends." At all events, taking the very worst supposition, upon this part of the subject, as matter of fact; and allow that few or none of these people could be persuaded voluntarily to venture this change of situation—we should nevertheless, by affording them the possibility of escape, do all that remains in our power to clear our skirts of an enormous moral evil, in having acted hitherto at least as accessaries, in bringing them forcibly from the land of their forefathers, and retaining them as the worst of slaves: Whilst we should benefit our country, and add much to the safety of her political existence, by opening a door through which the transgressors of her laws could be forcibly thrust; and who, if but punished in the ordinary way, and afterwards left amongst us, having been first oppressed, then goaded on to madness, would serve as fire-brands, ready, as soon as combustible materials sufficient may be collected, to kindle a flame destructive as well of the oppressor as the oppressed. Although, in common I believe with all the friends of the colonization scheme, I hope and believe a very different issue to this project; yet if it would ultimately turn out a mere penitentiary, a place of safe keeping for criminals, and remain perpetually a public charge; still it will not be without an example in the world—nor I believe without its uses. I am not to be understood as advocating it upon such grounds.

You wish, sir, "the talents and influence, with the wealth, of those who are advocates for foreign colonization, to be domesticated to the relief, the protection and the advancement of this unfortunate race."

I am at a loss to tell your precise meaning in this instance. You seem indeed unable, yourself, to guess what result might arise from conduct so devoutly and humanely wished for. "Something," indeed; and no one I believe knows exactly what, would arise from a general effort to ameliorate the condition of these people, if they are still to be kept amongst us. What that something would probably be, is however a matter of serious importance, and may become the subject of another letter. This one has already grown far beyond the limits I had in my mind at first prescribed to it. I shall therefore at present transgress no further upon your patience or time.

HOWARD.

State of Delaware, 22d Oct. 1817.

A REMARK.—The editor of the REGISTER is truly sorry to believe that he is able to shew that the benevolent writer of the foregoing is "mistaken;" which he shall attempt to do next week. The consideration at the close of the essay—to afford to this people the "possibility of escape," is, in his opinion, the most weighty of any that is urged.



## Legislature of Vermont.

## GOVERNOR'S SPEECH.

The governor and council appeared in the house, and his excellency being sworn into office, delivered the following speech:

*Gentlemen of the council, and*

*Gentlemen of the house of representatives.*

Permit me on this occasion, with gratitude to express the satisfaction I feel, that the freemen of this state have so far approved my past conduct, as again to honor me with their confidence.

It is a source of peculiar gratification that we are convened under circumstances most propitious.—That universal gloom which fearful apprehensions of extreme want spread over the mind at the last session, and the commencement of the present, has by the extraordinary frugality of the people, succeeded by the blessings of Heaven, been happily dispelled, and the dreaded distress but lightly felt. We have abundant cause of gratitude to the author of all our benefits for the luxuriant harvest of the present year, the unusual degree of health which has prevailed throughout this state, the general harmony existing among us, and above all, for the rich and recent spiritual harvest which, in many places, has been truly great.

The deficiency of a circulating medium, owing to an increased emigration of our inhabitants to the west, who have converted their property into cash for transportation, and the unfruitfulness of past seasons, in addition to the common causes which uniformly produce a scarcity of money at the close of a war, has caused some serious embarrassments; but the industry and economy it has excited has nearly counterbalanced the evils experienced.—By the pursuance of this prudent course, if attended with the ordinary smiles of Providence, we shall soon possess a suitable portion of circulating medium, without resorting to the ruinous system of paper credit. The act of the last session, making it penal to pass any bill or note of a less sum than one dollar, in lieu of money, has had its desired effect in preventing further impositions, without introducing any material evil.

No important political changes among foreign powers, affecting the interests of this, or the United States, have come to my knowledge since our last session.—The nations of Europe remain settled on their lees. Happy would it have been had their contests terminated more favorably to the rights and liberties of the people. But notwithstanding symptoms which excite sound yet feeble expectations of amelioration of condition in that long devoted country, multitudes of the inhabitants, awakened to a sense of their sufferings, and aspiring for liberty, are resorting to the United States, the only present asylum for oppressed and afflicted humanity. Those emigrants, with many of our own citizens, are rapidly settling and cultivating the western wilds, were they will soon form a strong barrier against savage barbarities, and foreign encroachments.

The inhabitants of the southern part of this continent are still struggling for freedom and independence, the issue of which must decide the happiness or misery of millions of the present and succeeding generations. It will essentially effect not only our commercial states, but the world at large. Should emancipation be the event, we may reasonably hope, ere long, to see arts and sciences, agriculture, commerce and manufactures flourishing throughout that vast populous and fertile region, and every rank of its inhabitants in the full fruition

of all the blessings of civil and religious liberty, unshackled by superstition, unincumbered by the edicts of kings. While we anticipate the prosperity of others, let us critically attend to the probable means of heightening our own.

Improvement in manufacturing is a subject so closely connected with the interests of this state, that it cannot fail of engaging your attention. It should be the policy of a state so remote from the great marts of the world, and not adjacent to the seaboard, to adopt every prudent measure to supply her wants by her own manufacture; by which means she prevents the emigration of many of her valuable citizens to other parts of the country to find employment, makes a neat saving of the expense of transporting that portion of provisions consumed by the manufacturers, and turns the balance of exports and imports in her own favor. Little need be said to recommend an object of such apparent importance.

I would suggest for your consideration, the propriety of an early and thorough examination of the affairs of the state-prison to ascertain whether any improvement can be made in the employment of the convicts, or better economy introduced relative to the expense of their subsistence.

If the state of our finances will admit, I am of opinion, that to purchase a stock of materials, prepare the proper machinery, and employ a part of the prisoners in manufacturing woollen cloth, would be more profitable than to employ so large a portion of the laborers in weaving cotton, especially while the depressed state of factories, renders that business so disadvantageous.—From the present value of woollen cloth, compared with the price of the raw materials, it is evident that a handsome saving might be made to the state by the manufacture of that article: I would also recommend the purchasing of a small tract of pasture land in the vicinity of the prison, for the purpose of keeping cows, which would be a means of furnishing the prisoners with a wholesome diet during the warm season of the year.

It will be found necessary, even if the present system of labor be continued, to erect additional workshops, unless some other mode of punishment, for crimes of small magnitude, should be deemed preferable to confinement in the state prison.

An elegant map of the state of New-Hampshire has been by that government presented to the state of Vermont, which, with the laws of several of the sister states, I have caused to be transported to this place, to be disposed of as the general assembly shall direct.

Sundry communications, from different departments of the general government, and from individual states, have been made to me during the last year. All those designed for your consideration will be seasonably submitted.

Permit me, gentlemen, before I close, to express the entire confidence I feel, not only in your intelligence and abilities, but also in the purity of your intentions, to manage the concerns of your constituents in such a manner as shall tend to ensure their equal rights and promote their highest happiness. The importance of our trust will be realized when we compare our distinguished privileges with those of the people of any other country.

We find ourselves, after the most arduous and threatening conflicts, by the interposition of Divine Goodness, at peace with all nations, tranquil and happy among ourselves, and in the full participation of every right, whether moral, civil or religious.

It is the imperious duty of the legislature, as the

faithful guardians of those sacred rights, under every circumstance, to watch over them with faithful care, cherish every principle, and employ every means that tends to support and perpetuate them; among which may be ranked, general information, industry, frugality, science, morality and pure religion. While these prevail, we may safely rely on the continuance of all the blessings of our free and equitable government.

Under these considerations, our attentions will naturally be drawn to the promotion of education, in all its various branches, as the most powerful barrier against those errors, of sentiment and practice, which corrupt, misguide and enslave a people.

My best endeavours will be used to carry into effect such measures as you, in your wisdom shall adopt. And may sagacity, prudence, unanimity and firmness, characterise the proceedings of our present session.

JONAS GALUSHA.

Montpelier, Oct. 10, 1817.

### Law Intelligence.

*To the honorable Bushrod Washington and Richard Peters, judges of the circuit court of the U. States.*

SIRS—The grand jury of the circuit court of the United States for the district of Pennsylvania, have heard with great satisfaction your excellent charge at the opening of the court, and in order that the community at large may profit by the sentiments it contains, we take the liberty of requesting a copy of it for publication. We are more anxious that you should yield to our wishes, since the peculiar situation of the country gives additional value to that part of the charge in which the duties of the United States as a neutral nation are enforced in a manner which has received our most hearty concurrence and approbation.

We cannot indeed be insensible to the great events which are agitating the southern continent, nor is it surprising that the sympathy of our countrymen should be excited in favor of a cause which promises, in their opinion, to extend the blessings of freedom. But this sentiment, however sincere it may be, ought not to interfere with the obligations which bind us to our country. Our first duty as citizens is obedience to the laws; and while the constituted authorities have decided against taking any share in these contests, when they have recently passed a law to extend and increase the penalties before imposed upon those who embarked in them, and are professing to foreign nations a dignified and impartial neutrality, it is reproachful to the administration of the laws that those provisions should be evaded, and that a few individuals should thus put to hazard the peace of the country, without its consent and in defiance of its authority.—These violations of the laws are in the highest degree injurious to our interests as well as to our reputation; they degrade the country by showing the impotence of its laws, and they excite distrust towards the government, by contrasting its professions with acts of hostility, which foreign nations will think it too weak or too insincere to control.—They do not seem to benefit even the cause which is their ostensible object to promote; and their inevitable effect must be to tarnish the maritime reputation of the country, and perhaps provoke reprisals on its commerce, in exchange for the obscure and unlawful profits of some desperate adventurers.—Against such proceedings it is the duty of the officers of the government to employ the most vigilant opposition, and in the character of the president of the United States, we have the utmost assurance

that the extensive power vested in him will be faithfully used, upon this as on every other occasion, for the honor and advantage of our country—the grand jury will most cheerfully exert the powers which are confided to them, for the same purpose, and they trust a general diffusion of the opinions you have delivered, supported by the weight of your official and personal characters, will tend to produce among all classes of citizens, a willing submission to the laws.

CHA. BIDDLE, Foreman. GEO. ROBERTS,  
JACOB S. OTTO, W. STEVENSON,  
ROB. WALN, WILLIAM Y. BIRCH,  
WILSON HUNT, JOSEPH SMITH,  
WM. CRAMMOND, THOMAS M'KEAN,  
JNO. INSKEEP, SETH CRAIG,  
THOS. M. WILLING, LEWIS RUSH.

ANSWER.

*Mr. Foreman, and gentlemen of the grand jury—*

At a very early period of my official life, I received applications from the grand juries similar to that which you have now done me the honor to make.

I was apprised that some charges, rather of a political cast, which had been delivered by some of my predecessors, had been misconstrued and distorted by zealous party men out of doors, and that very improper uses had been sometimes made of them to mislead the public mind, and even to affect the character of the judiciary. Although I endeavored carefully to avoid an expression of political sentiments in the charges which I prepared, only so far as they were necessarily connected with legal subjects, I was nevertheless warned by the past, to refuse giving publicity to those I delivered to the grand juries.

The same reasons which influenced my conduct then, do not now exist; and as the subject to which your letter particularly points, is certainly of great importance, I shall deliver the charge to you, to use as you may think proper.

### CHARGE.

*Gentlemen of the grand jury—*

After reminding you that you have not only the power, but that it is your duty to present all offences against the laws of the United States, which have come to your knowledge, or which may otherwise be proved to your satisfaction, though no bill of indictment should be sent to you in the particular cases, I beg leave more particularly to call your attention to those offences which will be brought before you by the district attorney, and to some others, which deserve your serious attention.

The first offence which I shall mention is that of murder, which is defined to be the voluntary killing of a person with malice aforethought, either express or implied by law. The malice which stamps a homicide with the character of murder, is not confined to a particular will of the perpetrator to the deceased, but may be such as flows from a wicked and corrupt motive, where the fact is attended with such circumstances as afford plain indications of a heart regardless of social duty, and fatally bent on mischief. Malice, therefore, is implied from any deliberate cruel act against another, however sudden, and a homicide will amount to murder where it happens in consequence of some unlawful act, of which death was the probable consequence, if done deliberately and with intention of mischief or great bodily harm to a particular person, or generally, fall where it may, though the death happen against or beside the original intent of the party.



If malice, which is the the distinguishing characteristic of the crime, be wanting, the homicide, if it be not such as the law excuses, is denominated manslaughter, and subjects the offender to no higher degree of punishment than fine and imprisonment. But these offences cannot be prosecuted in this court, unless they have been committed at some place within this district, and under the exclusive jurisdiction of the United States, or upon the high seas.

The next offence which I shall notice, is generally denominated smuggling. In order to prevent as far as possible those evasions of the law, intended to provide a revenue from duties on imported goods, which dishonest men have it so much in their power to commit, various provisions have been made, and penalties imposed for a breach of them. In the first place, the commander of any vessel, bound to a port of the United States is required upon his arrival within four leagues of the coast, or within the limits of any district where the cargo is intended to be discharged, to produce to the custom house officer who shall first come on board, upon demand thereof, a manifest of the cargo, together with a true copy of the same, which the officer is required to transmit to the collector for his information, and to enable him to compare it with the original manifest, which the master is required to produce to the collector upon his arrival. The law then proceeds to forbid the unloading of any part of the cargo within the limits of any district of the United States, or within four leagues of the coast, before the vessel shall come to her port of discharge, and been there duly authorized by the proper officer of the customs to unlade the same. The penalties for breaches of the above provisions are imposed on the person having command of the vessel, and in the latter case, the penalty is extended also to the mate or other person next in command.

As a further guard, it is provided that no goods brought in any vessel from a foreign port, shall be unladen from such vessel within the United States but in open day, between the rising and the setting of the sun, except by special license from the chief officer of the port, nor at any other time, without a permit from the collector for such unloading. For a breach of these provisions, the master or person having the command or charge of the vessel, and every other person, who shall knowingly be concerned or aiding in such unloading, or in removing, storing or otherwise securing the said goods, forfeits the sum of 400 dollars for each offence, and is disabled from holding any office, of trust or profit under the U. States for a term not exceeding seven years.

The next offence is that of knowingly and wilfully opposing any officer of the United States, in serving or attempting to serve any means, process, warrant, rule or order of the courts of the United States, or any other legal process, or assaulting such officer whilst thus employed; or rescuing by force any person convicted of crimes against the United States, or committed for trial for the same.

I shall now proceed to notice some other offences which the district attorney may not have it in his power to bring immediately and distinctly under your cognizance, but which public report informs us have been committed both within and beyond the limits of the United States, in violation of the neutral professions and character of our government, against laws made many years ago to prevent them. We have heard of priva-

teers fitted out in some of the ports of the United States, with intent to cruise against the subjects of Spain, with whose government we are at peace, under commissions granted by persons assuming the powers of government in the Spanish provinces of America, under the color of which commissions, acts of the most unjustifiable violence and rapine have been committed. We have also heard of commissions issued, and enlistments made within the U. States for the purpose of aiding the revolutionists in those provinces.

At as early a period in the existence of our present form of government as the year 1794, a law was passed forbidding any citizen of the United States to accept and exercise within the jurisdiction of the United States, a commission to serve a foreign prince or state in war, by land or sea. It also forbids any person, whether citizen or alien, within the jurisdiction of the United States, to enlist or enter himself, or hire or retain any person to enlist or enter himself, or to go beyond the limits of the United States, with intent to be enlisted or entered in the service of any foreign power as a soldier, marine or seaman on board of any vessel—or to fit out and arm, procure to be fitted out and armed, or knowingly to be concerned in the furnishing, fitting out and arming within the waters of the United States, any vessel, with intent that she should be employed in the service of any foreign prince or state to commit hostilities on the subjects or property of another foreign prince or state with whom the United States are at peace—or to issue or deliver a commission within the United States for any vessel to the intent that she should be so employed—or to augment the force of any armed vessel within the jurisdiction of the United States in time of war between foreign powers with whom the United States are at peace—or to set on foot within the jurisdiction of the United States, or provide or prepare the means for any military enterprise, to be carried on from thence against the territory of any foreign prince or state, being at peace with the U. States. It would seem that congress at its last session determined to evince the most marked disapprobation of the expeditions which had been fitted out within the waters of the U. States to depredate upon the subjects of Spain, by enacting some new provisions to supply omissions or supposed omissions in the former law, and to increase the penalties before imposed. For whereas the act of '94, in relation to the fitting out and arming vessels within the waters of the United States, confined the offence to vessels intended to cruise or commit hostilities in the service or employment of some foreign prince or state, the law of 1817 extends this provision to vessels fitted out for the purpose of being employed in the service, not only of a foreign prince or state, but of any colony, district or people, clearly pointing to the expedition which had been fitted out in the ports of the United States, to assist the revolutionists in the Spanish American provinces.

So likewise augmenting the force of any armed vessel within the jurisdiction of the United States, in the service of a foreign prince or state, which is forbidden by the act of 1794, is equally interdicted by that of 1817, in cases where the vessel at the time of her arrival within the waters of the United States, was an armed vessel in the service of any colony, district or people, or belonging to the subjects or citizens of such colony or district.

Still more effectually to put a stop to these un-

lawful equipments, the law of 1817, not only increases the penalties and duration of imprisonment to double what they before were, but it requires the owners of armed vessels sailing from ports of the United States, wholly, or in part, owned by citizens of the United States, to give bond with sufficient sureties, that the said vessels shall not be employed by such owners in cruising or committing hostilities as aforesaid; and the collectors are further authorized to detain vessels built for warlike purposes, about to depart from the United States, the cargoes of which consist principally of arms and munitions of war, when there exists circumstances to render it probable that they intended to cruise or commit hostilities against friendly powers as before mentioned.

It is to be hoped that the strength of the executive arm (for the president is vested with very extensive powers to prevent the perpetration of the offences above described) and the vigilance of the custom house officers, with the co-operation of the judicial authorities, aided by the patriotism of all well disposed citizens, will release our country from the unmerited stigma of secretly taking part in a war which our government is unwilling to countenance.

I know that plausible pretexes are not wanting to palliate these lawless acts, and even to render them popular with those who regard rather the avowed than the real motive of the perpetrators of them.

The emancipation of an oppressed people is urged as an excuse for these military expeditions. But as it must be admitted that obedience to the laws of our country is the first duty of a good citizen, it follows that a wilful violation of those laws can never find an excuse in the motive which induced it, however we might approve the motive were the laws silent on the subject. I must, nevertheless, be permitted to suspect the sincerity of the motive which is professed in these cases. Search to the bottom and it will be found to originate in self-interest—in a cupidity for that wealth which is torn by power from the hands of its defenceless owners.

Gentlemen of the jury, should you know or have received information of the commission of any offence against the laws of the United States, and require the attendance of witnesses to testify before you, the court will, upon the application of your foreman, award the necessary process to bring them forward.

### Interesting Transaction.

If the following narrative, of an occurrence which has already excited considerable sensation, be considered as more diffuse than necessary, we can only say that the novelty of the case, and the importance of the precedent, required that no circumstance in regard to it should be lost.

FROM THE NEW-ORLEANS GAZETTE OF SEPT. 30.

Some time since we noticed the attempt of captain Felix, commanding officer of H. B. M. sloop of war Beaver, then lying in the port of New-Orleans, forcibly to transport from this place an individual not attached to his vessel, in defiance of the civil authority of the state. Shortly afterwards, captain Felix was arrested, and his conduct subjected to judicial investigation, during the pendency of which it would have been improper to expose the circumstances of the transaction to the consideration of the public. The investigation of the case having terminated, we now deem it proper to give publicity to the facts, in order to satisfy

the curiosity of the inquisitive, and to prevent the circulation of misrepresentations.

While the Beaver lay in this port, an individual, who had resided a length of time in this city, was induced to go on board for the purpose of selling tobacco to the crew. He was there arrested and detained as a deserter from the British navy. When the circumstance was discovered, Mr. Chew, the collector of the port, demanded of captain Felix, by letter, the liberation of the detained seaman, warning him at the same time of the consequences of attempting to proceed to sea without referring the matter to a civil tribunal. This application proved fruitless, and some of the seaman's acquaintances applied to the hon. Joshua Lewis for a writ of *habeas corpus* in his favor. A writ was regularly granted, directed to the commanding officer of the sloop, and ordering him forthwith to have the individual before the judge, to be dealt with according to law.—Captain Felix refused to obey the writ and wrote the following letter to the judge in justification of his conduct:

"On *H. B. Majesty's service.*

"H. B. M. SLOOP BEAVER,  
Off New Orleans, Aug. 30, 1817."

SIR—I beg leave to transmit you a copy of the deposition of the British deserter detained on board here. You will perceive by it, his acknowledgement of his being a British subject, a deserter from H. B. M. sloop Bermuda, and not a sufficient time a resident of New-Orleans to entitle him to the privilege of a citizen of the United States. You will also perceive, that he states himself to have gone by no other name while in New-Orleans than *Capel* and *Hamilton*; that of *Lamb* does not, therefore, apply to him, nor, while he acknowledges himself as a deserter from the British service, do I conceive he can be considered as a person illegally detained. If a writ, describing the individual and accompanied by such legal formalities as may sanction my compliance, be executed, I shall, of course, submit myself to the civil authorities, at the same time that I shall protest against the exercise of power in this particular instance and leave the further adjustment of the affair to our respective governments; but I trust the present statement will remove any misconception on your part, which, I am persuaded, has arisen from false information having been laid before you in the first instance. I again beg leave to remind you, that the man was not taken by us either from the shore or from any ship or boat, but came voluntarily on board, where he was recognized, and acknowledged himself a deserter from the British service; and being thus by his consent, placed under the power of the British flag, to detain him became my duty. Had I done otherwise, I should have acted contrary to my positive instructions. Immediately after the affair occurred, I waited on the British consul, and begged that he would communicate it to the civil authorities of the place. I feel anxious to obviate any misconception in this case, and to convince you that I have been guided throughout by a desire to act conformably to the mutual rights of the two nations.

I have the honor to remain, sir, with every sentiment of respect, your obedient humble servant,

R. R. FELIX,

Captain H. B. M. sloop Beaver.

To the hon. judge Lewis, New-Orleans.

Independently of any question of right as to the detention of the seaman, no greater indignity could have been offered to our laws; no greater outrage could have been inflicted on an individual, than, in contempt of the civil authority, forcibly to deprive



him of an impartial hearing before the tribunals of our country. The judge, therefore, immediately issued a writ of attachment, commanding the sheriff to arrest and bring before him the captain, for his contempt and disobedience of the former writ. The deputy sheriff used every exertion to execute the process: but was resisted, and menaced by the captain, who ordered his crew to fire, if the sheriff persisted in his efforts.

It would have been proper now for the sheriff to call out the *posse comitatus*; and the rapidity with which a knowledge of these events circulated through the city, and the burst of indignation which they excited, seemed to point to that measure, and would have rendered it efficacious. But the sloop was under weigh, the calamitous situation of the city was adverted to, nor was it doubted that capt. Felix would be arrested under the guns of fort St. Phillip, especially as it was known that a good citizen and a soldier of no ordinary fame commanded that post. An express was dispatched to the fort with legal process directed to the sheriff of Plaquemine, and by great exertion arrived there before the Beaver. Major Humphrey having been properly called upon, with his usual firmness and promptitude informed captain Felix that he must submit to the civil authority of the state, or he would be compelled to do so.

Immediately after his arrest, captain Felix was brought to this city, where he received information (which through motives of humanity had been communicated to him at Plaquemine) that his detention would be protracted till he caused the individual in whose favor the writ of *habeas corpus* had been issued, to be forth coming. The seaman was accordingly sent for, brought back, and after mature deliberation discharged. His honor, the judge, regretted that there was no law on the subject, nor treaty provision between the two governments, and that under these circumstances the two governments must reciprocally suffer for their inattention to the subject: that controversies of this nature must be governed by the general principles of law, which regulate ordinary contracts; that, therefore, if a voluntary contract between the individual and the British government had been proved, it could only have been enforced like other contracts, by a suit; and that force could only be exercised by individuals without the sanction of law. If the captain could not have arrested the individual on shore, and there forced him into a compliance with his contract, he could not exercise force towards him on board his vessel, while she lay in our waters. For, in a country governed by laws alone, accident gives no rights, and individuals cannot exercise higher authority in enforcing compliance with contracts than the civil authority of the country. The captain urged, with some plausibility, that even in the merchant service deserters could be summarily arrested and delivered to the authority of their officers; but it was answered that his was authorized by express statutes, both in England and in the United States, and the fact that statutes were deemed necessary to grant the power in that case, proved that it could not be exercised in the other without some legal provision. The orders of his commanding officer to arrest all deserters, which were pleaded by the captain, could not authorise him to violate our laws—indeed on subjects of this nature his orders were suspended by the authority of those laws, while, by permission of our civil officers, he remained within their jurisdiction. The man was liberated.

The captain having pleaded his ignorance of le-

gal proceedings and the orders of his commanding officer; having manifested, moreover, much regret for what had occurred, and made the most ample apologies, was discharged without being imprisoned or even fined. This was a degree of lenity not perhaps deserved—it was a lenity which was not extended to the saviour of Louisiana, in a case of a very dissimilar nature; it was a lenity, however, neither incompatible with the character of the judge, nor displeasing to his fellow citizens, who, while they are willing to sacrifice their lives and fortunes to maintain the dignity of their laws, to protect their inestimable privileges, and to exalt their national character, are above the littleness of personal spite and malignity of feeling.

Our indignation at this outrage of capt. Felix was mingled with no small degree of astonishment, that it should have been committed by an officer of the nation from whom that safeguard of liberty, the writ of *habeas corpus*, derives its origin—who boast of it as constituting a signal mark of distinction between them and the rest of Europe; a nation in which no man ever refused obedience to it, with impunity, unless it had been previously suspended by an act of the legislature. Even now, when the very existence of the government is menaced; when, if ever, it is necessary to arm the crown with extraordinary powers, the English people view its suspension with an impatience bordering on open rebellion although constitutionally enacted by parliament. And shall an English officer be permitted to commit an outrage upon this writ in our country that he would not dare to think upon in his own?

Captain Felix may have been misled by fallacious, intemperate, perhaps wicked counsel: he may have been impelled throughout this transaction, by what he deemed a sense of duty: if this was the fact (and we believe it was) we respect his feelings and regret the mortification to which he has been subjected; but we feel a pride and pleasure in the assurance that he was defeated in an attempt to invade the liberty of an individual (however humble his station) who was entitled to the protection of our shores; and that the minister of the law, while he shewed the magnanimity to pardon and forgive, where punishment was unnecessary, and example useless, displayed a power adequate to protect our rights from violation and his own dignity from insult.

## Foreign Articles.

ENGLAND, &c.

The revival of manufactures and commerce is much spoken of in the English papers.

*The crops.* The price of grain has fluctuated considerably in England, and from the late rise it may be presumed that the crops have not been so abundant as was reported. On the 30th Sept. American flour was sold extensively at 53 to 54s per bbl. say 12 dollars—a further advance was expected. An opinion is now given that the ports will not be shut after the 15th of November.

The London Gazette of Sept. 13, contained only five bankrupts.

Meetings have been held in many places to petition against the window tax. There has been some disturbances about it.

A letter from London states, that Colonels Hip-pesly and L. P. Skeene were raising regiments of soldiers for South America. A ship of 300 tons is in the Thames, having on board 300 officers and soldiers, enrolled for the purpose of fighting under the standard of the revolutionists in South America.

The London Courier of Oct. 1, concludes a long article on the subject of South American affairs, by saying that "England can take no part in the quarrel between Spain and her colonies."

The prince regent is trying to have built a yacht that shall excel the vessel called "Cleopatra's Barge," owned by George Crowningshield, of the "Yankee" town of Salem, and built by him just for a "notion." Thus are we copied in all that belongs to naval affairs, by the people of the greatest naval power in the world.

At *Sligo*, out of a population of 15,000 souls, 1000 had died of the prevailing fever. It appears to have spread over a large part of the country. The number of cases at Cork was not less than 400; at Down Patrick 100—at Newry it was rapidly extending, &c.

A very destructive contagious fever prevailed at Birmingham, Paisley, Liverpool, &c. It has also appeared in London and caused great alarm.

A young man of fashion in England, who lately came in possession of at least \$40,000 per annum is said to have lost the whole at cards!

We learn from Ireland, that a considerable sensation prevailed in Dublin, in consequence of a communication from the Chancellor of the Exchequer, stating that the wants of government were such that it would be impossible to relinquish the window tax, without substituting a house tax for an equivalent, which the citizens have stated their inability to pay. Placards were placed in every direction of the city, calling upon the citizens to hold meetings, and adopt measures for resisting this odious impost; which, when laid on, was done with an express provision that it should continue no longer than the war.

**PORTER AND ALE.** Statement of the quantity of Porter brewed by the twelve principal houses in London, from July 5, 1816 to July, 1817:—

Barclay, Perkins and Co.	281,484 barrels
Hanbury and Co.	168,751
Reid and Co.	157,131
Whitbread and Co.	151,888
Henry Meux and Co.	124,823
Combe, Delafield and Co.	110,776
Calvert and Co.	98,301
Goodwyn and Co.	60,307
Elliott and Co.	55,163
Taylor and Co.	42,920
Golden Lane Brewery,	42,756
Hollingsworth,	8,029

The following is the quantity of Ale brewed by the seven principal Ale Brewers in London, from the 5th July, 1816, to 5th July, 1817:—

Stretton and Co.	25,051 barrels
Wyatt and Co.	18,119
Charington.	16,886
Coding,	12,352
Hale,	7,763
Ball,	7,048
Whitmore,	4,923

**Emigration.** Some of the British writers begin to think that the emigration of 100,000 persons annually—would be advantageous, *except* that it might tend to strengthen some other country. New British settlements are therefore recommended. The policy of Britain often puts me in mind of the miser who, at the point of death, was very desirous of settling his estate—be hurried the notary lest he might slip off before the will was concluded, and cheerfully parted with his real property. But who is to have the cash, said the notary—"I'll keep that myself," returned the poor creature, and died. Self is so much the ruling passion with English

politicians, that they would rather suffer themselves than that others should profit from a removal of the cause of English distresses.

*Sir Robert Wilson* appears to be retracing his steps, as, it is said, was predicted by Bonaparte. This gallant friend of La Valette was one of the chief agents of the British government to subdue or exterminate, as might be most convenient, the people of Ireland, some years ago. He lately made a speech at Kent county meeting, in which he said, deprecating the measures of government—"Oh, it was the same system which introduced torture into Ireland—that torture which I myself witnessed—and whose dreadful image I never remember without shuddering—a torture where the innocent were not only confounded with the guilty by unsupported charges, but where the lash (as I declare to God, I saw it myself) was applied promiscuously on the chance of extorting a confession, or obtaining an accusation!"

Lord Cochrane was in London on the 30th Sept. The reports therefore of his having sailed to join the patriots are unfounded.

The London Waterloo committee have placed at the disposal of Marshal Blucher 200,000 rix dollars for the benefit of the Prussian sufferers, besides 10,000*l* for those who lost their natural protectors, by the battle. The king of Prussia has acknowledged the receipt of these donations, in a grateful manner.

Mr. Ellis, of Barming, the largest *hop-grower* in England, commenced picking the 8th Sept. and had engaged 2,700 persons in his large plantations!

It is calculated in Liverpool that Britain has, within a year, imported near fifteen million dollars worth of flour from the United States. The other nations of Europe have also imported much.

There were 26 prisoners in Derby goal on a charge of high treason, and 15 in Nottingham.

The Active frigate, has arrived in England from Jamaica, with 800,000*l*. chiefly in dollars, the greater part of which is for account of merchants.

Another advance has taken place in copper. It rose in September at Truro, to 125*l*. in the last two years it has been sometimes as low as 75*l*.

The Ellen, a British ship of war, which had been sunk by way of experiment for the cure of the dry rot, has been minutely surveyed to ascertain the result, which was found to answer every expectation.

The English steam boat *Majestic* of 111 tons left Margate, Sept. 13, at 9 o'clock, and entered the harbor of Calais at 4 o'clock in the afternoon, with 200 passengers.

Subscriptions have been taken in England for cutting a canal to connect the eastern and western seas.

Ships of all classes have been lately fitted at Plymouth with round bows, and they are henceforth to be fitted with round sterns also.

**American stocks in London, Sept. 30.**—Three per cents, 71½ a 72. New six per cents, 104 a 104½. Seven per cents, 109 a 110. U S. Bank shares, 30*l*. 5*s*. all with dividends from 1st of July.

**British stocks Oct. 1.**—Consols, 81½ for acct. 81½. Do for Nov. 82.

**Tobacco.** The British are very rigidly exerting themselves to prevent the smuggling of tobacco, which, it seems, is frequently done in small quantities by sailors, &c. and it is intimated that vessels on board of which it is found will be treated more severely than heretofore.

"*Pro-di-gi-ous.*" The London Courier of the 23*rd* Sept. announces the following important intelligence



which nobody in this part of the world can read without a smile: "We are informed that a stout, healthy young woman who is on the point of lying in, is already engaged as wet nurse for the child expected to be born next month, of the Princess Charlotté!!! The person so engaged, is the wife of a respectable yeoman near Claremont."

The Prince of Saxe Cobourg has presented his royal bride with a box of beautiful tabinets, just imported from Ireland, by his Serene Highness's order. *Who paid for them?*

The duke of Clarence lately gave a splendid ball and supper to 400 persons. *"Who paid the piper?"*

**BRITISH REVENUE.** *In a London paper.* A return in part has been made of the gross produce of the ordinary revenues of Great Britain during the last twenty years, together with the aggregate payments made out and into the Exchequer; we shall give in brief the sum total of each year:—

Year ending Jan. 1798	Total Rev.	
do.	1799	do 126,620,629
do	1800	do 33,632,337
do	1801	do 38,885,024
do	1802	do 37,741,823
do	1803	do 39,673,220
do	1804	do 41,931,747
do	1805	do 42,760,895
do	1806	do 50,064,143
do	1807	do 55,041,771
do	1808	do 58,761,859
do	1809	do 64,805,395
do	1810	do 67,050,618
do	1811	do 70,240,226
do	1812	do 74,044,543
do	1813	do 71,113,588
do	1814	do 70,435,679
do	1815	do 79,448,111
do	1816	do 81,334,292
do	1817	do 85,311,106
		dq 73,022,675

Our readers will be struck at the prodigious increase in so short a space of time, the gross taxes have been more than doubled in the course of ten years.

#### FRANCE.

A man pretending to be the emperor Napoleon, escaped from St. Helena, has been arrested and sentenced to five years imprisonment.

The duke of Ragusa reviewed the troops at Lyons on the 7th Sept. and on the next day the trial of 22 "insurgents" commenced—the cross of the legion of honor had just before been sent to three cannoniers of the national guard. It is supposed there had been some new disturbance at that place.

The French papers are filled with accounts of their elections. They appear to have been conducted without confusion. The deputies chosen are generally reputed to be of the liberal or revolutionary party, and the "legitimates" are said to be greatly alarmed.

The French seem very uneasy under the army of occupation—but the allies have absolutely refused to make any speedy diminution of it.

The accounts from France about the vintage are contradictory—it is probably short of the usual quantity.

Marshal Oudinot has addressed the national guards at Paris, who it was stated were about to take a side in conducting the elections.

A superb engraving has been exhibited at Paris, with wonderful eclat; it represents 3600 American militia, obtaining a victory over 12,000 veteran troops at New Orleans.

A public subscription had been opened in Paris, for the support of the liberty of the press, and for

defraying the expenses of writers prosecuted for doctrines favorable to human freedom. M. Lafitte, governor of the bank of France, and the duke of Broghe, member of the chamber of peers, are to receive the subscriptions and apply them.

A horrid duel has occurred at Bordeaux between two brothers, Messrs. de C—; one of them remained dead upon the spot; the other returned home and blew his brains out with a pistol.

At the request of the French academy, the corvette Urania has been fitted out, and sailed from Toulon on the 17th Sept. to proceed to measure the extent of the austral hemisphere, to make observations on the intensity to the magnetic powers, and different experiments interesting to natural history.

An expedition has sailed from Brest to take possession of French Guayana. Count St. Cyr is appointed governor of the province.

*Paris, Sept. 22.* The tables of deaths and births drawn, up by the twelve municipalities of Paris for the year 1816, present the following results:—

The number of deaths in 1816 amounted to 19,801; in 1815, to 21,549; the difference, 1,748 less in 1816.

Of this number, 12,484 died at their own homes, viz. of the male sex, 6,176; of the female, 6,313.—In this class is comprehended 278 bodies deposited at the Morgue, and 7,312 who died in the military and civil hospitals, viz. of the male sex 3683; of the female 3629.

The number of persons who died of the small pox, during the year 1816, was 150, viz. of the male sex 79, of the female 71. The number in 1815 was 190; being 40 more than last year.

The suicides during the year 1816 amounted to 183, viz. 122 men, 66 women. In 1815 they were only 175.

The births in 1816 amounted in the whole, to 22,366, viz. of the male sex 11,584, of the female 10,782. The number of deaths, being 19,801, the births exceed them by 2,565.

In 1816, there were 278 persons drowned, viz. 222 men 56 women.

#### SPAIN.

☞ We have a report received at Boston, that Spain has declared war against Portugal.

In the case of Mr. Meade, dungeoned at Cadiz, we have a singular evidence of the candor of the Spanish government. It appears, that on the remonstrance of our minister, Mr. Erving, a royal public order was issued for his release, and at the same time a secret direction, under the royal signature, was given to keep him confined! These facts reach us in the most confidential shape and seem as if they might be relied upon. *Glorious Ferdinand—illustrious petticoat-maker for the virgin Mary!*

There is a report that England has proposed a relinquishment of her claims against Spain, for supplies and maintenance of the British army, in return for a cession of the island of Cuba. These claims are said to amount to fifteen millions of pounds sterling.

It is mentioned, in the praise of Ferdinand's wife, that she has determined to act as wet nurse to her daughter. How is it that when this sort of folks do the duties of men and women that they should be so applauded?

The king of Spain has formally ratified the treaties with the allied powers, which relate to the future destination of the dutchies of Parma, Placentia, and Guastella, now possessed by the ex-empress Maria Louisa. By these treaties the reversion of the said dutchies is secured to the infant don Charles.

Louis, son of the queen of Etruria, sister to the king of Spain, and who is meanwhile to receive the states of Lucca, with certain stipulated assignments till the reversion takes place.

## NETHERLANDS.

The army of the Netherlands were to assemble, for inspection, between the 15th Sept. and the middle of Oct.—88,000 men were to be under arms. (A part of these is militia.)

## GERMANY.

The eminent mercantile house of Franzius and Co. at Leipzig has suspended its payments. The amount of its engagements are said to exceed 3,000,000 of Dutch guilders.

The monument of general, MOREAU, stands on the field of battle something more than a mile from Dresden, and though extremely simple, consisting of one granite stone, is very impressive. It is surmounted with a bronze helmet, wreath and sword. The inscription is merely—

"MOREAU der Held fel hier an der seite ALEXANDERS." *The hero, MOREAU, fell here by the side of ALEXANDER.* 7000 Wirtembergers emigrated to Russia, last summer.

## SWEDEN.

The old king of Sweden is so unwell and infirm, that nearly all the royal duties have devolved on Bernadotte.

A Turkish corvette has arrived in Sweden, with a cargo of cotton, &c. from Egypt—and will return laden with cannon, &c. presents from the crown prince.

In Sweden, they continue to work at the grand canal, between the North Sea and the Baltic, across the Swedish provinces. This canal commences at Gothemouy, and will finish at Soederkoeping, an extent of 36 Swedish miles. The expense is estimated above 7,500,000 crowns. More than half the canal is finished, and the whole is calculated to be completed in 6 or 7 years. [*One Swedish mile is from 5 to 6 English.*]

According to the table describing the civil state of Sweden, 344 children at the breast, were, during the year 1814, smothered by their mothers or nurses while asleep: and in the following year the number of innocent victims who died through this kind of imprudence amounted to 369.

A 74 gun ship has lately been launched at Carlscrona, said to be the finest in the Swedish navy, the restoration and increase of which appears to be a peculiar object of the government.

## RUSSIA.

A Russian squadron is to proceed to Tunis to obtain satisfaction for an insult to the Russian flag.

The rudders of several British vessels, suspected of smuggling, had been taken off at the port of Archangel, in order to detain them until the pleasure of the Russian government should be known respecting them.

An article from St. Petersburg mentions that the emperor Alexander was to quit the capital about 1st of September, to be absent 15 months, on a journey through his empire, to inspect the different garrisons and troops.

## TURKEY.

1500 houses have been destroyed by fire at Smyrna.

## BRAZIL.

A London paper says—Recent accounts from the Brazils state that every thing was tranquil in that quarter—the letters state that Martins and two priests had been shot, not hanged. The governor of Bahiá had published his displeasure at the manner of execution. The military fired five times—

the bodies were dreadfully mangled—two ramrods were found in the body of Martins.

Another London paper mentions a new revolution in Brazil at Pariba, 80 leagues north of Pernambuco—at which place a foreign vessel had arrived with 3000 stand of arms. This report is probably unfounded.

## "SPANISH AMERICA," &amp;c.

The late garrison of Juan Fernandez, about 200 men, had given themselves up to the patriots, and arrived at Valparaiso on the 9th of July.

A Boston paper says—We learn that the grand jury of the United States for this district have returned bills against *John Palmer, Thomas Wilson,* and *Barney Gallegan,* part of the crew of a patriot privateer, for piracy.

It is reported the court of Russia will invite the of other courts of Europe to prohibit the fitting out privateers, and exportation of arms, &c. to the Spanish patriots, and to declare pirates all their privateers which shall appear in the European seas. It also proposes a common league for the extirpation of piracy. Austria has prohibited the exportation of arms to Spanish America.

Queer things happen at Buenos Ayres. The Portuguese have invaded and actually possess a part of the territories of the United Provinces, yet several Portuguese vessels, sent into Buenos Ayres as prizes had been taken possession of by the government, and, it was supposed, would be restored.—We do not understand this.

Gen. Artigas, the patriot chief in Paraguay, keeps the Portuguese closely blocked up in Montevideo, and beats them whenever they venture from their works.

The British are pretending to make great exertions to prevent the shipment of men and military stores to South America—but they are shipped in large quantities.

The patriot privateers off Lisbon and Cadiz are severely scourging the commerce of Spain and Portugal.

There is a report that the patriot and royal armies in Upper Peru have come to an understanding, and concluded an armistice preparatory to a co-operation of their forces to release themselves wholly from the sway of the mother country.

Several heavy privateers have sailed from Buenos Ayres—one of them called the *Consequencia*, carries 40 guns and 300 men.

*From a London paper.*—Brown, the ci-devant Buenos Ayres admiral, who, it will be remembered, had his ship seized by a government vessel in the West Indies, is now in this country. He came here for the purpose of claiming of the British government the restoration of his vessel, &c.—The Spanish government, however, were beforehand with him. They claimed the vessel as their property, which government gave up to them, and rejected, in toto, the suit of admiral Brown.

## FLORIDA.

Affairs at Amelia remain unsettled. Gov. Hubbard died on the 19th ult. after a few days illness. Col. Irwin appears to succeed him as the head of the "American" party. Prizes continued to arrive—among them were vessels with slaves; but sales of prize goods had not been extensively effected on account of the contentions of parties. Com. Champlain had not yet arrived. Capt. Elton, in the U. S. brig *Saranac*, was closely watching the proceedings at Amelia—he had sent five vessels into Savannah for adjudication, and it is reported that he intended to overhaul the *Morgiana*, of 18 guns, when she left the port.



## THE PLAGUE.

Eighty persons per day were dying of the plague at Algiers. Nothing was attempted to arrest the progress of the malady. It rages dreadfully at Constantinople.

The governor of Gibraltar has announced that he has received official information that the plague was increasing in Algiers, the number of deaths in the city alone, amounting to 150 per day.

## CHRONICLE.

*Appointments.*—Com. Barney has been appointed naval officer of the port of Baltimore, in the place of Col. Ramsay, deceased—and *Paul Bantelou*, esq. also a soldier of the revolution, marshal of the district of Maryland, vice Thomas Rutter, esq. deceased.

*Naval promotions.*—The following promotions have lately been made of officers in the navy.

Capt. *Alexander S. Wadsworth*, captain of the U. S. ship Independence.

Lt. *Wm. B. Finch*, to command the U. S. brig Prometheus.

Lt. *John R. Madison*, to command the U. S. schooner Lynx, vice lieut. Storer, ordered to the Congress.

Mr. Lloyd of Massachusetts, from ill health, has resigned his seat in the house of representatives of the United States.

The U. S. ship Franklin, of 74 guns, has arrived in the Chesapeake to receive Mr. Rush, our minister to the court of London; after landing him she will proceed to the Mediterranean to relieve the Washington.

A steam-boat is building at St. Stephens, Alabama, to navigate the Mobile. The country is filling most rapidly with people.

The light house on Beaver Tail, at the entrance of Newport harbor, R. I. is very brilliantly lighted by gas.

*Survey.* The United States schooner Hornet, lieut. WILKINSON, arrived at Norfolk, having completed the survey of the coast assigned him by the government, from cape May to Sandy Hook.

A vessel from Gottenburg has brought to Boston, in irons, one of the late crew of the schooner Plattsburg, of Baltimore, which murdered the master and supercargo, and carried that vessel into Norway.

A vessel has arrived at New York from London with three hundred kegs of dollars for the United States bank. Another at Boston, via Gibraltar, brought 35,000, &c. &c.

*Military.*—Major Bradford, with a detachment of United States riflemen, and accompanied by major Long, topographical engineer, has left St. Louis for the purpose of establishing a military post on the Arkansas, near the Osage boundary. Some late outrages of the Spaniards and Indians have probably caused this procedure.

*No cause of complaint.*—An American seaman, (says the Baltimore Patriot) recently arrived in this city, who was impressed from the ship Canton, of this port, while at Calcutta, in India, in 1789 or 1790, when 14 years of age—having been detained in the British service from that time until about 6 months after the peace, a period of 24 years, when he was discharged, while in India, and left to gain his native country as he could, in a destitute situation.

He served on board the *Belliquex*, *Albion*, and *Diadem*, ships of the line, the *Lord Duncan* frigate, and several other vessels, and occupied the bloom and vigor of his life in the service of Great Britain

—he is a native of Calvert county, in this state, and has brothers who reside in this city.

The U. S. brig *Saranac* has taken possession of a British vessel and sent her to Savannah, which had been captured by a schooner from *Amelia* island, the conduct of whose officers and crew makes them deserve to be called and treated as pirates.

Governor *Wolcott* has appointed Thursday, the 27th of November, to be observed throughout the state of Connecticut, as a day of public thanksgiving, &c.

Among the late presents to Peale's museum, at Baltimore, are, two baskets made of *water-melon seeds*, by a young lady of Virginia—two *feathers* made of *spin glass*, from Liverpool—and a dress made of *fishes entrails*.

Isaac H. Williamson esq. is elected governor of New-Jersey.

The emigration from Europe to the United States, is estimated in London to exceed 1000 weekly. [Much overrated.]

*Thomas Cooper*, esq. has declined the professorship in William and Mary college, tendered to him, from previous engagements.

*Connecticut.*—The Hartford Mercury of the 14th ult. publishes the *marriage* of "Miss Steady Habit Connecticut to the American Republic."

*West's picture* is exhibiting at Philadelphia.

*Banks.*—There are several propositions before the legislature of Vermont for the establishment of banks.

There is no bank in Vermont at present; and, sincerely wishing well to that patriotic state, we hope for the rejection of every proposition of the sort, at least until *money-matters* are better settled than they now are.

*United States' bank*—a branch is to be established at Pittsburg.

*Missouri.*—A petition is circulated praying for the admission of the Missouri territory into the union as a state. The emigration to this country, has latterly been very great, and the population is no doubt sufficient to entitle it to a state government.

Married at the house of Stephen Girard, esq. in Philadelphia, on the 28th ult. gen. Henry Lallemand to Miss Harriet Girard, niece of Stephen Girard.—Among those present on the occasion were Mr. Survilliers, marshal Grouchy and son, and generals Vandamme and Charles Lallemand.

The *cotton* crop in Mississippi has failed—the progress of the *rot* has been unprecedented, and a deficiency of not less than an half is confidently calculated upon.

TENNESSEE.—*Nashville*, Oct. 10. The exports from West Tennessee to Orleans, last year, amounted to something more than a million and a half of dollars, in the following articles, viz:

10,000 hhds. tobacco	\$1,000,000
1500 bales cotton	100,000
Pork and beef	50,000
Butter, lard and tallow	25,000
Corn and vegetables	50,000
Sundries	200,000
Castings	20,000
Horses, sheep, and beef cattle	100,000

Exclusive of the cotton sent to Kentucky and up the Mississippi, and the horses, hogs and cattle sent to the northward and southward, amounting at least to one half of a million more.

*Naples*, Aug. 12. Prince Henry, of Prussia, yesterday visited the American admiral's ship Washington of 74 guns, and was received with great ceremony, by com. *Chauncey*.

# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

ACCOMMODATION.—Many gentlemen have been accustomed to make their remittances and communicate their orders to the editor of the WEEKLY REGISTER, through their members of congress—to facilitate this course of proceeding and to transact other business belonging to the establishment, the editor designs to visit Washington, and remain there the first week of next session. He will take with him a few sets of the work, complete in 12 vols. handsomely bound, which he will dispose of to members of congress, and others, as follows:  
For the 6 years, or 12 vols. 30  
extra supplements to vols. 5, 7, 8, & 9, 4  
Binding the 12 vols. at 87½ cts. 10 50

\$ 44 50

Some sets will be bound in Russia leather—which is not only as handsome but more durable than any other, besides serving as a protector to a whole case of books against insects accustomed to injure them. The binding of those will be 1 12½ per vol. or \$47 50 for the set.

☞ The *National Intelligencer* will please to copy the above, and insert it 4 times, in the tri-weekly paper.

## The Colonization Scheme.

### TO "HOWARD;"

*A writer in the "Delaware Watchman."*

Sir—I had the pleasure to publish in my last paper the very polite and interesting letter that you honored me with, through the "Delaware Watchman." The great importance of the subject requires that all should have a correct understanding of it; and the courteous manner in which it was addressed to me, especially entitles it to my consideration and remark.

In an ardent zeal to effect the *grand purpose* aimed at, I will not yield to any person; it is a matter that has occupied my thoughts from early youth; but, alas! my mind is still benighted as to a plan, or proper course of proceedings, to bring it about,—unless the things proposed at the end of this letter may tend to it: and their operation will be much too slow for my wishes. But the patriotic mind would feel much satisfaction in a well grounded confidence that the time *may* arrive when there shall be no casts or classes in the republic, except such as belong to superior intelligence and virtue.

I truly regret, sir, that I have to confess myself unconvinced by your arguments. I would gladly have found a *resting place* in them for my anxieties on this subject. Nor do I like to oppose any one that looks toward our object, lest I might be suspected of *lukewarmness* about it. I am not so. But the serious manner in which you have treated my few hasty

and introductory remarks to an estimate from the "United States Gazette," published in the WEEKLY REGISTER of the 4th ultimo, together with my duty to TRUTH, as it presents itself to my understanding, imposes this responsibility upon me, and I have reconciled myself to meet it, in the plainness and simplicity that belongs to the negative side of this argument. And, as from the approaching session of congress, and the probable occupancy of my pages with other matter, I may not have room to refer to this subject again, I shall state my objections to it at length.

To avoid one point of dispute, about which, however, much might be said, let us throw the "Gazette calculation," with every idea of *expense*, in the back ground, as of no importance whatsoever and strike at the *root* of the affair, by making some other calculations for ourselves: bearing in constant recollection, that the "colonization scheme" has for its ostensible purpose a *reduction* of the colored people of the United States.

It has always appeared to me that the great error into which the projectors and friends of this plan have fallen, is in their idea of the *power* of emigration. This is a very common mistake. We know that the colonies planted by *England, Spain and Portugal*, for examples, within the last 200 years, have already acquired, or soon will possess, a greater number of inhabitants than their mother countries. And I will agree that the United States, (supposing that land could be had, and our *blacks* were *willing to emigrate to it*) might establish a colony in Africa, that, in a few years, could assume and support a rank amongst nations. I concede this, for the sake of the argument—because I expect to shew that such a colony would afford us no *sensible* relief as to the vast and daily increasing incumbrance under which we labor.\*

All Europe has served as a nursery for emigrants to the country that forms the United States; and, certainly, the people of that quarter of the world have had *greater* inducements

\*Since this paragraph was written, the report of sir James L. Yeo to the British admiralty, respecting the state of things at Sierra Leone, as laid before parliament, has reached me. From this report it is very questionable if *any* good has resulted from the settlements made in Africa with a view to check the slave trade and ameliorate the condition of the inhabitants. The report is *long*—but we shall endeavor to give it a place. It would appear that the project on which so much money has been expended will fail.



to leave the bones of their ancestors and fly to a strange land, than can be presented to our [free] black population to cause their emigration to Africa. The strongest of all the passions that prevail in the human heart, and that for which men will encounter the severest privations, is that which we term the *liberty of conscience*. For every rational being that thinks upon his CREATOR at all, (and there are few that do not sometimes feel themselves to be accountable creatures) fixes his belief firmly in this,—that no civil authority can legally interpose itself between him and his God: and millions on millions of white men in Europe, that are quite as much debased and as really *slaves* as the blacks are in America, would resist, at the cannon's mouth, an attempt to force them into an unapproved *form of worship*,—though they acknowledge a right, or at least bow to the power, in certain men to command their *personal services*, even unto death itself. We have conclusive evidence of this in the vast conscriptions and impressments that have been made within the last twenty years to carry on the wars and gratify the unhallowed lusts of *kings*. Now, rude and unpolished as they are, and mere *machines* as they have been turned into,—will any believe that the emperor of *Russia* could conscript 600,000 men, and, having armed and disciplined them, compel them to receive the harmless rite of *circumcision*?—or that *Great Britain* could impress 100,000 seamen, man her fleets with them and send them to *Rome*, to render them good *Papists*? No:—yet both submit to a *personal servitude* that renders the tenderest connections for an unlimited period of years, and which puts their lives into hourly jeopardy. Herein is made out the case that the *white slaves* of Europe have much greater inducements to seek liberty in America, than our *blacks* (even the slaves) can have to seek it in Africa; for the former are more or less restrained by *church establishments* to which all do not agree; whereas the latter may be said to possess freedom of conscience. *It was the want of this freedom that caused our country to be peopled as it is.\**

\*After I had written this paragraph, I happened to recollect that among my ten thousand scraps of paper, there was an anecdote that would bear directly upon it—so I hunted it up and present it:

PASSIVE OBEDIENCE.

In the mad times of *Sacheverel*, says Burgh in his *Political Disquisitions*, when many seemed willing to go all lengths in obedience to authority, a man of sense took some pains to give a lady, a friend of his, juster notions than she had of the limits of obedience—"Suppose," says he, "madam, that the king should seize, by a *quo warranto*, your husband's estate, and make him, and yourself and children beggars; would you think resistance unlawful?"—"I should have much cause of complaint," says the lady, "but (raising her pretty eyes to heaven) we must not resist the Lord's anointed." "But, madam, I will put a harder case still: Suppose the king

But, further---it is the *free blacks* that we would colonize. *Their situation*, in every respect, is better, much better, than that of the laboring classes in Europe. The chief things that *they* are deprived of, are the right of suffrage and of becoming rulers over the people. They may acquire property and hold it *more securely* than their class can do in Europe. Nay, in several of the states they are *citizens*, and may elect and be elected. And, if they are denied the right of suffrage, they are also excused from military duty and exempted from taxation. But the laboring European, with no more influence in the choice of his rulers than is possessed by our slaves in an election of their masters, is subject to military law, and compelled to contribute to the revenues of the state, &c. &c.

Besides the deficiency of *inducement* thus stated, there is also a want of *intelligence*, and of *means*, in our blacks, compared with the whites of Europe, to emigrate,---speaking of them generally, the free and those that may be emancipated. For although, as before stated, the bulk of the population of Europe are essentially slaves, still there are amongst them *more intelligent persons*, and *more* that have acquired *some property*: proportionally, than there are among our blacks--because the former have not to contend with the prejudices that operate against the latter on account of the color of their skins, &c. That intelligence and those means are of great consideration in effecting a

should force your ladyship into his bed, don't you think your husband might lawfully promote an association for extirpating such a brutish *Tarquin*?" The lady with downcast eyes, and a countenance covered with a rosy blush, answered—"The case now put, sir, is undoubtedly harder than the former. But as the whole sin should be the king's, and kings are answerable to God only, I do not think my husband could lawfully do any thing towards vindicating his honor by violence."

The gentleman knowing that the lady was like all the other votaries of passive obedience, staunch for the established church, and bitter, if a lady can be bitter, against the dissenters, resolved to put to her one question farther, which he did as follows—"Give me leave, madam," says he, "to ask you once more; suppose the king should order your ladyship to go to meeting?" "What," says she, rising in a lovely passion which enlivened every feature, with eyes sparkling, lips quivering, and bosom heaving, "me to a wicked, schismatical, presbyterian meeting!" These opprobrious words she had learned from the parson of the parish. "I would kill him," says she, (clenching her pretty, little, weak soft hand, which made the gentleman hope he should have the pleasure of a box on the ear, of which however he was disappointed,) "if I were to die for it, sooner than he should make me enter the door of a conventicle."

"If," says the above author, "a weak, delicate woman could be thus roused in the defence of what she called her religious liberty, surely a man ought to suffer emasculation as soon as to yield himself a voluntary slave."

voluntary emigration, at the cost of the emigrants themselves.

But waiving all those things, and many other points that present themselves to attention, I will admit that our black population may be as anxious to emigrate to Africa, as oppressed Europeans can be to seek an asylum here, and that their means for so doing are equally available. This is admitting what I believe is very far from the fact—but it is no matter: for I shall very clearly shew that the rise of population in the United States, though originating in emigration, was very little assisted by it; and that, while the mother country never felt a loss of the persons that emigrated, the country emigrated to soon became *insensible* to any gain in them. The extraordinary and unprecedented increase of people in this country has its cause in the absence of those tens of thousands of checks of population that have always existed, and forever must belong to, thickly settled kingdoms and states: and of which we also shall partake as the means of *healthy subsistence* become more difficult to obtain. But those checks will not extensively operate here, except by famine, pestilence or war, until our rich waste lands are occupied.

The following calculations have been made to shew the power of emigration on the countries from whence emigrants came to the U. States; for on that depends the *real merits* of the colonization scheme. The amount of emigrants is that which I suppose to have been our *absolute gain by emigration*; we also, having lost many inhabitants. The "mother country," alone, by *man-stealing* and seduction, and by the connivance or contrivance of those who ought to have protected them, together with the wandering disposition that belongs to seamen and others, has taken from us at least 40,000 men, within twenty years past; and Americans are to be found every where.

TABLE SHEWING THE PROBABLE POPULATION OF THE TERRITORY OF THE UNITED STATES (except Indians) TOGETHER WITH THE AMOUNT GAINED BY EMIGRATION, FROM THE FIRST FIXED SETTLEMENTS TO THE YEAR 1819.

YEARS.	Whole population.	Emigrants.	Gain—per annum.
1625	5,000		as original stock.
1650	30,000	12,500	500
1675	85,000	25,000	1000
1700	220,000	25,000	1000
1725	490,000	25,000	1000
1750	1,030,000	2,000	1000
1773	2,204,000	72,000	4000
1796	3,546,000	69,000	3000 [7 years war]
1819	9,412,000	161,000	7000 [3 years war]
		414,500	

NOTE.—This table is formed on the principle that our population doubled itself every *twenty five* years until the period beginning with 1750, when only twenty-three years are allowed for this operation,

from the increased facility of obtaining the necessities and *conveniences* of life, partially assisted, also, by an increased emigration.\* Experience tells us that the *principle* is a correct one; for the numbers that I have brought out for the different periods, very nearly agree with the facts that have been ascertained, or, by authority, presumed, to have existed at or about those periods. If it is believed by any that our population has always doubled in twenty-three years, that belief would operate as a reduction of the amount of emigrants that I suppose we have received. Those emigrants, for every period, are added to the stock of population at its commencement, and doubled for the stock at its conclusion—BECAUSE a very large proportion of them are believed to have been persons that were in the vigor of life when they arrived in America. And I have such confidence in these calculations as to venture to say, that the *supposed* amount of population in 1819 will not vary 200,000 from the *real* number.

2. Virginia was settled in 1610; New-York and New-Jersey, 1614; Massachusetts, 1620, 1623; Delaware and Pennsylvania, by the Swedes and Pins, 1627—by Penn, 1682; Maryland 1633; Connecticut and Rhode-Island, 1635; Carolina, 1669, &c.—In 1619 the planters of Virginia received by *invoice* a cargo of pretty young girls for wives, and paid for each 150*lbs.* of tobacco. *Slaves* were first imported into Virginia in a Dutch vessel, in 1620.

3. I am perfectly aware that in thus exposing a *common error*, as to the *weight* and *power* of emigration, that I subject myself to considerable responsibility; but I request that every one, before he attempts to *decide* on these estimates, will feel that he is competent to calculate them, and then *calculate* them. This is common justice. I do not pretend to say that I am not mistaken. I know that I am liable to error—but subjects like this have considerably engaged my attention, and mere *opinion* will not stand against the evidence of facts ascertained—as these have been.

Mr. Blodgett, whose invaluable statistical work is known to every body, estimated (in 1806) that for the ten preceding years the amount of emigrants had not exceeded 4000 a year—and that we ourselves lost above half that number by emigration, and more as sea-faring adventurers. Mr Blodgett's opinion is entitled to much respect, and he had the best possible opportunities for judging correctly. I have averaged their amount for those years at 7000, to cover the very great emigration of the last and present year. The error in my table, if any there is, is decidedly in putting down too great an amount of emigrants. Indeed, I seriously doubt whether so many as stated have really arrived in the United States (whites and blacks), and much less believe that we have actually *gained* 400,000, by emigration. But I am willing to give to my amiable opponent every thing that he can claim.

From the facts thus ascertained, or assumed, let us proceed to shew the power of *emigration* compared with the *natural increase* of the people, by calculating how many persons *will have lived and be living* in the United States, from 1625 to 1819, inclusive of both, 195 years.

The period of 33 years has been fixed upon

\*Dr. Franklin was of opinion, (in 1755) that we doubled our population in *twenty* years. This opinion is not, however, supported by the facts.



as a generation—3 per cent. of the population, therefore, die every year.

By taking the equated numbers of the population at the several periods stated, and calculating them at 3 per cent. per annum, for their respective periods of years, and adding to this product the amount of persons remaining at the end of said periods, we may pretty nearly arrive at the whole number of persons that had lived up to the times stated. Thus—

The whole population in 1625 was	5,000
do. do. 1650	30,000
	3)35,000
Equated number	17,500
17,500, at 3 per cent. per ann. for 25 years is	13,125
Add the living in 1650,	30,000
Product,	43,125

which may be assumed as the amount that had lived, or were living, in this country, up to the year 1650.

YEARS.	Whole No. living.	Equated No.	Amount of the 3 per cent.	Gross amount.
to 1630	30,000	17,500	13,125	43,125
1673	85,000	57,500	41,125	128,125
1700	220,000	152,500	114,375	334,375
1725	490,000	335,000	266,250	756,250
1750	1,030,000	760,000	670,000	1,700,000
1773	2,204,000	1,617,000	1,115,730	3,319,730
1796	4,546,000	3,375,000	2,329,750	6,874,750
1819	9,412,000	6,979,000	4,815,510	14,227,510
				27,383,865

These tables are original—to me, even in idea, for I never had seen any of the sort before I made them. If they will stand the test of examination, it appears that the whole number of persons that shall have lived, or will be living, in the United States, from the date of the first considerable settlements up to the year 1819, is

Gain by emigration for the same period,	414,500
Original stock,	5,000
	419,500
	26,964,365

And it results that there have been born in the United States the mighty aggregate of 26,964,365.

What a drop in the bucket—a speck in the balance, is the amount of gain by emigration, even though we should give it a ten fold force, compared with the natural increase of this people! We see that to raise up this great amount, Europe and Africa have lost no more than 419,500 persons in nearly 200 years.—But, probably, Europe has not really lost one man in consequence of it. Why is it that our population increases as much in 23 years, as that of Europe does in an 100? Because we have not the checks to population that exist in thickly-settled countries: and I assert, without

hesitation, that the retirement of a reasonable number from any such—say 5000 to the million, every year, would be nearly balanced by the room thereby afforded for greater productiveness. Population goes on, increases or diminishes, as the means of life are more or less easily obtained; and, it is probable, that the actual emigration of 5000 blacks, per annum, would not effect a real reduction of that to which they would otherwise amount to, of more than 1500 or 2000 persons, a year.

The following shews the amount of blacks, in round numbers, according to the census of 1790, 1800 and 1810:—

Free persons of color in 1790,	60,000
Slaves,	700,000
	760,000
Free persons of color in 1800,	100,000
Slaves,	900,000
	1,100,000
Free persons of color in 1810,	190,000
Slaves,	1,190,000
	1,380,800

They have increased as fast as the white people for the last twenty years, though not for the last ten years. Their importation was prohibited in 1800; but for the ten preceding years it was excessive.

There is some consolation in the fact that the census of 1810 furnishes—for the ten preceding years the blacks had increased only at the rate of 2½ per cent. per annum, whereas the white inhabitants advanced nearly at the rate of 4 per cent. The amount of blacks in 1819 will be about 1,600,000. In 1790 they were almost a fifth of the whole; in 1819, they will be a little more than a sixth: and the comparative gain will gather strength as time rolls on.

From the whole, I conclude, that the idea of planting a colony in Africa, admitting that the blacks may be as willing, and have as much power to emigrate, as the white people of Europe have to emigrate to America, as a means for sensibly diminishing their numbers here, is fallacious; and, except for the solitary purpose of affording to some the “possibility of escape,” as urged by “Howard,” ought to be abandoned. If any are willing to embark in it for that humane and charitable purpose, they shall have my best wishes, and, with them, my mite to support it.

Let us look at home. I repeat my desire “that the talents and influence, with the wealth of those who are advocates for the colonization plan, might be domesticated to the relief, the protection, and the advancement of this unfortunate race.” And, as “Howard” does not appear to have understood my meaning, I will endeavor to explain it.

From the facts manifested it seems clearly to result, that the wished-for work, in favor of the blacks, must be effected, if effected at all, by some internal regulations, bottomed upon a sound understanding of political economy. It

is to the discovery and perfection of such regulations that I wish to see the mind and purse of gentlemen directed. It is so short a time since we became a *nation*—such a little while since all of us stood gaping across the *Atlantic* for almost every thing that would add to our prosperity or lessen our grievances, that few of us have yet learnt to look at home, and count the things that we ought to be acquainted with as we should do. An incident, or anecdote, that occurred to me, may be applied in its principle to hundreds of errors amongst us. Early in the late war, a large ship, called the *Jamaica*, was sent as a prize into Baltimore—she was laden with 700*hhds.* of sugar; the whole cargo was discharged and paraded in formidable rows, for inspection and sale. Its appearance was so imposing, that a respectable gentleman from the country, that I was waiting upon to shew to him whatever was remarkable in our city, seriously exclaimed, that there was sugar enough on the wharf to supply all the world! I smiled at his notion—but seeing the impression that it had made on his mind, I gave him a lesson which he has several times since thanked me for; and, with my pencil, convinced him that this apparently mighty mass, if divided among the people of the U. States, would afford to each a less quantity than one-seventh of a pound. Many will laugh at the simple idea of my country friend, who themselves hold opinions that as well deserve to be laughed at. See the essays on "*Political Economy*," in the last volume of the WEEKLY REGISTER.

But I fear to become tedious and shall hasten to conclude. And, as I hate that disposition that would find fault with any thing without suggesting "something" to accomplish a desired object, I respectfully propose to invite the attention of humane and liberal gentlemen to certain causes that may lead us to the effect:

1. To encourage, by all proper means, the emancipation of slaves.
2. To make arrangements with the non slave-holding states for receiving the freed negroes, and to *compel them* by "acts of violence," if necessary, to reside in those states. Many good effects would flow from this procedure\*—the condition of the freed blacks would be greatly improved and ameliorated;—they would furnish supplies of useful and necessary laborers, and many, through profitable employment,

\*I would insist on this separation. I know of no *right* that we have to make it, but I consider it indispensable to the good of all parties—to the white people, the free blacks and the slaves. The freed negroes, in the slave-holding states, are the worst part of the population;—centre points for every sort of depravity and crime in their several neighborhoods. And the fact that they are so, is among the most powerful preventives of emancipation.

would send their children to school, and live comfortably themselves;—the morals of the slaves would be less liable to corruption,—and they would be more content, serve their masters more faithfully and receive better treatment; the safety of the white population would be secured; and, lastly, a gradual change of *complexion* would be effected, from natural causes—which never can take place, extensively, unless the blacks are scattered. I am of the opinion, that if the whole black population of the United States was equally dispersed through all our territories, that, after a few generations, a *black* person would be a rarity, from adventitious mixtures alone. And, query—I offer it only as a query,—would not the sable color retire by degrees, from a simple *association* of its possessors with white people?

3. Zealously to promote their employment in such healthy, and otherwise proper branches of business, that we know serve as *checks* to population. These are numerous and very powerful, and are well worth enquiring into.

Very respectfully,

*The Editor of the Weekly Register.*

### South America, &c.

The condition of the late and present colonies of Spain on the American continent, has latterly excited much attention in Europe and the United States; and one would suppose that something of a decisive character was about to happen. The British have an evident leaning in favor of the Patriots, and, we take it for granted, that they will not act *against* them. Nay, we question whether they will suffer any other power, except Spain herself, to do it—and supplies of men and arms, &c. are openly recruited and shipped at London, &c. Though the fact is not officially stated, it appears to be acknowledged, that *Cesar A. Rodney*, *John Graham* and *Theodorick Bland*, esqs. as commissioners, with *H. M. Brackenridge*, esq. as their secretary, are immediately to proceed in the Congress frigate to South America. The object of their mission is rather guessed at than known—but it seems agreed that their purpose is only to obtain a knowledge of the state of things on which government may rely for its future direction. The British, for many years, have had such commissioners in South America; and, it is said that they really have an agent at Buenos Ayres with *ministerial* powers, though officially unacknowledged, as such, by either party.

A very ably written pamphlet has lately been published at Washington, addressed to the President of the United States, and of which Mr. *Brackenridge* is said to be the author, in which the establishment of "official relations with the republics of La Plata and Chili?" is decidedly recommended,—saying, that "the nation will have any just right to be official"



with it," &c. insisting, that such relations would by no means imply that we must make war upon Spain, or aid these republics—"our practice as well as the practice of every country, considering the existence of a government *de facto* as sufficient for all purposes of official communications," &c.—Considerable importance has been ascribed to this pamphlet, on account of the present situation of its author. Meanwhile, certain British officers, charged with a design to join the patriots on the Orinoco, have been held to bail by the circuit court of the United States at Philadelphia, and certain Americans, charged with piracy for having served on board a patriot privateer, have been acquitted at Boston.

The *Democratic Press*, of Philadelphia, furnishes us with the following article respecting the *Floridas*—it bears a very important character; but we shall soon hear more about it, if Mr. Binn has been correctly informed:

"Captain Arnold, of the ship *Lucy* from Bordeaux, has brought out despatches for government from the American minister at the court of Spain. It is presumed that these despatches relate to the negotiations carrying on between the United States and Spain as to the purchase of the Floridas. It is distinctly understood, on very good authority, that Great Britain has said to Spain, "If you choose to keep the Floridas it is well; but if you determine to sell them, we think we have a right to the preference and we shall expect the first offer." This language has offended and embarrassed the court of Madrid, although we do not believe it will influence its determination; indeed, we feel confident that that determination is made, and is now in the United States. We come to this conclusion from a knowledge of the fact that the Spanish minister, Don Onis, has at this moment in his possession SEALED DESPATCHES from his court, which despatches he is directed not to open until the meeting of congress!!!"

As to the Floridas—the people are universally anxious to become citizens of the United States. On a strong rumor sometime ago that a transfer of sovereignty was about to be made, there was a general rise of property of from 3 to 400 per cent. And this, at least, should be done—if Spain cannot defend those possessions, the United States must, provisionally, take charge of them, in self-defence. *Amelia*, famous for something very much like smuggling during the embargo, &c. by "pious and grave faced" men, inward, as the *Aurora* has it, and during the war rendered the depot of smugglers, inward and outward, is now the grand theatre of it, and devoted to the most objectionable of all things—the introduction of slaves from Africa. A single man unarmed, but duly authorized by our government, is competent to take and keep possession of *Amelia*.

\*The editors of the *National Intelligencer* say—"So far from any treaty or compact having been concluded for the cession of Florida by Spain to the United States, we are under the impression that no official communications have passed between the two governments on the subject."

and relieve us of grievances that are too extensive to be bore any longer with patience.

The exposition of the Supreme Director of the provinces of the *Rio de la Plata*, and the account of *East Florida*, inserted in the present number, are worthy of attention. We have also some geographical intelligence of *La Plata*, which shall appear next week.

### Legislature of Connecticut.

It was positively stated that the following preamble and resolution, having passed the house of representatives, was rejected by the council.—We are happy to say that it passed both branches of the legislature.

*In the house of representatives, Oct. 23.*

The committee, to whose consideration was referred that part of the speech of his excellency the governor, which relates to the granting of honorary tokens to such native citizens, as have performed meritorious services for their country, beg leave to report:

That they have entered upon this duty with pleasure, because the recognition of eminent virtue and signal worth in our fellow-citizens, is always grateful; and is peculiarly so, when an occasion is given to repel the charge of ingratitude towards benefactors, too often imputed to free republics.

It is no less incumbent on a parent state, to protect the weak, vindicate the oppressed, reward and honor the sage or heroic citizen, than it is his duty to devote to her freedom, independence and happiness, the powers he possesses. By a generous interchange of these mutual obligations, the strongest ties of patriotic affection are nourished on the one hand; and, on the other, the best security of public rights is acquired.

Men of pure and honorable sentiments will always be deemed the property of their country; and will easily be induced to make her cause their own, when she freely consecrates their virtues.

The public character of a state thus becomes identified in the page of civil or martial history, with that of her distinguished sons.

Among the illustrious events of the late war, commodore Isaac Hull, a native of this state, appears peculiarly to have distinguished his fortunes, and to have thrown a blaze of glory around its naval victories, which glowed to the close of that momentous period.

To manners mild and conciliating, a temper amiable and resolute, a mind clear and well balanced, and a reputation wholly unblemished in private life, this gentleman has added a coolness and intrepidity in scenes of danger, apparently hopeless, which enabled him to bring into action all the resources of his singular nautical skill; and in the dreadful time of battle and bloodshed, to exhibit the highest gallantry.

On the 16th of July, 1812, while commanding the *Constitution*, com. Hull gave chase to a British frigate.—The wind was too light for him to overtake her before night. The night was calm when morning appeared; he found himself within gun-shot of a British frigate, a schooner, a brig, three other frigates, and a slip of the line. A dead calm still prevailed. The condition of the *Constitution* was apparently hopeless. Deeming her escape impossible, all the boats of the British squadron were immediately attached to two for

gates, which gained and fired upon the Constitution. Their fire was returned; and such was the skill, coolness and intrepidity, with which the commodore manœuvred his ship, that after a chase of sixty-four hours, in which his brave officers and crew remained at their quarters without a murmur, the gallant commodore almost incredibly brought off his ship, and effected his escape.

On the nineteenth of August following, having in command the same fortunate ship, commodore Hull fell in with the British frigate *Guerriere*, carrying in fact 49 guns, and about the size of the Constitution. The enemy attacked her. The commodore received the tremendous fire with coolness, and obtained by his skill a favorable position within pistol shot. In thirty minutes, he dismasted the enemy, swept his decks, reduced him to a wreck, and captured the frigate.

The committee take leave to submit to the consideration of the assembly, a resolve accompanying this report.

Respectfully—Per Order,

JAMES LANMAN, *Chairman.*

*Resolved by this assembly,* That they entertain a high and respectful sense of the virtues, gallantry, and naval skill, of their fellow citizen, commodore Isaac Hull: that an elegant sword and a pair of pistols, both mounted with gold, with suitable inscriptions, and manufactured in this state, be procured; and that his excellency the governor be respectfully requested to present the same to the commodore with a copy of this resolve, as honorary tokens of the high esteem in which he is held by the people of this state, for his personal worth and public services: and that his excellency be requested to do this in a manner which he shall deem most expressive of the sincerity of that esteem.

## Army of the United States.

*Adj. and insp. general's office, Nov. 1, 1817.*

### GENERAL ORDER.

*Promotions and appointments to fill vacancies in the army of the United States.*

#### ORDNANCE DEPARTMENT.

1st lieutenant Rufus L. Baker, to be captain, 21st May, 1817, vice Campbell, dismissed.

2d lieutenant John W. Thompson, to be 1st lieutenant, 21st of May, 1817, vice Baker, promoted.

3d lieutenant James Simpson, to be 2d lieutenant, 21st May, 1817, vice Thompson, promoted.

#### CORPS OF ENGINEERS.

1st lieutenant Frederick Lewis, to be captain, 1st October, 1817, vice Cutbush, resigned.

2d lieutenant J. L. Smith, to be 1st lieutenant, 1st October, 1817, vice Lewis, promoted.

Brevet 2d lieutenant R. W. Pooler, to be 2d lieutenant, 1st October, 1817, vice Smith, promoted.

#### CORPS OF ARTILLERY.

1st lieutenant John Farley, to be captain, 19th June, 1817, vice Biddle, assistant inspector general.

2d lieutenant Joseph P. Prince to be 1st lieutenant, 13th May, 1817, vice Spencer, deceased.

2d lieutenant Richard Bache, to be 1st lieutenant, 15th June, 1817, vice Randall resigned.

2d lieutenant P. J. Neville, to be 1st lieutenant, 19th June, 1817, vice Farley, promoted.

2d lieutenant M. S. Massey, to be 1st lieutenant, 5th August, 1817, vice Goode, dismissed.

2d lieutenant T. W. Denton, to be 1st lieutenant, 30th September, 1817, vice Coffie.

2d lieutenant Charles Anthony, to be 1st lieutenant, 29th September, 1817, vice M'Kenzie, deceased.

2d lieutenant W. M'Clintock, to be 1st lieutenant, 24th October, 1817, vice Lent, dismissed.

3d lieutenant James Monroe, to be 2d lieutenant, 2d May, 1817, vice Roberts, deceased.

3d lieutenant Robert C. Brent, to be 2d lieutenant, 13th May, 1817, vice Prince, promoted.

3d lieutenant George A. Washington, to be 2d lieutenant, 13th May, 1817, vice Brown, deceased.

3d lieutenant Robert J. Scott, to be 2d lieutenant, 15th June, 1817, vice Bache, promoted.

3d lieutenant Francis N. Berrier, to be 2d lieutenant, 19th June, 1817, vice Neville promoted.

3d lieutenant Alexander F. Cochran, to be 2d lieutenant, 5th August, 1817, vice Massey, promoted.

3d lieutenant Milo Johnson, to be 2d lieutenant, 5th August, 1817, vice Dennis, dismissed.

3d lieutenant Robert M. Forsyth, to be 2d lieutenant, 8th September, 1817, vice Bosque, dropped.

3d lieutenant Thomas W. Lendrum, to be 2d lieutenant, 30th Sept. 1817, vice Denton promoted.

3d lieutenant James Spencer, to be 2d lieutenant, 29th September, 1817, vice Anthony, promoted.

3d lieutenant Isaac A. Adams, to be 2d lieutenant, 14th October, 1817, vice Earle, deceased.

3d lieutenant Wm. M. Graham, to be 2d lieutenant, 24th October, 1817; vice M'Clintock, promoted.

3d lieutenant James D. Graham, to be 2d lieutenant, 31st October, 1817, vice Gigniliat, resigned.

3d lieutenant Charles Dispenville, to be 2d lieutenant, 31st October, 1817, vice Graffenriede, resigned.

#### FIRST REGIMENT OF INFANTRY.

1st lieutenant William C. Beard, to be captain, 1st May, 1817, vice Baker, resigned.

1st lieutenant William Sumpter, to be captain 31st May, 1817, vice Butler, resigned.

2d lieutenant Waddy V. Cobbs, to be 1st lieutenant, 15th April, 1817, vice Ross, resigned.

2d lieutenant Samuel Houston, to be 1st lieutenant, 1st May, 1817, vice Beard, promoted.

2 lieutenant William K. Pauling, to be 1st lieutenant, 31st May, 1817, vice Sumpter, promoted.

#### SECOND REGIMENT OF INFANTRY.

1st lieutenant W. Browning, to be captain, 1st November, 1817, vice Steele, resigned.

2d lieutenant Robert M. Harrison, to be 1st lieutenant, 1st November, 1817, vice Browning, promoted.

#### THIRD REGIMENT OF INFANTRY.

1st lieutenant John Garland, to be captain, 7th May, 1817, vice Adair, resigned.

2d lieutenant John B. Clark, to be 1st lieutenant, 7th May, 1817, vice Garland, promoted.

2d lieutenant Edward E. Brooks, to be 1st lieutenant, 1st June, 1817, vice Conway, resigned.

#### FOURTH REGIMENT OF INFANTRY.

1st lieutenant John M'Gavock, Jr. to be captain, 31st May, 1817, vice Callis, resigned.

1st lieutenant James H. Gale, to be captain 31st July, 1817, vice Neilson, resigned.

2d lieutenant John C. Wells, to be 1st lieutenant, 31st May, 1817, vice M'Gavock, promoted.

2d lieutenant Francis W. Brady, to be 1st lieutenant, 31st July, 1817, vice Gale, promoted.

2d lieutenant John R. Clark, to be 1st lieutenant, 31st October, 1817, vice Randolph, resigned.

#### FIFTH REGIMENT OF INFANTRY.

2d lieutenant Olyphant Martin, to be first lieutenant, 1st July, 1817, vice Hovey, resigned.

#### SEVENTH REGIMENT OF INFANTRY.

1st lieutenant William Bee, jr. to be captain, 2d April, 1817, vice Armstrong, resigned.



1st lieutenant Joseph J. Clinch, to be captain, 31st May, 1817, vice Bell, resigned.

1st lieutenant Thomas Blackston, to be captain, 31st May, 1817, vice Bailey, dismissed.

1st lieutenant Jacob Tipton, to be captain, 1st June, 1817, vice Mallory, resigned.

2d lieutenant Benjamin R. Christian, to be 1st lieutenant, 30th April, 1817, vice Bee, jr. promoted.

2d lieutenant Charles Betts, to be 1st lieutenant, 31st May, 1817, vice Clinch, promoted.

2d lieutenant Daniel E. Burch, to be 1st lieutenant, 7th June, 1817.

#### EIGHTH REGIMENT OF INFANTRY.

1st lieutenant Thomas Wright, to be captain, 25th September, 1817, vice Mountjoy, resigned.

2d lieutenant Nathaniel Young, to be 1st lieutenant, 26th June, 1817, vice Hopkins, deceased.

2d lieutenant Samuel Riddle, to be 1st lieutenant, 13th August, 1817, vice Whistler, dropped.

2d lieutenant, John Maul, to be 1st lieutenant, 20th August, 1817, vice Guy, resigned.

2d lieutenant Farly Eddy, to be 1st lieutenant, 12th September, 1817, vice Stephens, dropped.

2d lieutenant Richard B. Mason, to be 1st lieutenant, 25th September, 1817, vice Wright, promoted.

#### RIFLE REGIMENT.

1st lieutenant Joseph Calhoun, jr. to be captain, 31st March, 1817, vice Kean, resigned.

1st lieutenant James H. Ballard, to be captain, 22d April, 1817, vice Shipp, deceased.

2d lieutenant James S. Gray, to be 1st lieutenant, 31st March, 1817, vice Calhoun, promoted.

2d lieutenant Thomas F. Smith, to be 1st lieutenant, 22d April, 1817, vice Ballard, promoted.

2d lieutenant Thomas F. Hunt, to be 1st lieutenant, 1st July, 1817, vice Hamilton, resigned.

2d lieutenant William S. Blair, to be 1st lieutenant, 15th July, 1817, vice Harrison, dropped.

2d lieutenant Horace Broughton, to be 1st lieutenant, 31st July, 1817, vice Hollingsworth, resigned.

#### APPOINTMENTS.

John Biddle, to be assistant inspector general, 19th June, 1817.

William Baker, to be post surgeon, 20th June, 1817.

Clajon Reiley, to be hospital surgeon's mate, 31st October, 1817.

S. C. Muir, to be hospital surgeon's mate, 31st October, 1817.

Simoon Knight, to be battalion paymaster, 16th May, 1817.

James Spencer, to be 3d lieutenant corps of artillery, 17th July, 1817, promoted.

Isaac A. Adams to be 3d lieutenant corps of artillery, 17th July, 1817, promoted.

Wm. M. Graham, to be 3d lieutenant corps of artillery, 17th July, 1817, promoted.

Jas. D. Graham, to be 3d lieutenant corps of artillery, 17th July, 1817, promoted.

Charles Despinville, to be 3d lieutenant corps of artillery, 17th July, 1817, promoted.

John C. Kirk, to be 3d lieutenant corps of artillery, 17th July, 1817.

John R. Vinton, to 3d lieutenant corps of artillery, 17th July, 1817.

Richard B. Lee, to be 3d lieutenant corps of artillery, 17th July, 1817.

Frederick L. Griffith to be 3d lieutenant corps of artillery, 17th July, 1817.

Edward I. Lambert, to be 3d lieutenant corps of artillery, 17th July, 1817.

William G. McNeill, to be 3d lieutenant corps of artillery, 17th July, 1817.

Angus W. McDonald, to be 3d lieutenant corps of artillery, 17th July, 1817.

Henry Berryman, to be 3d lieutenant corps of artillery, 17th July, 1817.

Constantine M. Eakin, to be 3d lieutenant corps of artillery, 17th July, 1817.

John D. Orr, to be 3d lieutenant corps of artillery, 17th July, 1817.

Ethan A. Hitchcock, to be 3d lieutenant corps of artillery, 17th July, 1817.

John M. Washington, to be 3d lieutenant corps of artillery, 17th July, 1817.

Matthew A. Patrick, to be 3d lieutenant corps of artillery, 18th August, 1817.

Jeremiah Yancey, to be 3d lieutenant corps of artillery, 18th August, 1817.

Wilson Whartley, to be 3d lieutenant corps of artillery, 4th September, 1817.

B. Favrot, to be 2d lieutenant 1st infantry, 8th May, 1817.

William Kerr, to be 2d lieutenant 1st infantry, 14th August, 1817.

Robert B. Harney, to be 2d lieutenant 1st infantry, 18th August, 1817.

Richard Douglass, to be 2d lieutenant 2d infantry, 14th July, 1817.

Michael F. Vandeventer, to be 2d lieutenant 2d infantry, 22d July, 1817.

George W. Stall, to be 2d lieutenant 3d infantry, 4th September, 1817.

William F. Taylor, to be 2d lieutenant 4th infantry, 18th August, 1817.

M. H. Elliot, to be surgeon, 4th infantry, 31st October, 1817.

Ephraim K. Barnum, to be 2d lieutenant, 11th June, 1817, 5th infantry.

Samuel S. Stacey, to be 2d lieutenant, 22d July, 1817, 5th infantry.

Richard H. Ashley, to be 2d lieutenant, 30th July, 1817, 5th infantry.

Henry Green, to be surgeon's mate 5th infantry, 22d July, 1817.

Zalmon C. Palmer, to be 2d lieutenant 6th infantry, 16th June, 1817.

Daniel E. Burch, to be 2d lieutenant 7th infantry, 15th June, 1817, promoted.

John B. Hogan, to be paymaster 7th infantry, 25th September, 1817.

Farly Eddy, to be 2d lieutenant 8th infantry, 11th August, 1817, promoted.

Richard B. Mason, to be 2d lieutenant 8th infantry, 2d September, 1817, promoted.

Arthur Nelson, to be surgeon's mate, 31st October, 1817.

William G. Shade, to be 2d lieutenant rifle regiment, 22d May, 1817.

John Gantt to 2d lieutenant rifle regiment, 24th May, 1817.

Gabriel Field, to be 2d lieutenant rifle regiment, 24th May, 1817.

John Clark, to be 2d lieutenant rifle regiment, 20th June, 1817.

Charles Pentland, to be 2d lieutenant rifle regiment, 9th October, 1817.

By order,

D. PARKER.

Adj. and ins. gen.

NOTE.—It is believed vacancies exist which may alter the dates of some promotions when the casualties are officially reported. When the academic staff do not otherwise recommend the rank of cadets, promoted on the same day, it is settled by the date of warrant.

## Naval Affairs.

FROM THE NIAGARA JOURNAL.

The following has been handed to us for publication, as the result of the proceedings of the court-martial recently held at Erie, Pa. for the trial of capt. D. S. Dexter, naval commander on this station, on charges preferred against him by lieut. Wish.

NAVY DEPARTMENT,

Sept. 29, 1817.

SIR—I transmit to you herewith, a copy of the sentence of the general court-martial, convened at Erie, Pa. for your trial, upon charges preferred by lieut. Wish.

It is highly satisfactory to the navy department, that an officer of your rank and meritorious services, should be honorably acquitted upon charges seriously affecting your character, by the unanimous decision of a respectable court.

You will immediately resume the command of the naval station at Erie.

I am, very respectfully, your obed't servant.

By order of the Secretary of the Navy.

BENJAMIN HOMANS,

Capt. DANIEL S. DEXTER,  
Comd'g. naval officer, Erie, Pa.

Sentence of a general court-martial, convened at the house of John Dixon, in the borough of Erie, state of Pennsylvania, Sept. 11, 1817, agreeably to an adjournment from the U. S. brig Niagara, lying in the said harbor, for the trial of Daniel S. Dexter, esquire, a master commandant in the navy of the U. States, on charges and specifications of charges exhibited against him, by John A. Wish, esq. a lieutenant in the navy.

Sept. 16, 1817, 9 o'clock, A. M.

The court met agreeably to adjournment, the president, members and acting judge advocate all present, capt. Dexter having delivered and read his defence, the court pronounced the following sentence.

The court, after maturely deliberating on the testimony in support of the charges and specifications of charges preferred against D. S. Dexter, master commandant, U. States Navy, by lieut. Wish, unanimously acquit him, in a full and honorable manner; it not appearing to said court that any censure should attach to his conduct as commanding officer. The court unanimously concur in opinion, that the good of the service requires the removal of certain officers, who united by factious feelings, have endeavored to destroy the character of their commander by such steps as are calculated to bring odium on the service, and to produce insubordination, 'tis highly important should be discontinued.

The court feel the necessity of recommending this measure from the bad footing on which these officers appear to be with the citizens of Erie, when it was their duty to have cultivated a good and friendly understanding, and to have taken no steps whereby social intercourse could have been destroyed. The court, viewing in a most odious light anonymous and secret communications, made to destroy the character and reputation of a man, and considering the authors of such as cowardly calumniators, cannot but feel a solemn regret that an officer and applicant for the command of the station, should have perused such a communication against his commander, containing the basest libels, without making known to that officer that he had seen such communications, and warned him against

the insidious attack of an assassin. The court consider him bound so to do not, only from duty, but by that sacred tie of fraternity which binds men of high and honorable feelings, embarked in the profession of arms, in defence of their country.

(Signed)

R. T. SPENCE,

President of the Court.

RALPH MARTIN, Acting Judge Advocate.

## New York Battery.

DEPARTMENT OF WAR,  
October 24, 1817

SIR—I am directed by the President to acknowledge the receipt of the letter which you addressed to him on the 9th inst. in relation to a subject which has unfortunately given rise to an unpleasant controversy between the corporation of New York and the general officer commanding the troops of the United States in that department.

Had it been known to the President that the erecting of buildings on the main land ceded to the United States, adjoining the battery at New York, was contrary to the wishes of the corporation of that city, he would not have authorized the erection of them, and he deeply regrets that he was not apprized of the fact before the corporation undertook to direct their street commissioner to perform an act incompatible, as he thinks, with the cession of soil made by the corporation of New York, and that of jurisdiction made by the state to the United States.

Whether the United States have or have not a right to erect buildings of the description contemplated by the commanding general, on the ground ceded to them by the corporation of New York, is a question on which, as you justly observe, the judicial authority is, perhaps, alone competent to decide. Until such decision, the President deems it improper to perform any act which may be considered a relinquishment of the right. With this reservation, he does not hesitate, in a spirit of accommodation, to yield to the wishes of the corporation and the citizens of New York. I have the pleasure, therefore, to inform you that orders have been given to prevent the erection of the buildings in question, and to remove the materials.

I have the honor to be, with great consideration and respect, your obedient servant,

GEO. GRAHAM.

Jacob Radcliff, Esq. Mayor of the city of New York.

## South America.

FROM THE NATIONAL INTELLIGENCER.

The gentleman who has been polite enough to hand to us for publication the exposition of president Pueyrredon, prefaces it with the following remarks:

"PUYRREDON has been much praised and condemned by some among us. The public mind has been illy informed, either as to his individual character, or that of the government, at the head of which he has been placed. Much, however, may be fairly deduced from this address. It shews that the government has accomplished men and as fine talents at its command, as that of any other civilized nation on earth. It shows what prodigious difficulties the new government has had to surmount, and with what variety of factions and violence it has been opposed. It gives us to understand, that equality and ease of taxation; that public credit; that the dissemination of information, by the establishment of public colleges and schools;



that the training the militia and arming the people; and, what is curious, that the enthusiasm of liberty has risen to such a pitch, they have, like the Romans after the battle of Cannæ, even enlisted and armed their slaves. In short, it altogether evinces, that all the great principles of liberty are already understood by the people, and engrafted into the government.

"But it is not among the least curious facts of this interesting paper, to observe, that Pueyrredon, that base tyrant, as he has been called by some among us, complains very seriously of the severe and unmerited strictures of the press upon his conduct. This is a proof of the existence of liberty; for real tyrants never stoop to complain, where it is perfectly in their power to subdue and punish. There was no act of Pueyrredon's which, perhaps, has been more imprudent or cruel, or one which has so extensively and materially injured him in the estimation of the world, and of this country in particular, as that of his causing certain of his countrymen to be transported to the United States. The act, in itself, shews clearly, that he dared not inflict upon them a more severe punishment; but, by sending them here, he placed it in their power to make known their wrongs and injuries to the whole world, with every circumstance of aggravation and high colouring, which a deep sense of injury and injustice would naturally inspire. The general circulation of their story has had a manifest tendency to injure that very cause of liberty, in which they have been so zealously engaged, and have suffered so much. The relation of their story has induced many, who were too indolent to reflect or inquire, to take up an opinion, that nothing like liberty, in fact, did, or perhaps could, exist in their country; and has put into the mouth of the sly enemies of the rights of man an argument against the patriot cause, which they were so anxious to procure. That those persons have been treated injudiciously, we think there can be no doubt with any one; and we also, for ourselves, feel equally confident in the belief, that they have been treated with great injustice and harshness and even cruelty. But partial evil, human frailty, or individual error, should not be suffered to warp or to prejudice our feelings and our judgments, in contemplating the rights and liberties of a whole nation.

"It is with infinite regret that we have noticed in some newspapers an intimation, that great commercial advantages are to be demanded and may be obtained from the new government of our continent, as the price of the recognition of them by this republic. What, Americans barter for liberty! Trade, strike a bargain, and adjust the price at which they will acknowledge the justice of the cause of those who are struggling to disenthral themselves from the chains of despotism, and are endeavoring to obtain a freedom similar to that which they enjoy! It would be disgraceful! No, we feel confident that no such traffic will be set on foot; it is utterly incompatible with the honor and the dignity of our country; of which, there is no man who entertains a more just and elevated sense, than the present chief magistrate of this nation."

*Exposition of the proceedings of the supreme government of the United Provinces of South America, during the present administration.*

THE evils which had, in succession, since the year 1810, occasioned our calamities, and retarded the progress of our sacred cause, appear to have all conspired to assail us at the same moment, threatening to reduce our political existence to its last

agonies, towards the close of 1815. The few remaining forces, which we had saved from the unhappy field of Sipesipe, seemed to be on the point of dissolution. The army which had been organized in the province of Cuyo, for the purpose of marching upon Chili, beheld itself insecure even in its entrenchments. The enemy, proud of his victories, had already laid his plans to entrap the inhabitants of those districts, who were distracted by opposite councils, and who dared not indulge a hope that through our means, they might be shielded from the impending dangers. The national treasury was not only inadequate to the satisfaction of the demands upon it, but even to provide for the most urgent wants. The public spirit of the different provinces had lost sight of the common danger, and occupied itself, exclusively, in the visionary projects of seeking liberty in the dissolution of every tie. Discord had taken possession of all hearts, expelling every generous and honorable sentiment. The citizens of the same land displayed their valor only in mutual destruction or distrust; assailing their best friends and benefactors. Subordination amongst the military was disregarded by the lowest subalterns. The public authorities were only respected as they gave countenance to crime, to error, to licentiousness. It grieves me, fellow citizens, to speak it, but I must be faithful to truth when I undertake to trace the revolting picture, which our country then exhibited to the contemplation of the world; the acknowledgement of our errors can bring upon us no disgrace, when made with the virtuous resolution of correcting them; nor am I the first friend of his country who has publicly deplored our past melancholy situation: pardon me, therefore, if I proceed. Calumny, with her baleful train, had seated herself in the midst of us, scattering her poisons through the minds of our most respectable fellow citizens. The capital of the state, which, in the midst of the most trying difficulties, had preserved a certain dignity of character, now appeared to be the focus of all the passions, which distracted every part of our country. Fractions of every party were here encountered in a state of the utmost exasperation, while the imminence of the public dangers served but as the pretexts for the indulgence of mutual revenge; accusing one another with the origin of the general distresses, and breathing, mutually, the most injurious suspicions.

The magnanimous people of Buenos Ayres, to whom the praise cannot be denied, of having impoverished themselves in affording aid to brethren engaged in the same glorious cause, were on the point of experiencing a reaction, whose consequences would have proved radically destructive to the character and existence of La Plata. Anarchy, in a word, had lighted up a universal conflagration. Nor was this all; when now it might have been supposed that the measure of our afflictions had been full, the troops of Portugal made their appearance on the northern borders of this river, availing themselves of our discords; for these, unhappily unknown to ourselves, had but too well seconded the interests of the neighboring court. New dangers here presented themselves, new occasions to sow discords, and a new impulse was given to the torrent of personal enmities, rendering even loyalty suspicious. It is no easy task, fellow citizens, to draw a just picture of our misadventures, or to enumerate the perils over which your firmness has happily triumphed. You all remember that the evils which thus assailed us, began to diminish at the very moment when we had yielded to despair.

The supreme congress, into whose hands the people had confided their safety, had just been installed at Tucuman. Those who were called upon to be legislators of their country, and to fix its destiny, by the wisdom of their councils, were compelled more than once to exert their courage, and to encounter, with intrepidity, the dangers which threatened to profane this last asylum that remained to our country in its misfortunes. The prudence, the integrity, the fortitude of this august body, presented to the provinces the delightful spectacle of an authority which captivated their submission, not less by the just title of its elevated origin, than by the animated zeal, and the vigorous energy which it displayed in the first steps of its illustrious march. The boldest passions were compelled to renounce their extravagant designs; and if in some districts they had the temerity to attempt new excesses, the celerity with which they were suppressed, scarcely allowed time to their authors to sue for mercy. The seditious, notwithstanding, still harbored the design of putting vigilance to sleep, in order that they might snatch the opportunity of insulting whatever was most respectable. It was at this crisis that the supreme representation deigned to invest me with the honorable, but awful, distinction of supreme director of the state. This was not the first time I had been clothed with authority, and that I had already experienced the bitter mortification attendant upon it, was too well known not to regard my acceptance as a sacrifice. At that time a member of the supreme body, I knew well the mass of evils that would weigh upon me; but even these, in the midst of anxiety and fears, urged my submission to the supreme will.

I had no right to expect that my elevation would meet the approbation of every one; and the calamity of the times caused me to fear that my election might give rise to new disturbances. The result did not disappoint my anticipations. I saw myself compelled to subdue the hearts of my personal enemies; but I now considered my person as exclusively devoted to the public cause. Invested with the chief magistracy, I set off from the bosom of the supreme congress, for the province of Salta, and had the good fortune to compose the loud dissensions which had set at variance the citizens and the soldiers; and, having prepared the elements which afterwards procured for the Salтинians their well earned fame, I proceeded to the army, examined its situation, inspected the fortifications, and, giving such orders as the occasion might require, I returned to Tucuman, where I had the proud satisfaction of hastening, by my influence, the memorable act and solemn declaration of our independence. I pursued my journey to the capital of Cordova, where, according to previous arrangement, I was expected by general St. Martin, in order to settle the plans for rescuing Chili from the power of the Spaniards. From Cordova, with what painful inquietude did I stretch my view towards the agitated population of Buenos Ayres! I appeal to you fellow citizens, as the witnesses of the well-founded causes of my fears; and permit me, passing by the perils of my transit, to fix your attention on the first days of my arrival in this capital. What violence of passions! How many jarring interests! My resolution was taken. I hastened to fulfil the obligations of my oath. I announced to the people that the past should be forgotten, that those who deserved well of their country should be rewarded.

Fellow citizens, I have not failed in my promises, nor shall I ever have reason to repent me of my conduct. To this course, and to your virtues, it is

due, that the constituted authorities have been supported in despite of the boldest innovators; to this am I to attribute the reconciliation of those who before regarded themselves as having reason to be my enemies: to this, to say all in a word, it is due that obedience to the lawful authorities, and the love of order, constitute at present the prevailing temper of the provinces over whose destinies I have the honor to preside as chief magistrate. It were a presumptuous folly to assert, that this has been established on foundations that are proof against every attempt; the present age offers but too many examples of how fallible, in these particulars, are all political institutions; but how disgraceful ought we to consider the conduct of those who meditate a repetition of these mournful scenes, in our country: it is proper to hope, that, in future, restless spirits will be more easily repressed than in the earlier part of the present administration. Then it was that the extinguishment of anarchy claimed our first attention; yet we were by no means free from other assailants, whom it was necessary to oppose with our utmost efforts. The interior provinces were threatened by the near approach of the enemy, with a more numerous and effective force than they had ever brought into the field; to concentrate our own was impossible, from the want of means to transport them hundreds of leagues, and from their already occupying posts from which they could not be spared—Moreover I experienced the most painful embarrassment of mind, when compelled to choose between two extremes equally perilous: to abandon the districts of the interior, and the army which covered them, to the utmost hazard or to desist from the attempt to reconquer Chili, exposing the province of Cuyo to subjugation. I at length adopted the course inspired by courage, baffling the plans of the enemy's generals, La Serma, and Marco. The patriot army, against which that of Lima was intended to operate, was rapidly reinforced, the discipline and subordination, which had been lost during the period of our reverses, were in a short time restored.—Its present strength, respectability, and efficiency is known to you, in common with the rest of our fellow-citizens; and more would you have seen, if the enemy who now flies before us, beaten and humbled had not encountered a rampart of loyalty and valour in the province of Salta.

The army of Cuyo, far from giving way to that of Peru, maintained its ground, until regiments were marched from that capital to its reinforcement; new regiments were created with a rapidity almost incredible, through the noble devotedness and generous liberality of that province, in order to accelerate the final preparations, for setting on foot the stupendous design, which had been formed, of scaling the Andes; whose successful issue will afford to other nations some means of estimating the respectability of our power, as it has struck terror into the minds of our enemies; has kindled gratitude in the hearts of our brethren of Chili, and erected the most splendid monuments of the power and glory of our country.

The army of this capital was organized at the same time, with those of the Andes and of the interior: the regular force has been nearly doubled; the militia has made great progress in military discipline; our slave population has been formed into battalions, and taught the military art as far as is consistent with their condition. The capital is under no apprehension, that an army of ten thousand men can shake its liberties, and should the Peninsularians send against us thrice that number, ample provision has been made to receive them.



Our navy has been fostered in all its branches; the scarcity of means under which we labored until now has not prevented us from undertaking very considerable operations, with respect to the national vessels; all of them have been repaired, and others have been purchased and armed, for the defence of our coasts and rivers; provisions have been made, should necessity require it, for arming many more, so that the enemy will not find himself secure from our reprisal even upon the ocean.

Our military force, at every point which it occupies, seems to be animated by the same spirit: its tactics are uniform, and have undergone a rapid improvement from the science and experience which it has borrowed from warlike nations. Our arsenals have been replenished with arms, and a sufficient store of cannon and munitions of war has been provided to maintain the contest for many years; and this, after having supplied articles of every description to those districts which have not as yet come into the union, but whose connection with us has been only intercepted by reason of our past misfortunes.

Our legions daily receive considerable augmentations from new levies; all our preparations have been made, as though we were about to enter upon the contest anew. Until now, the vastness of our resources were unknown to us, and our enemies may contemplate, with deep mortification and despair, the present flourishing state of those provinces after so many devastations.

The office of major general has been re-established, for the purpose of giving an uniform direction to our armies, in order to foster the militia in all its details, and to regulate the system of military economy. The general officers, and those of a lower grade, occupied in those duties, will lighten the labors of the government, at the same time rendering more practical the progress and improvement of which the military force is susceptible, thus forming by degrees a body of expert soldiery, who will at once be an honor to their country, and serve as its firmest pillars in times of danger.

Whilst thus occupied in providing for our safety within, and preparing for assaults from without, other objects of solid interest have not been neglected, and which hitherto were thought to oppose insurmountable obstacles.

Our system of finance had hitherto been on a footing entirely inadequate to the unfilling supply of our wants, and still more to the liquidation of the immense debt which had been contracted in former years. An unremitted application to this object has enabled me to create the means of satisfying the creditors of the state, who had already abandoned their debts as lost, as well as to devise a fixed mode, by which the taxes may be made to fall equally and indirectly, on the whole mass of our population; it is not the least merit of this operation, that it has been effected in despite of the writings by which it was attacked and which are but little creditable to the intelligence and good intentions of their authors.—The result has been, that their now circulates in the hands of the capitalists a sum equivalent in its value to one million of dollars, which was deficient before the adoption of the measures by which it was produced. To the same measures are we indebted for the receipt of two hundred and sixty eight thousand dollars in the treasury of the custom house, in the short time which has elapsed since my decree of the 29th of March. At no other period have the public exigencies been so punctually supplied, nor have more important works been undertaken

The people, moreover, have been relieved from many burdens, which, being partial or confined to particular classes, had occasioned vexation and disgust. Other vexations, scarcely less grievous, will by degrees be also suppressed, avoiding as far as possible a recurrence to loans, which have drawn after them the most fatal consequences to states. Should we, however, be compelled to resort to such expedients, the lenders will not see themselves in danger of losing their advances. To shew these practical results is to make the best reply to censure; if it be the intention to do justice to the zeal and intelligence of public officers, the inconveniences and difficulties must be weighed with the good that has been effected. It is an idle vanity to seek for perfection in the labors of men.

One of the mischiefs attendant on the administration of the national treasury, was the existence of many superfluous offices; with respect to this, the proper reformatations have been made, especially in respect to the armories and public works. The attention of the government is continually alive in this branch of its duties, and it is not without hopes of being able to see abundance restored, even in the midst of the unceasing attention required by war, and of the many undertakings that have been set on foot for the advancement of the general prosperity.

Such has been the extension of our southern frontier, over plains and deserts well adapted to the formation of wealthy settlements; a project, whose accomplishment was not within the reach of former governments, in spite of repeated attempts to subdue obstacles which the present administration has had the good fortune to surmount. The unfortunate inhabitants of our plains have not only been gratuitously supplied with suitable lands, on which to fix their habitations, but have been furnished with the means of cultivating them to advantage.

Such has been the re-establishment of the college heretofore named San Carlos, but hereafter to be called the Union of the South, as a point designated for the dissemination of learning to the youth of every part of the state, on the most extensive scale; for the attainment of which object the government is at the present moment engaged in putting in practice every possible diligence. It will not be long before these nurseries will flourish, in which the liberal and exact sciences will be cultivated, in which the hearts of those young men will be formed, who are destined at some future day to add new splendor to our country.

Such has been the establishment of a military depot on our frontier, with its capacious magazine, a necessary measure to guard us from future dangers, a work which does more honor to the prudent foresight of our country, as it was undertaken in the moment of its prosperous fortunes; a measure which must give more occasion for reflection to our enemies, than they can impose upon us by their boastings.

This exposition is not made with a view to enhance the value of those services of which our country has a right to demand as a debt, but to offer an irrefragable proof to the people, that prudence and circumspection are the virtues which are required to secure the fruits of their heroic efforts. For the rest, reflecting minds, calculating the labors of the government by the immense disparity between the present state of our affairs, and what they were fifteen months ago, will do justice to the zeal which has effected changes so important. They will not less give credit for many other acts, of a nature to

manifest themselves less fully to the public. I have already mentioned the difficulties which embarrassed me, in respect to our exterior relations, and, if I had opposed less firmness in resisting the violence of party, a breach with the neighboring nation would be the inevitable consequence. The course pursued by me, in this particular, leaves unimpaired our right to the invaded territory, convinced that pacific measures, so long as the honor of the country requires no other, will be productive of more salutary effects, than a resort to violence, without necessity.

A period there has been, you well remember, fellow-citizens, in which the provinces were threatened with seeing the nascent order and tranquility subverted under pretexts of the most injurious suspicions against the constituted authorities. It was that period which occasioned more trouble to my mind, than any other during my administration. I will cheerfully renounce my claims to the public gratitude, for the sleepless nights spent in watching over its safety, if it will appreciate the sacrifice I have made, the pain it has given to my heart, to have been compelled to adopt the rude and violent measures, which at that crisis saved the state from ruin. But the necessity and justice of my proceedings, and the happy consequences which have attended them, leave me no room to repent.

Under the same circumstances, my conduct shall be the same. I will extinguish all the natural feelings of my heart, sooner than consent to the repetition of scenes which weaken our power, and sink our national glory to the lowest degradation.

Fellow citizens, we owe our unhappy reverses and calamities to the depraving system of our ancient metropolis, which in condemning us to the obscurity and opprobrium of the most degraded destiny, has sown with thorns the path that conducts us to liberty. Tell that metropolis that even she may glory in your works! Already have you cleared all the rocks, escaped every danger, and conducted these provinces to the flourishing condition in which we now behold them. Let the enemies of your name contemplate with despair the energies of your virtues, and let the nations acknowledge that you already appertain to their illustrious rank. Let us felicitate ourselves on the blessings we have already obtained, and let us shew to the world that we have learned to profit by the experience of our past misfortunes.

JUAN MARTIN DE PUEYRREDON.

Buenos Ayres, July 21, 1817.

## East Florida.

FROM THE NATIONAL INTELLIGENCER.

It has fallen within our power to satisfy some of the queries proposed a few days ago by a correspondent in our columns. The subjoined article, on East Florida, is from a source entitled to the highest credit, and as the reader will perceive, from its unadorned matter of fact character, was made without any view to publication. Having derived considerable instruction from a perusal of it ourselves, we obtained permission, from the friend to whom it was addressed, to make use of it for the information of the public.

The particulars of the state of East Florida, thus obtained, are the most acceptable at this moment, when a rumor is abroad, and stated with a confidence, almost amounting to certainty, that our government has obtained, or has an assurance of obtaining, by negotiation, a cession of that country from Spain. However reasonable and probable it appears, that

Spain should be willing to divest herself of a territory which is not only of no advantage, but an incumbrance to her; and however willing our government might be to obtain on reasonable terms this country, continually infested as it is by wandering tribes of runaways and outlaws, who hold the neighboring country in terror of their ruffian violence; and however certain it is that this country must, at no distant day, enure to the United States—we are pretty confident the rumor we have alluded to is premature; and, so far from any treaty or compact having been concluded for the cession of that country by Spain to the United States, we are under the impression that no official communications have passed between the two governments on the subject.

### Memoranda on the geography, population, &c. of East Florida.

With two exceptions, viz. Suarez and Fernandez, who have American wives and families, speaking English entirely, all the other inhabitants of East Florida, who live in that portion of country situated between the waters of the river St. Mary's and St. Johns, within forty miles of the sea, are Americans, with a small mixture of British, or French, or German; but all domiciliated citizens of the United States. Beyond that extent the country is either vacant, or occupied by hunting parties of Indians, without settlement on the Atlantic side; chiefly Alachanays under Bowlegs, who now reside near the mouth of Sawanee alias San Juan, on the bay of Apalache; and, together with runaway and plundered negroes, extend along the sea shore and islands down southerly as far as Tampa bay.

After passing the aforesaid settlement on the waters of St. Johns, few inhabitants are found excepting those immediately round Augustine, which they consider as their residence. They are poor people, chiefly Minorcians or originals from the Balearic Isles, and supply Augustine market with vegetables. Passing on the southward of Augustine, you find several inhabitants and some negroes about Matanzas, but only one cotton plantation; this is 20 miles south.

At Mosquito, which is 60 miles south, you find four or five cotton plantations, and a good many negroes. Two or three more settlements, of little consequence, are about Cape Florida. All these southern settlements are chiefly from Providence, Bahamas; but, being exposed to various depredations and uncertainties, they, as well as all the inhabitants of Augustine, two thirds of whom, as well as Fernandez, have English for their mother tongue, eagerly desiring, and would make any sacrifice to obtain, security and a protective government.

The number of white families dwelling between the waters of St. Mary's and St. John's, may be somewhere about one hundred and fifty, mustering somewhere about three hundred and sixty militia, divided into three districts, each of which has a captain and lieutenant, &c. elected by the people of their respective districts, together with a judge or justice of the peace, who tries all causes by an arbitration or jury of twelve men. They have the power of punishing in minor cases; but, when they convict capitally, the prisoner, together with the proceedings, are remitted to St. Augustine, for approbation and execution. No military commander or other servant of the government, has power to arrest any inhabitant beyond the lines of his garrison, who must be prosecuted and tried by the authorities of his own district.

The inhabitants are not bound to do any military duty, to muster, nor to pay taxes; nor observe any



such regulations except as they make for their own defence and self-preservation.

The white population of Augustine is not included in the above, and may consist of one thousand; of whom one hundred and fifty may be able to bear arms. Add to this one hundred and fifty white regular troops, and two hundred and fifty black or colored regulars, besides fifty free colored militia.

The inhabitants of Fernandina, I mean free white people, may be about two hundred and fifty, of whom fifty may be able to bear arms.

The white militia of Amelia, who do not muster in any of the above districts, may be about fifteen men. The negro population of the whole island of Amelia I take to be about

500

That of the three regular districts, including the waters of St. John

500

All others out of Augustine

500

Whole colored country population, exclusive of Indians, runaways, &c.

} 1500

Colored women and children, or slaves, in Augustine not included in the above estimate, may be about

500

All the inhabitants, even the Spaniards, are tired of living without a government, and of all others would prefer that of the United States, as past circumstances plainly prove; among which may be noticed the simultaneous effort of all the people in 1812 to annex the country to the United States, and also the active part they took to drive back the English in 1814, at St. Mary's, where they had one man killed and one wounded, and beat back seventeen boats filled with British troops. Under these circumstances, they think themselves (as far as is consistent with policy) entitled to the protection of the United States, so far as to keep them from being plundered or imposed upon by any foreign banditti who may take advantage of their present helpless condition, until they can gather strength by increasing their population, which they are now endeavoring to accomplish by inviting emigrations from the United States. To accomplish this the smallest indirect hint given to the commandant of the vessels or troops of the United States at St. Mary's would suffice, by shewing any symptom of favor to their endeavors for self preservation.

It now remains to shew what intrinsic value belongs to this territory, bordered on all sides by the Atlantic, or intersected by navigable waters, connected with those of the United States. First, the timber, which far exceeds in quality any that grows northerly, consists of forests of live oak, cedar, cypress and pine, all of inexhaustible extent. Secondly, may be mentioned the fertile lands, which from the climate derive qualities not elsewhere to be found: amongst which are, a large tract near Augustine and St. John's, called 12 Mile Swamp, containing 14,000 acres; another extending to Mosquito, 60 miles long; another between Bowleg's and Tampa, 60 miles long, supposed to contain some hundred thousand acres. The whole interior above Alachua, for several days ride, is excellent live oak and hickory land. The interior of the country is unexplored by white people, but said to be fertile and healthy, full of pleasant orange groves, and plentifully stocked with wild cattle.

It has been observed that the inhabitants pay no taxes: by this is meant direct taxes. All foreign goods arriving at Amelia or Augustine pay duties. (Agricultural machines or implements of husbandry excepted.) But, as there is no custom house or Spanish post on the Main, which has free communication with the United States, by means of the waters and channels of St. Mary's river, these inhabi-

tants consequently go free of duties, as the Spaniards are unable to enforce their collection. Indeed, the present liberty and independent state of the inhabitants arises rather from a want of power in the Spanish government than from any royal order or concession made to those inhabitants. But, from motives of convenience, as well as interest, the people and the Spanish authorities maintain the most friendly understanding, as all titles of property, fee simples, and grants of land, in which the government has been very liberal to the people, are derived from that source. Indeed, the government has manifested an uniform disposition to cultivate a good understanding with the people, by granting them every kind of indulgence. It is supposed by the inhabitants, that great encouragement will now be given by the governor to new settlers; as it plainly appears that the invasion of MacGregor took place in consequence of the paucity of inhabitants, who, therefore, rather than run the risk of defending themselves, remained neuter.

The town of Fernandina is situated on a peninsula or neck of land, the narrowest part of which may be about two hundred and fifty yards, defended by a strong picket and two block houses, which enclose the whole town.

On the side next the harbor, is a fort well picketed, mounting 8 guns, which commands the anchorage, and reach as far as the middle line of the waters or boundary of the United States.

As the inhabitants are afraid to indulge too sanguine expectations of coming immediately under the government of the United States, they consider it the wisest plan to increase the number of inhabitants by all possible means, so as to protect themselves by their own force, and confirm their independence; which, by lowering the value of the province as a Spanish colony, would induce that nation to part with it on easier terms. But, as the government of the United States is the ultimate object of the people, they hope that their past conduct has so far merited the good opinion of the United States as to induce that government to go as far towards protecting them in their liberties and properties, as policy and the nature of circumstances will allow.

Before I drop the subject of East Florida, it would be well to mention the Indians, who, taking advantage of the absence of the inhabitants then employed in besieging St. Augustine, came in from the westward and killed and plundered all they met with, taking off the negroes to a large amount, for which outrage they have never made the smallest satisfaction, but persist in retaining all they took, and granting protection to all runaway slaves from the United States or Florida, whose frontier inhabitants are daily falling a sacrifice to their resentment, which seems indiscriminately directed against all the white inhabitants, with whom they never visit nor have friendly intercourse. Their head quarters at present is about the mouth of Sawanee river called San Juan de Amajura in the old charts, into which river vessels are admitted from New-Providence, who supply them with arms and ammunition in exchange for skins, &c. A certain captain Woodbine has been with them, and was lately; he is a British officer, and acquired their confidence during the war, by commanding at the British fort of Apalachicola under colonel Nichols.

Previous to the blowing up of this fort a great many runaway negroes, who composed part of its garrison, doubtful of the event of the siege, deserted from it, and after its destruction went to the

south east along the shore of Sawanee; where they joined the other banditti under Bowlegs, and now compose part of those negroes who, together with the barbarous Seminolians, have been robbing and murdering the frontier inhabitants both of Georgia and Florida indiscriminately, and are still continuing it. These are the main enemies the people of Florida have to fear, and against them they desire assistance. This is the grand cause which impedes their growth and hinders them from becoming independent. The Indians are incorrigible in their cruelties. They are naturally enemies to a civilized state of society, as it destroys their independence. They resemble wolves, who would rather be exterminated than domesticated.

## Foreign Articles.

ENGLAND, &c.

A Spanish vessel, captured by a patriot privateer, has been carried by the prize master into Dingle, in Ireland. The Spanish ambassador reclaimed her. But the British cabinet had not, as yet, either complied with his demand or refused it. It was supposed it would become a subject for discussion in the admiralty court.

The London Courier says, it is understood to have been signified, that any British officer who enters the service of the Spanish insurgents will be struck off the half pay list.

British 3 per-cent. consols, Oct. 7, 82 7/9.

Alderman Smith has been chosen mayor of London.

Some of the British editors think that 1,000,000 bbls. of flour have been imported into the United Kingdoms from the United States, within the last 12 months—they say also that we have sent large quantities to France, Spain, Portugal, &c.

On the 1st of Oct. the entire military force in Ireland consisted of seven regiments of cavalry, and 25 regiments of infantry, exclusive of artillery.

*Cowes, Sept. 27.*—The keel of the Portland, 60, was laid down last week at Plymouth, to be built upon the plan of the largest American frigates.

FRANCE.

The national guard at Paris consists of 37,095 men, of whom 30,111 are effective.

Crimes in France appear to have greatly increased in number and atrocity since the late war. The French papers now rival those of England in their accounts of trials for capital offences, some of which have been of an unprecedented character.

The French government are said to have made liberal offers to any British coachmakers, who will establish themselves in France.

France is beset by every body. A general disposition is manifested to reclaim of her the whole amount of Napoleon's requisitions, &c. A demand is made for some houses he caused to be pulled down when he ordered Erfurth to be fortified—pay is demanded for wood which served to construct the bridge at Hamburg, &c. &c. The amount of such claims, up to June last, was 1,800,000,000 francs—about 74 millions of pounds sterling, or upwards of 325 millions of dollars. If these are satisfied, twice as large an amount will be preferred—for it is supposed that payment will be claimed for all sorts of private property taken or destroyed.

SPAIN.

The following is one of that description of paragraphs for which the London editors receive from half a guinea to ten guineas a piece, according to the magnitude of the falsehood that they are made to fether—“An the actions of the Spanish King ap-

pear to give the lie to the character he has received in the newspapers. The fact makes it probable, that the calumnies respecting him, are the coinage of the Jacobinists which are established in the old and new world.—Instead of being the sanguinary tyrant, we see him an Angel of mercy; and giving pardons to those rebels, who under the garb of patriotism, would have subverted the government established for ages and brought him to the scaffold, as they did his relative, Louis 16th—all who were implicated in the foolish conspiracy of Lacy, have recently received his clemency.”—*London pa.*

*London Oct. 4* Letters from a central part of Spain mention, that the troops destined for South America, after a descent down to Cadiz and other parts of Andalusia, had been recalled into Estremadura, the government not having the means to subsist and pay them in the districts in which they were first ordered to assemble.

We understand that Spain is making an effort to restore its naval and military force, and that a very considerable order for naval and artillery stores has been lately received in this country, to be shipped for Spain.

NETHERLANDS.

*London, Oct. 4* Letters from the Hague state, that the conferences for the conclusion of a treaty of commerce and navigation, between the kingdom of the Netherlands and the U. States of America, are postponed until the American plenipotentiaries shall have received ulterior instructions.

Mr. Gallatin, ambassador from the U. States to the court of France, who had been charged with these negociations, has returned from the Hague to Paris.

SWEDEN.

So terribly afraid of something is the “legitimate” *Bernadotte*, the “old French sergeant,” that every stranger was required to wait at the frontiers of Sweden until he received a passport from Stockholm. The English duke of Devonshire on his way to St. Petersburg, to attend the marriage of the grand duke Nicholas, was compelled to submit to this system. Mr. *Hughes* has obtained a relaxation of the rule in favor of the Americans, who may pass and re-pass on passports granted by our own consuls. It is said this privilege is not granted to the people of any other country.

BARBARY POWERS.

It is reported that Hamburg is willing to purchase the protection of England against the Barbary powers, at the rate of 300,000 marks banco, per ann.

WEST INDIES.

The import of foreign wheat flour is prohibited at Martinique—rice and Indian corn will be received on payment of the former duties, which were latterly suspended.

“SPANISH AMERICA,” &c.

We have a variety of royal accounts from Cabacas, &c. in which it is affected that the royalists have gained some partial advantages over the patriots.

Our accounts about Mina are not to be relied upon—but we incline to the belief that he is making a great stir in Mexico—it is said that he was within a short distance of the capital.

The *Aurora* says—Despatches have been received from gen. Mina, dated in August, from the interior of Mexico: he had been joined by the revolutionary force under Padre Torre, and his disciplined force already amounts to 6000 men. Details of his operations, and on the general circumstances of Mexico, had reached Natchitoches, and translations were making for the gazette published on Red river.



A London paper of Oct. 4, says—Ships continue to be equipped in the river for the purpose of conveying officers, non-commissioned officers, and privates, to aid the patriots in South America. At present one vessel is quite ready to sail, having on board officers fully equipped, and 200 privates to form a rifle corps. Another is in a forward state of preparation, and has appointments for a cavalry regiment 600 strong; a third is freighted with equipments of a lancers corps. The officers are all men who have seen active service, and are of every rank from lieutenant to ensigns.—The organization is so complete, and the arrangement is so happily made, that they will be ready for immediate service on their arrival in America. [Success to them.]

The desperate state of the affairs of Spain in Mexico and Venezuela may be estimated from the fact that a general *indulto*, or pardon, has been published to all insurgents. Ferdinand and his blood-agen s would not pardon, if they could *subdue*.

The Buenos Ayrean brig *TUPACAMAUT*, *Shannon Livingston*, esq. commander, of fourteen 18 pound columbiads and one hundred and ten men, has arrived at Savannah, from a cruise of 115 days. She sailed from Buenos Ayres, and the last land she left was St. Mary's, one of the Azores. She has made but one prize—the Spanish brig *Santa Christa* from Lima bound to Cadiz, loaded with specie, copper cocoa and cotton.

## FLORIDA.

We have late accounts from Amelia. The state of affairs was still in great confusion.—About forty British officers had arrived there expecting to join McGregor, but finding he had left the place, they embarked for Venezuela. Great sales of property had been effected.

## CHRONICLE.

The U. S. ship *Franklin* of 74 guns, is expected to sail for England in a few days, with Mr. Rush, our minister to London. She will be the first American ship of the line that ever visited England.

The U. S. *gun boat*, No 168, lieutenant McCall commander, left Charleston on the 29th ult. for St. Mary's. She goes to relieve the U. S. brig *Saranac* lieutenant Elton, now on that station. The *Saranac* is to return to Charleston to undergo repairs.

The U. S. ship *Hornet* has arrived in the Chesapeake, with despatches from com. Chauncey.

*Mediterranean squadron*.—An article under the head of *Marseilles*, Sept. 20th, states that the American squadron in the road of Naples had given a splendid entertainment to an English admiral who had arrived there in a vessel of his nation. The admiral, not willing to be behind-hand in civility, gave in his turn a brilliant fete to the Americans.

The governor of Pennsylvania has appointed the third Thursday of the present month as a day to be set apart for thanksgiving to God, for his numerous blessings.

*Difference of opinion*.—Mr. Lloyd's resignation of his seat in congress, has given rise to a new collision at Boston. Mr. Mason, formerly of the senate, was nominated by a *federal* caucus as his successor; but Mr. M. being thought too much of a *liberal* was set aside by another caucus to make room for a Mr. Ritchie. A *republican* caucus was then held, at which Mr. Mason was again nominated, and seems to stand a good chance of being elected.

*Foreign*.—We see it mentioned in a Philadelphia paper, that a vessel has arrived at Alexandria from France with *furniture* for the house of the president of the United States. Some small matters, we sup-

pose, that could not have been obtained at home.

The *Stand-up* law of Connecticut has been repealed. The council reconsidered its vote, and accorded with the proposition of the house of representatives.

*Cents*.—The public are informed that cents, to any moderate amount, may be had at the mint of the United States, in exchange for specie, or any notes receivable in the bank of the United States.

Deaths at Charleston, from the 26th of Oct. to the 2d of Nov.—31; of the yellow fever BUT ONE.

## PENNSYLVANIA ELECTION.

Harrisburg, November 8.

The following are the official returns received from all the counties in the state.

[Corrected from a manuscript copy, politely forwarded to the editor of the Register, from Harrisburg.]

	Findlay.	Hiester.	Total
Adams	674	1632	2296
Allegheny	1593	1630	3223
Armstrong	759	347	1106
Beaver	951	679	1630
Bedford	1517	1318	2835
Berks	2534	4193	6727
Bradford	929	353	1282
Bucks	2772	2888	5660
Butler	735	273	1008
Cambria	206	150	356
Centre & Clearfield	1569	765	2334
Chester	3051	3330	6381
Columbia	1647	766	2413
Crawford	387	393	780
Cumberland	2913	2297	5210
Dauphin	1117	1738	2855
Delaware	540	1185	1725
Erie	353	261	619
Fayette	1982	898	2880
Franklin	1990	1931	3921
Greene	1095	412	1507
Huntingdon	1484	1246	2730
Indiana & Jefferson	718	274	992
Lancaster	2889	4763	7652
Lebanon	1182	1212	2394
Lehigh	1706	916	2622
Lycoming, Potter & McKean	1276	648	1924
Luzerne	985	832	1817
Mercer	832	343	1175
Mifflin	1565	978	2543
Montgomery	3364	2645	5709
Northampton	2761	1203	3964
Northumberland	1326	939	2265
Philad. city	1551	3946	5497
Philad. county	3030	3337	6367
Schuylkill	566	850	1416
Somerset	930	861	1791
Susquehanna	467	156	623
Pike	294	182	476
Warren & Venango	547	146	693
Washington	3111	1306	4417
Wayne	350	40	390
Westmoreland	2242	1421	3663
Tioga	289	91	380
Union	1018	1507	2525
York	2918	1944	4862
	66,420	59,415	125,835

Majority for Mr. Findlay, 7005.

The new legislature is politically classed as follows:

	New members.	Repub.	Opposition.
In the senate	6	19	12
House of reps.	36	54	43

# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM PAYABLE IN ADVANCE.

## American Navy.

It is laughable to see the anxieties of the British about the American navy. The "bit of striped bunting" haunts *John Bull's* imagination like an evil genius, and he thinks it constantly says to him, "*we meet again at Phillippi.*" But *John*, unlike *Brutus*, is very loath to say, "*I'll meet thee there.*" That the meeting may long be deferred, is my most earnest wish. I feel very certain that the *e* is nothing in the genius or disposition of our people to *provoke* it. But so it is, that every step that we take in regard to a navy—every tree that we cut down in our own forests for ship timber, and every ship that we build, is considered as an "enemy" act, as *sir James L. Yeo* pointedly calls the United States, in his despatch about Sierra Leone—see page 200. We call these things laughable—for what can our force amount to compared with the vast naval means of Great Britain, and her boasted "thousand vessels of war." And, though her force is so imposing, we are no more jealous of her when she launches a ship, than of an *Ottawa's* canoe first paddled on the lake, and give ourselves no more concern about it. This difference of feeling may, perhaps, have its cause in the belief of the British that we *may* beat their ships in fleets, if ever they come into hostile contact; and in the confidence of the Americans that they *will* do it.

The London "Courier" takes great credit to England, because, by a very *recent* regulation (published at length in this number) the *rate* and *actual* force of British ships are hereafter to be the same, and censures us as the "only power that makes any distinction between the rate and actual strength of its ships of war." This may be so—but as we, unadvisedly, copied England in that particular, as we foolishly do in many others, "without rhyme or reason," let us have time to copy her also in a thing that is right in itself and worthy of imitation. When it shall appear that we persist in holding up a senseless deception, then let us be blamed: But before we do this, we must see that she herself has really abandoned it. We remember that when the famous frigate the *Guerriere*, was captured of the French, she was officially called by the British a "forty four gun frigate"—that they added five guns to her armament, (which she had on board when we captured her,) and then she was officially called a "thirty-eight gun frigate."

The "Courier," though happily the editor does not see any probable cause of difference between Great Britain and the United States, thinking it may happen, is preparing his countrymen for the capture of some of their largest ships; saying, that "the present American 74's can throw a broadside within 50lbs as heavy as the *Caledonia*, a British ship rating 120 guns, and measuring 2017 tons." Be this as it may, they will soon have an opportunity of seeing the *Franklin* in one of their own ports, where they may measure her with the greatest nicety. What a train of reflections will the arrival of *this* ship cause in the minds of the old politicians that knew the American printer! "*Eripuit fulmen caelo, septemque tyrannus.*" What will "lord Sheffield" say? He told his countrymen in 1786, "An armed neutrality would be as hurtful to the great maritime powers, as the *Barbary* states are useful. THE AMERICANS CANNOT PROTECT THEMSELVES FROM THE LATTER; THEY CANNOT PRETEND TO A NAVY"-----"*America has not many sailors,*" &c. Visit the *Franklin*, my lord, and see the merry phizzes of her "yankee crew," as a sample;—and ask the "useful" Algerines what *they* think about this matter.

## Connecticut.

The late change in the political character of the state of *Connecticut*, being so unexpected, has caused more than usual enquiry into the nature of her institutions. It is not within the range of the business of this paper to enter into the local party disquisitions of the day; though it is essentially our duty to "put down" the things on which the most important of these disquisitions are founded. Hence the following may of right have a place in the WEEKLY REGISTER.

The famous "stand-up" law has made a "great noise in the papers," and we have already published an account of it—but there was something in that law (which is now repealed) of such a singular character, that an extract from it cannot be unacceptable.—Before the passage of this law, (it was past in the *war* times of 1801), the people had been accustomed to give their suffrages at the poll, by secret ballot—but in that year, it seems, it was thought necessary to separate them into classes, and to know who adhered to the powers that were and who did not, that they might be marked. By the 4th section of that law it was enacted—



"That before the freemen are called upon to vote, for persons to stand in nomination for assistants or representatives in congress, the presiding officer shall appoint a suitable number of tellers, not exceeding 4, for the different parts of the house or area where the freemen are assembled, and shall also direct the freemen to provide each for himself a number of slips of paper, equal to the number which by law are to stand in nomination, and when provided, he shall, if the accommodations will admit thereof, order the freemen to be seated, and on any person being named by any freeman to stand in nomination, the presiding officer shall call upon those who would vote for the person so named to signify it by rising, or when the accommodation will not admit of the freemen being seated, shall call upon them to vote by holding up the hand, which being done, the tellers in the quarters assigned them, shall count the numbers voting, and shall successively with an audible voice declare the numbers; which numbers, the presiding officer, with a like audible voice, shall successively repeat and cause to be taken down, and the aggregate to be entered against the name of the person voted for, and the same proceeding shall be repeated as often as any person shall be so named, by any freeman; but no freeman shall vote for more in number than are by law to stand in such nomination, and every freeman on voting as aforesaid, shall each time drop one of the said slips of paper, that he may not be exposed through mistake to vote for more than the prescribed number."

The gentleman who communicated to us the preceding extract, makes some very *grave* remarks on the necessity of the "slips of paper," lest some might have subjected themselves to punishment, because they could not count twenty!

The manner of suffrage was *changed* by a mere vote of the legislature, because the state has not a *constitution*. It is governed by the charter granted by Charles H. which was adopted by a simple legislative act at the revolution, and the body of the rights and privileges of the citizens is at all times subject to the whim and caprice of the general assembly, or founded upon *usages* to be interpreted or expounded by the judiciary! But a convention to form a constitution will now, probably, be called, and the many odious and unjust regulations as the qualifications of voters, &c. will be done away. Men required to pay taxes and perform military duties, are denied the right of voting. But "*manufactured voters*"—i. e. persons invested, for the moment, with certain property qualifications, for certain purposes, have been so numerous, as to pervert the sense and meaning of the regulation.

In ecclesiastical matters the people have been strangely ruled. In truth, there has been an "*established church*" in Connecticut! It is spoken of as a dreadful *innovation* that gov. Wolcott, though he has appointed a priest of that church to preach the next "election sermon," has nominated an *episcopalian* to that duty, if the former cannot perform it!--There is also some queer thing that is called an "*ecclesiastical constitution*," full of hateful distinctions and discriminations, and affecting the

civil rights of the citizens in many important respects. An "*orthodox catechism*" is mentioned, and those that do not measurably conform to it may be convicted of *felony*, and deprived of the right of maintaining an action at law or in equity, of being guardians, executors, administrators, &c.--incapable of holding any office, &c. The "*common school system*," admirable and worthy as it is, in most respects, of imitation, is cursed with this "*orthodoxy*" and its priests--and the fellows and professors of Yale college are required to make a solemn declaration of their belief in the "*assembly's catechism and the confession of faith*," and to pledge themselves to prevent the prevalence of doctrines contrary thereto, &c.

The people of this state have an interesting duty to perform. May they persevere in it until they erect a constitution that shall secure *equal rights* to the community! The time has past when "*confessions of faith*"--the acts of deeply interested and darkly designing individuals, can legitimately stand between a man's conscience and his God; and we trust that this fragment of the "*holy inquisition*" will be immediately blotted from the statutes of *Connecticut*, "*peaceably, if it can; violently, if it must.*" And how strange is it, that they who fled their country and sought *religious liberty* in the wilderness, should themselves have refused it to their fellow men! Let the system perish!--an "*established church*," of any denomination, is a *Baal*, and the true God will cast it down--that he may be worshipped in spirit and in truth; and not be mocked by hypocritical conformities from worldly motives. Let me be understood--I repeat what I have oftentimes said, that I make no opposition to the doctrines of any sect, and would freely give to every man the same liberty to form a set of opinions that I have exercised for myself--but let not the *state* interfere with these: it only serves to make a *trade* of religion.

But *Connecticut* is blessed in this--a majority of her *qualified* electors can give to her a free and liberal constitution--which, if three fourths of the people of the states of *Maryland* and *Virginia* were in favor of it, they could not quietly obtain it for themselves.--In both of these states heaven's first law in politics is reversed--THE MINORITY MAY RULE; and, in the former, does rule, in questions of right as well as in those of opinion. *This is truth.*

### A most sensible Letter.

The editors of a respectable southern paper lately published an article in which, though I was praised beyond my deserts, I was also reprehended as exhibiting a weakness in the publication of extracts from some letters I had received from distinguished gentlemen. Perhaps, it was wrong--perhaps, it may not be repeated, the *apparent* use or necessity of it

having past by.\* But, let us reason a little on the matter: a man's *reputation* is as much his property as his houses and lands, and he has as good a right to make an honest profit on it. This is practised every day, in a thousand different shapes. The rich capitalist, for instance, carelessly throws a note for 20 or 30,000 dollars into the bank, depending on his reputation to have it discounted; whilst others, perhaps really more competent to pay their debts than he is, plain, simple and *productive mechanics*, feel it necessary to explain to the directors *why* they are worthy and expect to receive an accommodation of a few hundreds. I recollect an anecdote that was currently stated in a neighboring city, some years ago. A well known merchant offered a very large note—for 50,000 dollars. I believe, for discount, at one of the banks. The directors were glad of the opportunity of accommodating a person who seldom asked for it, and generally had such heavy deposits in their institution; but not one of the board had ever before heard of the endorser! They politely delegated one of their number to wait upon the drawer, and ascertain who the endorser was—he did so, and the drawer said, “the note is a good one; the difference is exactly the same—if it is done, you make 500 dollars, in discount; if it is not done, I save it. As to the endorser, he is a fine man—he is my porter. I give no other name.” Something like this happens every hour, and in every rank of life, with those who feel the power of their reputation; and others are, in like manner, engaged to build up such a standing in society. Reputation rests on *opinion*, as well as on *facts* that deserve it; and who are so competent to influence *opinion* as those that are most able to judge the merits of *facts*? Why, then, may not such opinions be *fairly* used to extend a knowledge of facts, to the honor or profit of the person in whose favor they are? “Good wine needs no bush”—but it is needful to its vender that it should be known that he has it. Still, this knowledge may be *improperly* urged, and honest people may differ about it, yea or nay.

Notwithstanding all this, I am induced to publish another letter—if there is a *printer* or *publisher* in the United States that can find fault with it—he may: I would like to publish two or three thousand such! It is from a gentleman of *Georgia*—he had paid for the REGISTER up to the 1st of September last, and only \$5

\*Some wilful falsehoods had been sent abroad by a person that, though he is too contemptible to be named in this paper, had some power to injure me with those that did not know me, personally, or through the WEEKLY REGISTER—and it was to fortify my friends, and the friends of this paper, with evidence in my behalf, that I published extracts from a few of the complimentary letters I had received. I say of a few—I have enough such to make a volume. I am proud of them. I trust, honestly so.

could be demanded of him, for the year up to Sept. 1818---but (“after expressing his regret that two months” had elapsed, without making payment in advance, and complimenting me in the most flattering terms) he thus *apologizes* for the delay—

“Ill health induced me to visit the upper part of this state, where I remained until a few days ago; and on my return I found that I had suffered myself to fall in arrears for your invaluable paper. Mr. Niles, I am convinced, will overlook this deviation from his just request—health, which is the greatest of blessings, was at stake, which caused me to remain from home longer than I expected at the time of my departure.

“Enclosed you will receive a bill of twenty dollars,” &c.

### Darby's Louisiana, &c.

To give to Mr. *Darby* every chance of *justice* in my power, as well as to vindicate myself and correct several manifest errors committed by a correspondent, in describing the “prairies of Louisiana,” I give place to the following address, *unasked*. Some remarks are inserted, enclosed in brackets. Having always entertained much respect for that gentleman, I believed that he had a sufficient knowledge of me to know that I was incapable of wantonly injuring him or any other man. If he has been injured, it was done *innocently*, or, at least, *inadvertently*. But I do not know that I have wronged him in thought, word or deed: on the contrary, I shall shew that he himself has acted precipitately and incorrectly, if not rudely, in such parts of his publication as apply *personally* to me. A duty to myself enjoins it upon me to point out these things; and I shall do it without resentment, though he has attempted to injure me in a very delicate point. There are no classes of men in the world so jealous of their rights, as inventors and authors. I respect even the *errors* that arise from this jealousy; and believe that Mr. D. will feel more regret for them, on the present occasion, than I do—if I have not much mistaken his character.

The history of the essay signed “A Louisiana Planter” is this: It was written by a gentleman personally known to me—he had served as an officer in the late war with reputation, having received, I believe, two brevets for his good conduct. Thus possessing my confidence, his article was very slightly *looked over*, and I do not recollect that I *read* it until this day. This was accidental—a similar circumstance never occurred but *once* before since I have published the REGISTER, in respect to a piece from manuscript; else, I think, that I must have noticed the wild mistake as to the superficial extent of the country spoken of. It was *sufficient for those who read the proof that it was according to the copy*; and so it is, a few unimportant and immaterial errors excepted.—This is an *excuse* though it is not a *justification*. on my part—it was my business to have



read it. But a charitable disposition would overlook *two* things of this sort in *six* years!! The writer of the essay, I am confident, cannot knowingly state that which is untrue—to a warm imagination and information too easily credited, with a hasty performance, we must ascribe any mistake that he has made.

As Mr. Darby's address may pass into the hands of many that will not see the WEEKLY REGISTER, I very respectfully request those editors who give it a place also to introduce, in their own way, at least the paragraph below, beginning with "Touching the matter." Let the people then judge between Mr. D. and me, and say which of us has acted *fairly* towards the other.

FROM THE NEW-YORK COLUMBIAN.

*Mr. Spooner*.—A friend this day put into my hands a news paper, entitled the Morning Chronicle of Savannah, in which there is an article extracted from Niles' Register, under the signature of a *Louisiana Planter*, dated Louisiana, Sept. 1817, and headed *Protrials of Louisiana*.

There are some errors in this piece, that in charity must be charged to the press; but there are others that must have originated with the author.

[There are no errors to be charged to "the press," affecting the author's meaning, that I know of.]

The first paragraph contains a rude compliment to Mr. Brackenridge and myself, as giving the most correct information, but charges us with not being sufficient explicit. The seventh paragraph is verbatim as follows:—

"The topography of this country is pretty accurate on Darby's map of Louisiana; his book is a much inferior production to his map, and not much to be relied on for useful information. I will here add a few words concerning the soil, and its productions; but, as these vary in an extent of country containing about 300,000 square miles, I will consider the districts separately."

[The opinion of the Louisiana Planter" of Mr. Darby's book, is an affair between the two: I have nothing to do with it. In Vol. X. p. 353, "we" "most heartily recommended" Mr. D's works "to all who desired correct information of Louisiana," and expressed our pleasure "that his talents and care were duly esteemed by an enlightened public."]

It is but a few months since a learned Dr. Jabez Heustis by name, published an elaborate work, on the diseases of Louisiana, introduced by a topographical introduction, copied in great part from my first edition, and in which I am the only author pilfered, who is not named or referred to in the work. The performance was dying of the rickets, when I made the discovery, and in mercy to parental affection, I suffered it to depart in peace.

[As I never before heard of the "learned Dr. Jabez Heustis," I can hardly be made accountable for his sins against Mr. Darby.]

In no. 18, vol. 12, of Niles' Register, under the article Political Economy, no. 2, I am quoted in the following manner:—"Large tracts of land are continually brought into the cultivation of the cane:—Mr Darby tells us there are 250,000 acres in Louisiana, fit to produce it. We have reason to believe there is a much greater quantity than that."

Mr. Niles had good reason for his belief, since the passage in my treatise, page 156, quoted by this gentleman runs thus:—"Stating the sugar land of the state of Louisiana, at 1,000,000 of acres, no great error would be committed. This estimate exceeds the one thirtieth part of the whole territorial surface of the state. Deducting from this area three fourths, for all the other objects of agriculture, would leave a nett extent of 250,000 acres, for the sugar plant."

The number of Mr. Niles' paper, containing the above quotation, was put into my hand when the second edition of my work was in press. Without changing Mr Niles with any wish to enhance his sagacity, by presuming to find out by his own statistical science, a point of information I had given him, I requested his misrepresentation in my second edition, and referred to the page from whence this gentleman derived the basis, upon which his very shrewd guesses were founded.

[Touching the matter of the three preceding paragraphs we feel at home, with a capability to prove that Mr. Darby has acted "precipitately and incorrectly, if not rudely." "A plain tale shall put him down." It is true, that in page 156\* the sentences so proudly quoted are inserted—But, in the very next page, he himself quotes an interesting article from the WEEKLY REGISTER, in respect to the cultivation of the cane, (see Vol. X. p. 201) about which he says—"SHOULD THE ESSAY MADE BY THESE GENTLEMEN BE VERIFIED BY FUTURE EXPERIENCE, THE SUGAR LAND WILL BE MORE THAN QUADRUPLED, OR EXCEED ONE MILLION OF ACRES." Mark this—if the information that "we" gave him was true, "the sugar land would be more than quadrupled." With this fact, and his own acknowledgement of it right before him, common courtesy ought to have induced Mr. D. to believe that "we" knew something more of the matter than "we" had derived from his book, which was in the press long after our article was published. And in his table p. 162, which we copied [Vol. X. p. 355] under the column headed, "the extent that may be found in the state of Louisiana upon which each staple may be cultivated," he gives us 250,000 acres for sugar. It was this table that "we" had before us when the second number of "Political Economy," was written—we recollected nothing of his qualified sentences in page 156, and supposed, (as we think that every man in the world would have done) that 250,000 acres was, in his opinion, "the extent that MIGHT BE FOUND in the state of Louisiana upon which sugar might be cultivated—because he said so in that table. Our copy of his table, for brevity's sake, has this column headed, "No. of acres in the state suited to each staple"—and conveys the same idea in fewer words. If, therefore, "we" have erred, the fault was as much Mr. Darby's as our own; and I indignantly reject his supercilious insinuation, that any thing that HE had said was "the basis on which MY very shrewd

\* First edition—I have not seen a second.

guesses were founded"—FOR IT IS NOT TRUE. The *contrary* is most clearly proved—and Mr. D. has that proof in the first edition of his own book! If, after this exhibition, Mr. Darby is willing to persist in his assertion, he is heartily welcome to all the self-satisfaction that he can derive from it, and it will not give me the least uneasiness.]

Some few months past, a manuscript map of Louisiana and parts adjacent, was sent on from Washington, in the state of Mississippi, to Philadelphia for publication, and put into the hands of an engraver accordingly. The pretended author of this map, was a man of the name of Ludlow; but by an advertisement which lately appeared in the National Intelligencer, it has been made appear by the acknowledgement of Thomas Freeman, surveyor general, that him and Ludlow were partners in the business. Mr. Freeman charges Mr. Ludlow in great wrath, with an attempt at appropriating this map to his own use and emolument. With the quarrels of these great men I have nothing to do, but the manuscript is in many of its essential parts, a clumsy copy of mine. The Sabine and its confluent streams, were surveyed by me at my own expense, and yet copied by the same men who in their prospectus insist upon the necessity of an *accurate map of Louisiana*.

Happy for me however, the principal and accomplice in this latter attempt, disputed about the reward before the crime was consummated, and of course their aim was frustrated.

[I have no more to do with this than with the affair of the "learned Dr. Jabez Heustis;" and why either of them are *lugged* into this article I neither know nor care. But I sincerely rejoice to hear that any attempt made to rob Mr. Darby of the fruits of his talents and industry, eminently displayed in his map of Louisiana, has been defeated.]

Mr. Brown, in the Western Gazetteer, (page 144) quoted one of my tables almost entire, and put Mr. Niles down as the author.

[Mr. Brown expected to visit Baltimore, and promised to compliment me with a copy of his work; but death arrested his course. Hence I had neglected, until this moment, to purchase his valuable compilation. Mr. B.'s error was venial—he would not have wronged any man of his literary property, knowingly. He copied the table from the WEEKLY REGISTER, but did not observe that "we" had given credit for the whole article on Louisiana to Mr. Darby.—Vol. X. p. 353—2d paragraph.]

I confidently appeal to any person who has read my treatise, and particularly to the inhabitants of Opelousas and Atacapas, whether those districts have not received their full share of attention. I herewith remit you the entire article on those places, which I hope you will have the kindness to insert in your paper; and I hope that editors of newspapers who have inserted this article from Mr. Niles, will have the candor to publish mine, also including the observations with which it is prefaced. The public will then be able to form an opinion who has given the most correct information on the subject.

[We shall probably copy this account into a future Register.]

I shall conclude this exordium by a few observations addressed to Mr. Niles himself.—Sir, as a literary composition, my treatise is at the disposal

and liable to the animadversions of any person who deems the subject or the manner worth his criticism; therefore any proof of inaccuracy is a fair subject of insertion in your paper; but in an attempt to mend my deficiencies, you are bound not to introduce more monstrous errors than either Mr. Brackenridge, myself, or I believe any other person except your correspondent, ever did commit respecting Louisiana. In a common newspaper, the editor is not always accountable for the accuracy of his facts; but in a publication like yours, you are responsible for topographical mistakes, that could not have escaped your observation if due attention had been paid to the examination of your materials.

[Here is the "front of my offending," but rather severely urged; though I acknowledge that "due attention was not paid to the examination" of the essay. Yet I have always disavowed a responsibility for *three* things—as to facts stated by correspondents and items of foreign and domestic news; notwithstanding, except in the *two* cases mentioned, they have always underwent a most strict examination, being aware that I was more "accountable" than editors of "common newspapers" ought to be.]

Your correspondent estimates the surface of Opelousas and Atacapis at 300,000 square miles; a surface equal to that of Virginia, Maryland, Pennsylvania, Kentucky, New-York, and New-Jersey. Now the simple fact is, that those two posts cover 12,700 square miles.

"The climate is so mild," says the Louisiana Planter, "that fuel is not wanted except for the kitchen." That was not one winter of eight that I myself resided at Opelousas, but what part of each winter was really severe, and three times I have known snow remain on the ground 8 or 10 days. In January 1807, snow fell in such quantities at Opelousas, that it produced a severe mortality amongst the cattle. In January 1812 snow fell at Opelousas eleven inches deep. In brief, at no place where I have visited are fires more necessary one fourth of the year, than at Opelousas.

Your correspondent calculates that the inhabitants of St. Mary in 1816 amounted to 3,000, and that the revenue arose from 2,500 bales of cotton, 900 hogsheads of sugar, and 800 beef cattle, and sums the aggregate value at 350,000 dollars. This is really practising a double and cruel public deception as may be seen by absolute calculation.

If the bale is estimated only at 300*lb.* clean cotton, 2,500 bales would demand 3,000,000*lb.* of cotton in the seed, and of course a quantity equal to 1000*lb.* to each individual must have been collected. On a population of any given number, at least one third must be deducted for age, infancy, sickness, and other exemptions; therefore, if the laboring people had all cultivated cotton, every person must have produced 1500*lb.* besides providing his food. But to this in itself extravagant income, comes on 900 hogsheads sugar. This 900 hogsheads must weigh 1,080,000*lb.* If three *lb.* of sugar are allowed equal in necessary labor in production to one of cotton, there may be added 360,000*lb.* of clean cotton, or 1,440,000 *lb.* in the seed, which added to 3,000,000 yields 4,440,000 *lb.* upwards of two thousand two hundred to each person. Saying nothing of the time necessary to attend to the 800 beves, this agricultural produce is entirely beyond what has ever been realized in the country. But admitting the fact, the price is also overrated, very much.



2,500 Bales at 400 <i>lb.</i> per bale, at \$20 per cwt.	\$200,000
900 hhd <i>s.</i> sugar, 1200 <i>lb.</i> per hhd. at 10 cents per <i>lb.</i>	108,000
800 beeves \$20 per head	16,000
	\$314,000

By the above overcharged prices the amount falls far behind the estimate given in your paper; valuing each article at its common medium price would reduce the aggregate sum under \$200,000.

Such papers as the one I have been reviewing can only acquire a title to notice from being inserted in such publications as yours. The language, logical deduction and distortion of facts exhibited, would render such a tissue too wretched to justify, ridicule if confined to a common Gazette. The minds of the people of the eastern and middle states need no deceptive lie to induce them to emigrate to the south and west.

In every stage of my advance as a writer, however humble may be my attempts, I have constantly endeavored to present facts as they really are in nature. The mischief is incalculable that has been done by high wrought pictures of rapid gain held out to persons moving into the Ohio and Mississippi valleys. There seems to exist a kind of mania to swell every thing relating to those places beyond the measure of common sense. I have incurred the stupid ire of a few persons of a description, you may not be acquainted with. A class of men has removed into Louisiana and made purchases of land on speculation, and are enraged with every one who does not consent to estimate this kind of property far above its value. With such men no information is useful that does not gratify their avidity.

Whatever may be my rank as a literary man, there is one path to fame which I hope never to tread. I have said, and I now repeat the assertion, that wealth is gained in Louisiana by the same means as elsewhere, temperance, industry and economy. I have described each part of the country in, I still believe, its true colors; but I have excited the vengeance of such men as the writer of the Louisiana Planter, because I did not amplify upon every farm; and give the number of children in every family. If the expressions of this writer had not gained a power of malignant mischief against Mr. Brackenridge and myself, as well as some claim to credit from the publication from which it originated, it might have followed covered with contempt to the grave of oblivion, the thousand other bombastic descriptions given to the public every day on Louisiana, and also upon all other parts of the south and west. So strong in fact is this propensity in too many, that when the naked facts are presented, the picture has lost all its attraction, to these poetical geographers. The statistics of the United States have been disgraced by stretching out counties to empires, and by assuming extraordinary production as data, upon which to calculate the collected value of agricultural labor.

Men are generally disposed to consider an article in "Niles' Register," as purged from absurdities and impossibilities, and are not disposed to give themselves the trouble to examine the basis upon which Attacapas and Opelousas are expanded to a wider extent, than all what is usually considered the southern states taken together, or upon the means by which the inhabitants of those two confined districts become rapidly rich without being subject to any of the common incidents attending suddenly acquired wealth. I will gratefully ac-

knowledge the obligation to any gentleman who will point out either errors or omissions in the facts in any work of mine, but I will also expose any malicious attempt made to inflict unprovoked personal injury through the medium of unfounded topographical delineations whose tendency is to injure also the public.

[Here is a compliment, indeed!--"Men are generally disposed to consider an article in 'Niles' Register' as purged from absurdities and impossibilities!" Now, if this compliment is just, there must be some cause for it: "Niles' Register" is generally correct, or "men" are generally fools. Always inclined to believe that which we desire, and never disposed to libel our numerous and very respectable readers, we prefer the hope that in the form: of these is the cause why this paper is so "considered." Whence comes this cause?--from a sincere devotion to HOLY TRUTH, at all seasons, and in laborious exercises to discover it. I am gratefully rewarded by my fellow-citizens for this--they have given me their friendship and confidence in a very remarkable manner; but will withdraw both at the moment that I appear unworthy of either. I wish them to do it--perish every thing that would mislead or deceive the public mind! People may call this pride, vanity or affectation--any thing that they please. I KNOW MY OWN HEART, and can lay my hand upon it and say, in the face of Heaven, that I never did to any man that which I should not have supposed he would be right to do to me, in the same circumstances and views of things. Mr. Darby does me and my correspondent injustice, rank injustice, in insinuating that either of us, "have maliciously attempted to inflict unprovoked personal injury upon him." I, at least, considered him as my friend, because, perhaps, I felt that I was his--and it is on that account chiefly, as well as to defend a reputation that I am as jealous of as Mr. Darby can be of his, that I have intruded these remarks upon my readers. And to conclude, with the same idea that Mr. D. so much harps upon, I may say, that though I disregard, as the dust under my feet, what some may say or think of me, there are others whose censure I shall always feel bound to prove unjust, or to profit by it in the reformation of my life and manners. When I shall cease to have this feeling, I hope that I shall cease to be.

The "Louisiana Planter" appeared in your number of the 18th of October, 1817; and strange as it may be, in the preceding number you have given the detail and aggregate of the products of North Carolina of the same year (1816) and the amount is \$1,328,271, not three times the amount given as the product of 3000 people in St. Mary's parish, in Attacapas. Thus the value of labor in the latter must, from the respective number of individuals exceed the latter near 170 to 1.

[Not the "aggregate products," Mr. Darby.]

☞ The editors of the Baltimore Patriot, National Intelligencer, Richmond Enquirer, Raleigh Register, and Lexington Reporter whether they

have inserted "The Louisiana Planter" or not, will confer a particular obligation on me by inserting the above prefatory remarks, and also the extract from Darby's Louisiana, which will follow, in the Columbian.

WILLIAM DARBY.

New-York, Nov. 12th, 1817.

### Legislature of Rhode Island.

*Resolved*, by the senate and house of representatives of the state of Rhode Island, &c. That the senators of said state, in the congress of the U. States, be instructed, and their representatives requested to use their best exertions to have the whole system of internal duties and taxes repealed, and also to obtain as great a reduction of the standing army of the United States as the situation of the country will admit.

*House of representatives, Nov. 1, 1817.*

Voted and passed unanimously.

By order, THOMAS BURGESS, *Clk.*

In the senate, read the same day, and concurred as underwritten, viz.

*Resolved*, That the senators of this state, in the congress of the United States, be instructed, and the representatives requested, to use their exertions to procure a repeal of the whole system of internal revenue except so much as relates to the distillation of ardent spirits; and also to obtain as great a reduction of the standing army, and of the sum appropriated for the annual increase of the navy of the United States, as the situation of the country will admit.

By order, SAMUEL EDDY, *Sec'y.*

In the house of representatives, read the same day, and non-concurred.

By order, THOMAS BURGESS, *Clk.*

In the senate, read the same day, and voted to adhere to the above amendment.

By order, SAMUEL EDDY, *Sec'y.*

Instead of appointing a committee of conference on this disagreement, agreeable to parliamentary usage, the house resolved to pass the original resolution, with a slight alteration of its phraseology, (it having been framed for a joint resolution) and directed their clerk to communicate it to the senators and representatives in congress.

### Appointments—official.

MADE BY THE PRESIDENT OF THE UNITED STATES SINCE THE ADJOURNMENT OF THE SENATE.

*Hezekiah Luckin*, of Georgia, collector of direct taxes and internal duties for the fifth collection district of Georgia.

*Thomas P. Evans*, of South Carolina, collector of direct taxes and internal duties for the eighth collection district of South Carolina.

*William Crawford*, of the Mississippi territory, receiver of public monies in the county of Washington, in the said territory, for lands of the United States east of Pearl river.

*James Ladd*, of New-Hampshire, surveyor and inspector of the revenue for the port of Portsmouth.

*Jesse Hawley*, of the state of New-York, collector of the district of Genessee, and inspector of the revenue for the port of Genessee.

*David W. Hull*, of Indiana, collector of direct taxes and internal duties for the state of Indiana.

*Richard Ransome Gwynn*, of North Carolina, collector of direct taxes and internal duties for the thirteenth collection district of North Carolina.

*Thomas Jenkins*, of Virginia, collector of direct taxes and internal duties for the twentieth collection district of Virginia.

*Moses M. Russell*, of South Carolina, consul of the United States for the port of Riga, in Russia.

*James Brobson*, of Delaware, marshal in and for the district of Delaware.

*Henry Boswell*, of Maryland, collector for the district of Nottingham.

*James D. Westcott*, of New-Jersey, collector for the district of Bridgetown.

*John D. Jones*, of North Carolina, naval officer for the district of Wilmington.

*Morton A. Waring*, of South Carolina, marshal in and for the South Carolina district.

*Thomas Rhodes*, of Rhode-Island, collector of direct taxes and internal duties for the second collection district of Rhode-Island.

*Joshua Clibborn*, of Pennsylvania, consul of the United States for the port of Antwerp.

*John Heath*, of Virginia, consul of the United States for the island of Teneriffe.

*Martin T. Morton*, of Massachusetts, collector and inspector of the revenue for the port of Nantucket.

*Robert Fairchild*, of Connecticut, marshal in and for the district of Connecticut.

*John T. Mason*, of Kentucky, marshal in and for the district of Kentucky.

*William W. Bibb*, of Georgia, governor in and over the Alabama territory.

*Jonathan Kearsley*, of Pennsylvania, collector of direct taxes and internal duties for the tenth collection district of Pennsylvania.

*William Crawford*, of Mississippi territory, collector of direct taxes and internal duties for the third collection district of the Mississippi territory.

*Henry H. Beeson*, of Pennsylvania, collector of direct taxes and internal duties for the fifteenth collection district of Pennsylvania.

*Elbridge Gerry*, of Massachusetts, surveyor and inspector of the revenue for the port of Boston.

*Joseph N. Gordon*, of Maryland, collector for the district of Chester.

*Almon Gibbs*, of Ohio, collector and inspector of the revenue for the port of Miami.

*Hezekiah Prince*, of Massachusetts, surveyor and inspector of the revenue for the port of Thomaston.

*Alexander Irvine*, of Georgia, naval officer for the port of Savannah.

*Robert Brent, Thomas Peter, William Thornton, Thomas Corcoran, Samuel N. Smallwood, Richard Parratt, Thomas Fenwick, John B. Kirby, John Ott, Samuel H. Smith, Daniel Rapine, Nicholas Young, John Threlkeld, Daniel Reintzel, James M. Varnum, Joseph Cassin, William Waters, and Joseph Forest*, justices of the peace for the county of Washington in the district of Columbia.

Major general *Andrew Jackson*, his excellency *Joseph McMini*, of Tennessee, and general *David Merriweather*, of Georgia, commissioners to treat with the Cherokee tribe or nation of Indians.

His excellency *Lewis Cass*, governor of the Michigan territory and *Duncan Mc Arthur*, late a brigadier general in the service of the United States, commissioners to treat with all or any of the tribes or nations of Indians, within the boundaries of the state of Ohio.

*David B. Mitchell*, esq. of the state of Georgia, commissioner to treat with the Creek nation of Indians.

His excellency *William Clark*, governor of the Missouri territory, and his excellency *Ninian Edwards*, governor of the Illinois territory, commissioners to treat with the Potowotamies and other tribes of Indians, in the Illinois territory.

*Richard Rush*, of Pennsylvania, envoy extraordi-



ary and minister plenipotentiary of the United States to the court of Great Britain.

*Joshua Barney*, of Maryland, naval officer for the port of Baltimore.

*Paul Benton*, of Maryland, marshal in and for the district of Maryland.

*Jacob Mark*, consul of the United States at the port of Cork.

*James Fisk*, of Vermont, collector and inspector of the revenue for the port of Allburg.

*John Tedder*, collector of direct tax and internal duties for the third collection district of Tennessee.

*John M. Goodenow*, collector of direct tax and internal duties for the 6th collection district of Ohio.

*Abijah Tombling*, collector of direct tax and internal duties for the 15th collection district of New York.

*John M. Jett*, collector of direct tax and internal duties for the 1st collection district of Louisiana.

*William Wirt*, of Virginia, attorney general of the United States.

*John C. Calhoun*, of South Carolina, to be secretary for the department of war.

### Slave Trade, &c.

*Important papers relating to the slave trade—ordered by the house of commons to be printed.*

ADMIRALTY-OFFICE, July 7, 1817.

*Copy of a letter from captain Sir James Lucas Yeo, to John Wilson Crocker, esq. dated London, the 7th November, 1816*

SIR—I have the honor to lay before you, for the information of their lordships, such observations and remarks as I have considered it my duty to make on the present state of Africa.

To his majesty's government, and those humane and benevolent persons who for years past have been exerting their interest and wealth in the cause of Africa, it must be painful to hear that all their efforts towards obtaining the real abolition of slavery, have been of little or no avail; for though fewer negroes may have been enslaved since the abolition act took place with respect to this country, yet the cruelty to those now taken away by the Spaniards and Portuguese, has increased quadruple; and those acts appear to have had no other effect than that of transferring the slave trade to Spain and Portugal, whose inhuman traffic has since wonderfully increased—and there is every reason to suppose that it will still further increase, as the fear of a termination to the trade in a few years, will induce them to pursue it with much greater activity. They now fill their ships beyond any former precedent; as a proof of which, his majesty's ship *Bann*, commanded by captain Fisher, captured the Portuguese brig *San Antonio*, of only 120 tons, with 600 slaves. In a passage of 80 leagues, more than 50 died, and as many more appeared irrecoverably gone; in the midst of the sick lay a putrid corpse, and such a horrid stench, that captain Fisher was apprehensive of a plague, and was obliged to take not only the crew, but 150 slaves on board the *Bann*, and make the best of his way to Sierra Leone. And these powers consider themselves so safe in the trade, and are in such perfect good understanding with the native chiefs, that on the *Bann's* capturing the Portuguese brig *Temeraire*, off Whydah, which vessel had purchased 600 slaves, but had not time to load them, the chief assured the Portuguese master, who is on shore there, that he would feed the slaves until another vessel could arrive for them, on his bringing him some tobacco as a remuneration;

the master is now at Whydah, in daily expectation of a vessel, when there is little doubt but he will succeed in taking off his cargo.

One of the Portuguese masters I captured, had made 22 trips to the coast for slaves, and only once been captured. The profits they make are enormous. One of the schooners captured by the *Invincible*, off the river Lozas, having arrived but a few days on the coast, had only purchased ten slaves, for which the master gave 92 rolls of tobacco, each roll worth in the Brazils 2000 mill-reas, about 12s. sterling—making the cost of each slave to the Portuguese merchant 5l. 10s; for which he would receive 400 dollars. These facts will shew, that neither mountains, rivers, or deserts, will prove barriers to the slave trade, as the black chiefs will bring their slaves from every extremity of Africa, as long as there is a nation that will afford them a slave market; and these circumstances will, I presume, clearly shew, that the partial abolition of the slave trade is of little or no benefit; but that, on the contrary, the wretchedness of the natives is frequently increased by it; and I am convinced, that the only means of promoting the happiness and civilization of Africa, will be to annihilate the slave trade *in toto*—for whilst there is such a facility in selling slaves, there will be no incentive to industry in that quarter of the world.

I now beg leave to describe our settlements in this country, as I saw them. Sierra Leone is under the immediate control of the colonial department. I shall only remark, that after all the sums of money which have been expended on its improvement, it is still in a most deplorable state; great abuses and mismanagements are said to have existed; and certainly, to judge from its present wretched condition, the reports appear to be too well founded.

The present governor, col. McCarthy, appears a mild, benevolent, good man; but from the small proportion which the European bears to the black population, his efforts towards civilization can make but a slow progress, particularly when we consider the great enolument which the merchants derive from trade, which induces them to oppose, by every means in their power, any efforts towards cultivation. Another great objection to Sierra Leone, arises from its being at such a distance directly to the windward of where the slave vessels are captured, which is generally in the bight of Benin and Beafra; the vessels are always crowded and sickly, and the mortality in making the passage exceed one-tenth; added to this, the climate is detestable, the rain commencing the end of April, and continuing to the middle of October; it proves the grave of most Europeans who go there, and even those who escape the grave, linger out a painful and miserable existence.

Under these circumstances, I am of opinion that Sierra Leone is not so well calculated for forming a settlement for emancipated or captured negroes as the gold coast, which possesses every advantage; it is much more temperate, the sun is more obscured, and of course has less power, and I am certain must be much more healthy. From the best information I could collect relative to the soil, it is on the sea coast generally light, where a cotton crop would be most certain and profitable. At the distance of ten or twenty miles inland, it is rich in the extreme, and would produce sugar cane, rice and indigo; coffee and vegetables of every kind are in abundance. I have been some years in the West Indies, and though it was then in the rainy season, and of course the worst time of the year, yet I declare it is neither so hot or unpleasant as the former;

as a proof of which, all the officers and crew of the Inconstant complained of the increased heat on their arrival at Barbadoes. Hurricanes are not known in this country, and the tornadoes (of which so much is said) are not more violent than the heavy squalls in the West Indies, nor have I seen any so bad; there is also a good and safe anchorage on every part of the coast. Our settlements on this coast are in a very bad condition, and the people residing in them little better than prisoners to the neighboring chiefs, who, although they receive pay from the company, consider it in the light of tribute, and make use of our forts and flag to awe their necessitous neighbors and subjects, to wars whom they frequently use the most violent and oppressive conduct.

Fort Appollonia is completely under the control of Yessouka, the king of Appollonia, who is a most cruel and sanguinary tyrant.—It would be highly desirable if we could obtain the Dutch fort of Axium, situated a few miles from Fort Appollonia, as it has an excellent anchorage, and the best landing on any part of the coast; there is also a fine river navigable for large boats a considerable distance in the interior; and is in my opinion the best point to open a trade and free intercourse with the Ashantee country, the capital of which I believe might be reached in the course of ten days.—The fort of Dixcove has been useful on account of the quantity of timber growing in its neighborhood.

At Succondee there is a governor, but neither fort nor soldiers; it is however a good place for trade. Cape Coast Castle is a fine building, strong towards the sea, but most improperly weak on the land side: added to which, the town has been allowed to approach within a very short distance of the castle.—All the houses have thick mud walls, which are impervious to musketry, and would afford shelter to thousands; but the filth which is allowed to accumulate in the streets is sufficient to bring a plague. Neither the country or the manners of the people have been improved since it has been in our possession; this I imagine is chiefly owing to the want of proper authority; and there is no doubt of their acquiring the qualifications necessary to form good characters, if proper means were adopted towards them. The natives are at present under no laws but their own, nor have we the means of bringing a man to justice, even for murder; they are tolerably honest towards each other, but consider themselves fully authorized to plunder white men, having no dread of punishment.

To increase our trade with Africa, enlarge the knowledge of the natives, and promote their industry, a free intercourse with the interior is absolutely necessary—but above all, a government must be established there, that will secure such property as may be acquired by exertion: without which, in my opinion, Africa will remain for ever in the same barbarous and uncivilized state.

The people of the coast, called Fantees, have done every thing in their power to prevent the Ashantees, natives of the interior, from having any communication with it, as by excluding them from trade, they act as brokers between the Ashantee and the European merchant—they are a vile, abandoned set of people, and rob both one and the other; and what is more extraordinary, we have countenanced them in it, although it is both unjust to the Ashantees, and in direct opposition to our own commercial interests, as a free trade with the natives of the interior would be of great national importance, and which the king of the Ashantees is most anxious to establish.

Alliances with the chiefs, by residents in the principal towns, could easily be formed; a major whom I saw at Cape Coast Castle, was on the point of proceeding to the capital of the Ashantees, when the then governor general Torrance died, and this laudable undertaking was relinquished.

Their present religion has no tendency whatever to improve their morals, as they consider the charms they purchase of the Fetishmen, have sufficient virtue to keep them from the most serious evils, and as an absolution for any sins they may commit; and, I am sorry to say, that the licentious and immoral state in which many of the English in this country live, not only tends to destroy all respect for religion in the natives, but must give them a contempt for the European character in general. If we except the Danish castle Accra, there is not a place of worship on the whole coast; nor do the English garrisons or settlers ever assemble to perform any religious ceremonies. The natives must have a bad opinion also of our military character, from the specimen they have of our company's officers, who not only lose the character of soldiers for that of traders but frequently join the Fantees in cheating the Ashantees, in consequence of the latter not being acquainted with the Fantee language.

The natives of the coast who live under one English fort, frequently insult those living under another, and boast of the protection they receive from the very flag they insult, thus rendering our flag subservient to a cruel and sanguinary warfare; and I must confess that I felt pain to know that the British flag and uniform are every where dishonored in Africa. Whilst we were at Cape Coast Castle, I saw several of the Ashantees; they appeared shrewd, active and intelligent; not the least appearance of the common negro countenance, but very much resembling the Moors, and many of them wore turbans; two of them said they had seen white men in the back country, meaning, no doubt, the shores of the Mediterranean or Red Sea—and I have no doubt, if the slave trade was abolished altogether, that the Africans on many parts of the coast might soon be induced to hire themselves on board our merchant ships trading there, and to and from the West Indies; and this would not only be the means of civilizing them, but be of great importance in a mercantile point of view, as the natives would be much more preferable in such a climate than European seamen, and their wages do not exceed four dollars per month; and as a corroboration of this statement, I had several men on board the Inconstant during my stay on the coast, who, in a short time became as active and useful as many of the seamen of the ship, and wished to go to the West Indies with us.

I am strongly of opinion that something must be done soon; our merchants were formerly supported by the slave trade, which they carried on to a great extent, independent of their having at that time the whole of the gold and ivory trade in their own hands.

Since the abolition, the war has prevented competition from foreign nations, but now the whole coast is inundated with French, Dutch, American and other flags, and they are abundantly supplied with arms and powder, which enables them to undersell our own merchants, whose trade is falling off rapidly—and the decline in the price of gold and ivory in Europe has also materially affected them. Symptoms of decay are evident; at Cape Coast Castle houses are become unsaleable, and all accounts agree to the present difficulties and future apprehensions.



Our fort at Annamadoc is, I understand, the best fortification of the whole; but it has only two officers and fifteen men. Tamtumquerry fort is of little or no use. Winnebah fort is abandoned: at this place there is a good river—a great acquisition for ships, as there is nothing but rain water to be got on any part of the coast. Accra, or Accarah, is certainly the most picturesque, fertile, and healthy spot on the whole coast of Africa; a plain extends some miles into the interior, when you come to hills covered with rich soil, and a beautiful country well wooded and watered, and every thing that is necessary for forming a colony; every kind of vegetable grows here, and could be produced in any quantity. There are now a great quantity of cattle, and herds of buffaloes, a little in the interior; on the plain there is a great quantity and variety of game, such as deers, hares, pheasants, guinea fowls, partridges, pigeons, &c. &c. and every kind of live stock in abundance. I went to visit the banks of the river Saccam, which runs at the back of Accra, about eight miles, and which could be conducted to the town with great ease and little expense; there is also a reef of rocks extending from the English fort some distance into the sea, on which a pier might be raised with little trouble, as there is plenty of good stone and lime close to the spot: if this was done, vessels of 120 tons and upwards might load and unload inside of the pier with safety. In the road the ground is so good and so strong, that it is necessary to sight your anchor every twenty four hours. The climate of this place is so superior to any other part of the coast, that invalids frequently go there to recover their health. The natives of Accra are very superior in civilization, appearance and manners, to any other on the coast; their town is clean and neat, and in their houses they have all the useful and necessary household utensils, arranged with as much order as in a cottage in England: this is to be attributed to their having had, for many years a free intercourse with the Ashantees and other nations of the interior and to their being naturally more industrious and fond of agriculture.

There are now no English settlements to the leeward of Accra, nor had I any communication with the shore.

Several Spanish armed vessels have lately appeared on the coast engaged in the slave trade; they generally carry from 14 to 20 guns, and about 80 men, and come out with a determination to fight any vessel they have a chance with. These vessels have committed several acts of piracy. The Paz, of 14 guns, was taken by the Colonial brig a short time since, with the master and mate of an English merchantman on board, which they had taken some days previous.

The Spaniards have taken off upwards of 1800 slaves between cape St. Ann and cape Mount, within the last four months; and I am of opinion that the slave trade was never carried on with such system and despatch as at this moment: and if some active measures are not taken, it will increase next year ten-fold. Should his majesty's government determine to suppress this vile traffic, it cannot be done with schooners or dull sailing ships: for the Spaniards are not only completely equipped, and sail fast, but are generally commanded by active and enterprising men, either French or Americans. They are seldom to be found at anchor on the coast. Their general plan is to make the land near where they intend to purchase their slaves: if the coast is clear, they immediately land their cargo and supercargo, and stand out to sea until they consider the slaves are ready; they then

stand in as before, and if the signal agreed on is given, take on board the cargo, and are off in a few hours, all their water and provisions being complete before they arrive on the coast.

They consider their capture, if met with, as certain; which appears to me very extraordinary, a they must know that our government have not issued any orders against them, if really Spaniards. I am, therefore, strongly led to believe, that the principal part of their trade in slaves is carried on with the funds, and for the benefit of the subjects of other powers who have abolished it.

I should enter more at large on the subject of the Spanish slave schooners, but I am aware that the chief justice at Sierra Leone has transmitted to my lord Bathurst a detailed account of the numerous vessels that have been, and are now expected on the coast; with a full statement of the many atrocities they have been guilty of.

Having now, sir, endeavored to give you, for the information of their lordships, as correct and fair a view of our settlement in Africa as my short stay in that country would enable me to make, I beg leave to offer my opinions as to the means best calculated to improve the condition and civilization of the natives, and at the same time, open an extensive and profitable trade to this country.

The continuance of the trade appears to me to be the principal, if not the sole cause of the present neglected and barbarous state of Africa.

All the kings and chiefs have for years maintained their power, dignity, and riches by this traffic; and as long as any nation is allowed to carry it on, they will not give up a commerce so easy and lucrative, to pursue that of trade and agriculture, which is not only precarious, and attended with much labor, and difficulty, but it is yet what they neither like nor understand.

The first step, therefore, towards civilization, as I have before observed, will be to abolish the slave trade entirely, but, at the same time, to open other sources by which the leading men may derive the same advantage and emoluments which they have hitherto done by this vile trade. At present they are decidedly against you, nor is it a matter of surprise that they are so; for although the abolition act is in our opinion a very just and humane policy, it is considered by the natives as a ruinous one to them.

I have already give it as my opinion, that free and extensive intercourse and trade could with ease be opened in the interior of Africa; to effect which I would recommend cultivating the friendship and good will of the several kings and chiefs, by making them suitable presents, and allowing them a participation in trade, for which they are all most eager, and would enter into with spirit, if effectually deprived of a slave market, and our forts and castles were in the hands of government, so that a merchant could receive benefit from their protection; the present system, being incompatible with the interest of the separate and open trader. The African is very superior in intellect and capacity to the generality of Indians in North America; they are more social and friendly to strangers; and, except in the vicinity of the European settlements, are a fine noble race of men. It is only in a commercial point of view that I think Africa worthy our attention. Agriculture I would leave to the natives, who would, if there was an extensive trade and consumption on the coast, soon find it to their interest to cultivate the ground. I am also persuaded that our West India colonies might soon be supplied with abundance of live stock; whereas that profi-

table trade is at present in the hands of the Americans; our government pay an enormous price, and our islands are very ill supplied.—When we were at Barbadoes, no fresh beef could be obtained (though there is an order in favor of purchasing for ships from the coast of Africa,) and the squadron on that station had not any fresh beef for several weeks. To facilitate and protect our trade on that coast, I would strongly recommend our obtaining from the Portuguese government two islands, either St. Jago or St. Nicholas, off the Cape de Verde Islands; and St. Thomas on the equator. The first would not only answer as a safe depot for our merchants trading to that part of the coast, but would afford pasture for the cattle; from whence they could be transported to the West India islands, and supply our outward bound ships and western cruizers with refreshments. It would open the cattle trade to our merchants, at the expense of America; and would prevent our enemy making it their haunt in war by which they are enabled to elude our cruizers and continue long at sea. Several American privateers refitted at these islands, and also their frigates; one of which remained at Brava upwards of a week. St. Thomas, on the equator, is a very fine fruitful island, about the size of the Isle of Wight; it abounds in cattle, goats, hogs, poultry, and fruit of every description; the sugar cane grows in the most luxuriant manner, and the coffee is very superior to the West India. There is a very good port for merchant vessels; and two good bays for ships of war; and it is so situated, that the ships from the gold coast can fetch it from the starboard tack, the wind being in general from S. to S. W. and it is the most desirable part for ships to sail from, if bound up the coast, to Europe or to the West Indies; as by keeping to the southward of the equator, you have the wind at south, and sometimes at S. S. E. The Inconstant went from St. Thomas's to Sierra Leone, a distance of 1,300 miles directly to windward, in ten days. If a vessel attempts to keep nearer the coast, she gets into the influence of the westerly winds, and a strong current always going to the westward.

The Brisk sloop of war was ten days going from Cape Ferosa to Sierra Leone, by keeping the coast on board; this island is also well situated for a very profitable trade to the rivers Gabora and St. John's or river Danger. It would also be superior as a settlement for the captured negroes to Sierra Leone, not only from its climate, and being an island, but from its being directly in the vicinity of where the slave trade is carried on; whereas, as I have before stated, Sierra Leone is in every respect the most unfit, and worst situation, on the whole coast.

This island was formerly very flourishing, and in a high state of cultivation, particularly sugar cane, until the Brazil trade became so extensive, that it induced all the planters and most of the principal inhabitants to leave the island, and go over to that continent.

I beg leave to mention one other circumstance, which I think injurious to the mercantile interest of this country, which is, the prohibition of arms and gunpowder into Africa; as however laudable the motive may be, the desired end is not obtained, and it has only transferred a very lucrative trade from our own subjects into the hands of the Danes, Dutch, &c. who, by importing these very articles are enabled, as I have before mentioned, to undersell and monopolize the trade, to the great prejudice of our own merchants; some of whom evade the orders in council by clearing out for Madeira,

and their cargo at that island, and procure a certificate from the British consul of having done so, which certificate he is obliged to grant; it is then re-shipped in the same vessel, and proceeds to the same coast.—I have the honor, &c.

(Signed) JAMES LUCAS YEO, Capt;  
John W. Crocker, Esq. &c. &c. &c.

## British Navy.

FROM THE BOSTON EVENING GAZETTE.

*New regulations of the English navy.*—In consequence of the variations from the established regulations, which in a lapse of years, and in the force of imperative circumstances, have innovated upon the British naval system, the board of admiralty have lately remoulded the whole. Their propositions upon the rates, classification, and manning of ships of war—and the pay, ratings, and number of officers and men, have received the sanction of an order in council, and commenced on the first of January of the present year.

The *post ships* of the navy are divided into six rates, which division took place in the reign of Charles the first, and has continued with various modifications to the present time. The 74 gun ship was not generally introduced into the service until about the second year of the reign of George the 2d, when that description of vessel was included among the third rates.

“During the whole of the period herein before referred to, and indeed down to 1793, the force of the ships was stated from the actual number of guns they really carried; but from the introduction of carronades, which began partially in 1779, and which was finally adopted on the present extended scale in the navy, during the course of the first revolutionary war, increased the armament of the vessels, as they were found able to carry a greater number of carronades than the guns in whose stead they were adopted, so that the real force of the ships has no longer corresponded with their nominal force; and that principle of variation being once admitted ships have since that time received denominations as to their number of guns, often, we believe, capriciously; and in one or two classes, only, of the whole navy, agreeing with their real force.

A few instances will show your royal highness the inconsistencies into which this deviation from the old rules of the service has led.

The Caledonia, rated 120 guns, carries 120 guns; while the Hibernia, a ship of nearly the same dimensions, which carries exactly the same number of guns, is rated only at 110 guns, being a less number by four than that at which the San Joseph is rated, though the former has in fact 10 guns more than the latter.

All ships of the second rate, though rated as 98, carry upwards of 100 guns, and they have all more guns than the St. George, a first rate, which is rated and carries 100 guns; and they ought all, therefore, according to these established regulations, to be included in the first rate, and there are indeed no real second rates, viz. three deckers of between 90 and 100 guns, at present existing in the royal navy, in a sea going condition.

In the third rate, some of the ships rated at 80 guns carry near 90, and others rated at 74 carry 80 guns, but the majority of the same denomination carry 74, and this is one of the very few cases in which the real nominal force agree.

In the fourth rate, of the ships rated at 50 guns, one class (that on two deck) carries 58 guns,



another (that on one deck) carries 60 guns and upwards.

In the fifth rate there are three frigates rated as of 44 guns, namely, the *Sybille*, taken from the French which carries 43 guns; the *Lavinia*, built after her, which carries 50 guns; and the late American ship *President*, the guns mounted in which on the day of her capture, were 54, besides one 42-pound howitzer.

The frigates rated at 40 guns carry 50, and those rated at 38 carry 46 and upwards.

The majority of those rated at 36 guns carry 44, and some of those rated at 32 carry 46 and 48, being more than others that are rated at 38 and 36.

Similar differences between the real and the nominal amount of force exists in the fifth rate, but it is unnecessary to specify the details.

We trust we shall be excused for observing to your royal highness, that it is wholly unworthy the character of the royal navy of this kingdom to maintain this system, which, though introduced by the accidental cause we have mentioned, and without any design of deception, yet may give occasion to foreign nations to accuse us of misrepresentation, when we state that a British frigate of 38 guns has taken a foreign frigate of 44, which, in fact, the British frigate was of equal if not superior force."

The board then recommend the following modification of the classes.

"The 1st rate to include all 3 deckers, which are to carry 900, 850, or 800 men.

The 2d rate to include all ships of 80 guns and upwards on two decks, and to carry 700, or 650 men.

The 3d rate, to include all ships of 70 guns or upwards, and less than 80 guns, and to carry 650 or 600 men.

The 4th rate, to include all ships of 50 and upwards, but less than 70 guns, and to carry 450 or 350 men.

The 5th rate to include all ships from 36 to 50 guns to carry 300 to 280 men.

The 6th rate, to include all ships from 24 to 36 guns and to carry 175, 145 or 125 men.

Of the sloops there are so many varieties, that we cannot propose to reduce the eight schemes of complement now existing, to less than four, as follows, viz: sloops, 135, 125, 95 and 75 men.

Brigs (not sloops) cutters, schooners and bombs, we propose to reduce from ten schemes of complement to two, namely 60 or 50 men.

And we also propose that for small craft which may not require so large a complement as 50 men, we may be authorised to assign a complement as we may deem necessary.

As there are no longer any regular fire ships in the service, we humbly propose, that, whenever it may become necessary to fit out any vessel of this description, we may be authorized to assign to them such complement of officers and men, together with the pay of such rate or class, as the size of the vessel employed, or the nature of the particular service, may render expedient.

We further proposed, that when it shall be necessary to fit out troop ships, we may be authorized to assign to them such rates and complements as may seem proper.

By these regulations, the forty-seven varieties of complements, now in use in the navy will be reduced to twenty.

It is obvious that the extra expense of providing masts, yards, rigging, and stores of various dimensions, for ships for the same actual force, must be very great; because if not required for the particu-

lar ship for which they were originally prepared, they are either useless, or must be altered to fit some other ship at a great loss of labor, time, and materials; and, in case of accidents or urgency, this variety disables the ship from assisting each other and it requires that the naval arsenals, both at home and abroad, should be furnished, at a very great expense with a much larger assortment of those articles than would be necessary if they could be made more generally applicable to the probable wants of the whole fleet; this will be explained to your royal highness more forcibly, by stating, that for the single class of ships of the third rate, called 74's, there were lately not less than seven different schemes of masting and rigging: and that a squadron might be composed of seven vessels of this force which could not properly employ one another's spare spars and sails, and for each of which the dock yards must necessarily have their individual gear.

We have, in conjunction with the navy board, and with the assistance of a committee of experienced sea officers, taken measures for pushing the principle of uniformity as far as the nature of the case would allow; and though the experience of what has occurred on former occasions dissuades us from attempting, by the approbation and sanction of your royal highness in council, minute details of the forms, lines, and scantlings of his majesty's ships, and we have the satisfaction of stating that a system of gradual assimilation is in progress, yet that we hope to see every day become of more extensive operation, and more practical utility: and we beg leave humbly to assure your royal highness that no efforts shall be spared, on our parts, to prevent, for the future, any unnecessary deviation from the establishment of rigging and armament, and to reduce the variations which exist to as few classes as possible."

The board proceeds to remark upon the pay of officers and men, upon the ratings of petty officers and the companies of the royal marine artillery—but the observations are too extended for our limits—and we have already extracted those parts of the regulations which will probably be most interesting to our readers.

## Foreign Articles.

ENGLAND, &c.

*Singular suicide.*—On the 27th ult. a young man, a farmer's servant, residing at Sutton-on-the-Hill, in the neighborhood of Derby, in a moment of despondency, put a period to his existence in a singular way. Being employed by his master's team in carrying gravel on the road, he sent a boy, who was then assisting him, forward on some trifling pretence; he then laid his whip and hat down together at a distance of a few yards, and deliberately placed himself in a longitudinal direction, with his face down, his hands being underneath his face, in the track of one of the wheels of the cart, which passing over his head, back, thigh, and leg, caused instantaneous death.

London paper.

*Extreme distress producing suicide.*—A poor woman who had lately gone to reside in a village near Spalding, Lincolnshire, and whose husband had absconded, was totally destitute of food for herself and three children. In this distress, she went to a neighbor's house, and returned with a bucket full of grains, used in feeding swine. These she placed upon the floor of her cottage as food for her famishing babes, and rushing out of doors went and hanged herself, and was not discovered till she was quite dead.

A great improvement has taken place in gas lights, by the introduction of pipes of delft ware, which are only a fifth of the expense of iron and actually more durable.

Thomas Armstrong, of Manchester, has been hung for setting fire to his factory.—But hanging is nothing in England—the people are “used to it.” At a single session of a court 20 or 30 are sometimes sentenced to death.

On the 25th of Sept. a special commission was opened at Derby, for the trial of *forty-one* persons, who were in confinement, in the jails of Derby and Nottingham, upon the charge of treason.

In Lancashire, at the last assizes, *thirty-three* were condemned to be hung.

## FRANCE.

It is said, that with exception of the duke of Richelieu, every member of the cabinet of Louis XVIII was in office under Bonaparte!—They are as follows.

*Gouvion St. Cyr*, a marshal under Bonaparte.

*Pasquier*, a prefect of police under Bonaparte.

*Cuze*, a clerk to the mother of Bonaparte.

*Laine*, a member of the legislative body under Bonaparte.

*Mole*, a director of roads and bridges under Bonaparte.

*Corvetto*, (a Genoese) counsellor of state under Bonaparte.

We mentioned that a print of the battle at New Orleans had appeared at Paris, representing the defeat of 13,000 Englishmen by 3000 American militia. It is said to be a splendid engraving, and to promise a rich harvest to its proprietor, Mr. Laclotte, of New-Orleans, who was present at the battle; for the moment that a copy of it is displayed in a print-shop the British purchase and destroy it.

## BONAPARTE.

A Captain of the East India ship has lately arrived in London, who reports that he spent two hours in company with Napoleon, who treated him politely. It is reported that he has expressed great indignation at “Warden’s narrative,” and was about to reply to it. This may be true, but we rather suspect the report is given out by a *book-maker*.

¶ The editors of the *Petersburg Intelligencer*, for want of reflection or without recollection, have singularly considered the editor of the *Weekly Register* as originating the assertion, here, that *Warden’s narrative* was manufactured by a London bookseller, and seems anxious to know our “authority” for it. Our *authority*, in this case, was just the same as it generally is in respect to foreign articles—in publishing what was given to us, through the public papers, as a fact derived from a foreign paper; and it had been published in several, perhaps many, newspapers of the United States, before we gave it a place. We very well recollect that it laid upon our desk for one to two weeks, waiting for a refutation, anterior to its insertion in the *Register*; being inclined to believe that the narrative was bottomed on things that really occurred, though considerably embellished and too much extended, that a *book* might be made of them.

## ITALY.

The lake Caratino has totally disappeared. After a loud detonation, the water was drained off by large openings at the bottom.

## PRUSSIA.

Much political discontent is said to exist in Prussia. The people appear disposed to endeavor to obtain a liberal constitution, as has been repeatedly promised to them.

The theatre at Berlin has been consumed by fire

—it happened while the actors were rehearsing, and they lost one of their number. The fire is supposed to have been caused by design. It was a fine building, well furnished.

## NETHERLANDS.

An American ship has arrived at Amsterdam from Batavia, laden with 1,000,000 lbs. of rice.

## RUSSIA.

The population of Russia is now estimated at fifty millions, of which five only are Asiatic, the residue is concentrated in Europe. She can bring into the field an army of 640,000 men, exclusive of militia and the irregular Tartar cavalry.

*St. Petersburg, April 2.*—A wooden house has been built for the elephants with which the emperor has been presented by the shah of Persia: the male is seventeen feet high, and is the same upon which the Persian monarch used to ride under an awning. Some Persians have remained here to attend these animals. A very curious circumstance occurred a few days since. A lady often came to see the elephant, and was accustomed to bring him bread, apples, &c. One day the animal, by way of shewing his gratitude, seized the lady with his trunk, and put her upon his back, on the place where the driver usually sits. The poor woman, terrified by this unexpected piece of gallantry, shrieked violently, and begged to be taken down; but the Persians assured her that it was far more prudent to remain where she was.—She was therefore, obliged to wait till the elephant laid hold of her again, and set her down as gently as he had before lifted her up.

## EGYPT.

*From a London paper.* We have learnt with pleasure that Egypt still continues to afford to our residents and travellers in that country a rich harvest of discovery. We are led to expect shortly from Mr. Salt our consul general in that country, a more correct transcript of the inscription on the column of Diocletian, (commonly called that of Pompey) than has hitherto appeared; and we understand that the same ardent traveller, assisted by a foreign officer of the name of Cariglio has not only succeeded in transporting from Thebes very interesting fragments of Egyptian sculpture, but has also discovered a passage cut in the solid rock, 400 feet in length, under the great pyramid, with chambers at the lower extremity, and a communication with the mysterious well, which has hitherto puzzled all our antiquarians and travellers. Excavations have also been effected among the sepulchral structures in the neighborhood upon the desert; and amongst other curiosities, a small temple, and fine granite table, have been discovered between the Lion’s Paws and the Sphinx.

## BARBARY STATES.

The Dey of Algiers was deposed and strangled by the Janissaries on the 13th September, saying that his reign had been a series of disasters, by land and sea. A person named Ali Cogia, a retired merchant, had been put in his place. The deaths at Algiers by the plague, had amounted to 150 per day—at Constantia, 100, &c. But the disease was declining.

## EAST INDIES.

It is stated that the neighborhood of Batavia, in the island of Java had suffered considerably from the eruptions of a burning mountain, and that this phenomenon had been attended with all the accompaniments of an earthquake. The waters rose to an unusual height, and trees were thrown down from the mountains. Two other mountains sunk into the earth, carrying with them their inhabitants.



## GREENLAND.

A German paper says—Capt. O. Ocken, commander of the Hamburg whale ship Eleonord, who has made 40 voyages to Greenland, has just published a very interesting account of his last voyage undertaken during the present year—in particular that during the night of the 5<sup>th</sup> of June last, in lat. 79, he discovered land 12 miles in length, on which there is two high mountains. A thick fog coming on prevented his making further discoveries. He gave the name of Hamburg Country to this new discovered tract.

## CANADA.

Bills of indictment were found by the grand jury for the district of Niagara, U. C. on the 18<sup>th</sup> ult. against James Seely and William Wilson for HIGH TREASON!

## WEST INDIES.

A very mortal fever has prevailed at Trinidad. The governor is mentioned as "one of the few that have recovered!"

It is said that King Henry, of Hayti, has *sixty millions* of dollars in one of his fortresses. This is rather improbable.

A dreadful hurricane arose on the 21<sup>st</sup> ult. in the West Indies, the violence of which was particularly felt at *St. Lucie, Barbadoes, Dominique, Martinique, and St. Vincent's* where considerable damage was sustained by the shipping and estates generally.

At *St. Lucie* the gale was more particularly severe.—All the vessels in that port were entirely lost; the government house and barracks blown down; the governor, his lady and child, and most of the staff killed; about 200 officers and soldiers either killed or wounded, and all the estates of the Island rendered a heap of ruins.

At *Dominique*, nearly the whole town was inundated, and the destruction of property immense—Some few lives were lost—The Island nearly desolated.

At *Martinique*, about 50 sail of vessels were driven out to sea from *St. Pierres*, principally Americans, and having no ballast, provisions, or other necessaries for a voyage, have probably been lost. Only one of the above vessels had been heard of (a French ship, which had got into *St. Eustatia*)—The estates here also were greatly damaged.

At *St. Vincent's*, ten sail of vessels went on shore and were nearly all lost.

At *Barbadoes*, many vessels went ashore; but only two lives were lost.

It was feared that the *Antelope*, of 50 guns, rear admiral Harvey, was lost in the gale.

## HAYTI.

It will be recollected that we lately sent the Congress frigate to Hayti, with a commissioner on board, charged with arranging our affairs with his ebony majesty. The result of that mission is not generally known, but was supposed to have terminated unfavourably, owing to a want of formality or diplomatic etiquette; for these sable warriors, dressed in "brief authority," stand up for every point with as much formality as their legitimate brethren who form the redoubtable European alliance; and when we look at position, character, talents and decision, their claims are much better founded for sovereignty than many of those who have subscribed to the "holy league;" and Henry the 1<sup>st</sup> of Hayti has an equal right to exclaim, with Lear, "I'm every inch a king." The following account of the arrival of the Congress, as well as despatches from the count of Limonade, secretary of state for foreign affairs, has been furnished

us by a friend. We, however, cannot discover any thing serious or improper in the view which they take; if we open a negotiation with them, it must be on a footing such as we would establish with any other nation.

*National Advocate.*

*Official note from the Hayti Gazette.*

"In order to remove all doubts which the arrival of the American frigate Congress in the port of the capital, having Mr. Tyler on board, may have excited, and also to remove all motives of calumny from the enemies of Hayti, we are authorised to publish the following documents:

"A government, strong of itself as well as by its principles of wisdom and justice, does not fear to make the truth known. There will be seen in these documents the desire which our government has exhibited to establish relations of commerce and friendship with the government of the United States, whenever they should be founded on the political relations, usages and reciprocity which ought to exist between governments. It will be seen, that the cause why the lucrative commerce which has for more than 25 years existed between the two nations has not been more extensive, is owing solely to the government of the United States."

## KINGDOM OF HAYTI.

At the palace of La Grande Riviere. Aug. 1, 1817; 14<sup>th</sup> year of independence.

The Secretary of State, Minister of foreign affairs of HAYTI, &c. &c. to Mr. the Baron de Dupuy, Secretary and Interpreter of the king, &c.  
*Mr. Le Baron—*

I have received your letter of yesterday, which announces the arrival of the American frigate Congress, in the port of the capital, with Mr. Tyler, who presents himself as commercial agent of the United States of America.

On learning the arrival of Mr. Tyler, I waited to receive despatches from his government, and letters which should accredit him at the court of Hayti; but I have been strangely surprised, from the report which you have made to me, that he was the bearer only of a simple certificate, couched in unusual and inadmissible terms—and further, containing the words, "*Cape Francois*," and "*of the Island of St. Domingo*"—expressions which are improper, and offensive to the government of his majesty.

Notwithstanding the desire which his majesty has of seeing relations of commerce and amity established between the two governments, I am under the necessity of charging you to notify Mr. Tyler that he cannot be received and considered as commercial agent, he not being furnished with authentic credentials in good and due form, sufficiently to accredit him with the Haytian government.

As Mr. Tyler is, without doubt, ignorant of the usages established in this kingdom for the diplomatic communications between governments, you will make them known to him, and will send him a copy of the king's declaration, dated 20<sup>th</sup> November, 1816.

I regret that his majesty, being at this moment on a tour, cannot give an audience to Mr. Tyler, and the captain of the frigate Congress, as they desire.

I have the honour to salute, &c.  
COUNT DE LIMONADE.  
FLORIDA

Mr. Gual, a very respectable gentleman, sent as a minister to the United States, from Venezuela, it is said, is appointed governor of Amelia.

We have been informed that the port of Amelia is open for importation, free of duty for four months from the 23th Oct. 1817, of arms and munitions of war, and provisions of every kind.

A Charleston paper says—We have received, from our correspondent at St. Mary's the following proclamation:

"Whereas *Bernardo Febreno* has runaway from this port, with the pilot boat *American Libre*, belonging to the republic of Venezuela, leaving me on shore, probably to go and commit depredations on the high seas: I hereby in the name of the government of Venezuela, request all the collectors of the customs and the navy officers of the United States, to seize and detain the said pilot boat *American Libre*, and give information of the same to *Lino Clemente*, esq. Philadelphia. The said schooner has no commission. A. G. VILLERET,

*Major general of the navy of Venezuela.*

Fernandina, the 1st of November, 1817.

*Charleston Courier, office—Nov. 13.*

From *St. Mary's*, Nov. 8—The U. S. gun vessel No. 168, *lieut M'Call*, has arrived here, after a very boisterous passage. Amelia appears to be all in a bustle, and there is constant cannonading there—the place is under martial law. Report says two prizes are off. Annexed you have the last proclamation issued by commodore AURY.

#### INHABITANTS OF FERNANDINA.

For days past you have witnessed the scandalous transactions of a faction, composed of men, who existing, and tolerated on this island by our generosity, have solely been engaged in subverting social order. They are mercenaries, traitors or cowards who abandoned the cause of republicanism in the hour of danger, and who either kind by our enemies, or misled by the intrigues of a few aspiring individuals, have attempted to involve us in all the complicated horrors of a civil war. Citizens, we are republicans from principle, our fortunes have been spent, and our lives oft exposed for this most glorious cause. We have come here to plant the tree of liberty, to foster free institutions, and to wage war against the tyrant of Spain, the oppressor of America, and enemy to the rights of man. We are ever ready to pay obedience to the principles of republicanism, but firmly determined never to adhere to the dictates of a faction.

When the heat of passions shall be no more, when public peace and tranquility are restored, we shall see with a lively pleasure the establishment of a provisional government most suitable to our common interest, and to the advancement of our glorious cause.

Americans, Englishmen, Irishmen and Frenchmen, men of all nations, we are freemen; let us forever be united by the love of liberty and hatred to tyranny.

Soldiers and sailors, martial law is declared to be in force for ten days. Let us give to our brethren of the state of the Floridas, proofs of our military discipline, and of our respect for the property of the inhabitants.

Head quarters of Fernandina, November 5th 1817, 8 and 1 of the independence.

Signed, LUIS AURY.

MEXICO.

We are anxious to hear, and soon expect to receive, something from *Mina*, that may be depended upon. He will prove a dreadful thorn in the side of royalty in this quarter.

SOUTH AMERICA.

It is supposed that the Portuguese were about to withdraw their troops, &c. from Monte Video.

Gen. Piar appears to have gained some considerable advantages over the royalists in Venezuela. Morillo's case seems desperate—he has pillaged Caracas, and proceeded to Inguira, which it was supposed he would be compelled to evacuate. A vessel had arrived at Jamaica with a quantity of cash, &c. which was landed secretly, that it might not be known it belonged to refugee royalists.

"*Simon Bolivar*, supreme chief of the Republic of Venezuela, to the emigrant Guayanians in the colonies:

#### "PROCLAMATION.

"The republican arms have taken your native land under the protection of their laws.

"Return to your homes, to partake of the advantages derived from a government whose fundamental base is justice, equalizing the conditions of men, and acknowledging no other title than that of virtue, intrepidity and talent.

"Guayanians, return to the asylum of liberty! Let not your names appear to the world as followers of tyrants that have deprived you of all you possessed, reducing your families to misery. Do not fear your compatriots, who have exposed their lives to liberate you from your oppressors. The principles of the government are liberal; and you are aware, that the Americans are always considered innocent in the eyes of their fellow citizens. The name of "sons of Columbia" is a sufficient protection, and the name, alone, exculpates all his crimes.

"Emigrant Guayanians, your compatriots invite you to return to your own territory, where you will partake of the liberty they have acquired. On your arrival, your rights will be equal to the first magistrate.

"In behalf of the republic, I guarantee you an absolute amnesty.

"Head-quarters, Guayana, 3d Sept. 1817.

"BOLIVAR."

#### CHRONICLE.

*Error*.—A great error passed through a part of our last number. It was stated that the council of Connecticut had rejected the vote of the house of assembly, in regard to the compliment proposed to Capt. *Hull*, &c. It was so positively stated in many newspapers, that there was no possible reason to doubt it. But the fact is not so—the council passed the resolve unanimously.

We learn from Whitehall, (says the Plattsburg Republican) that contracts have been made for excavating a considerable portion of the canal with the Hudson river.

The Plattsburg Republican says—The troops who have been employed on the road between this place and Chateaugay, are expected to return to their former quarters in the cantonment.

The sea serpent has been seen again in Long Island Sound—7 or 8 feet of his body was visible.

A capt. *Enoch Allen*, apprehended in the state of New York for passing counterfeit paper, escaped and went home, and very deliberately shot himself.

From the 6th of October to the 6th of November, fourteen Indiamen have sailed from the port of Salem.

Mr. *Rush* arrived at Annapolis on the 13th inst. to embark in the Franklin, for England. The governor of Maryland treated him, with commodores Decatur and Stewart, and the officers of the ship, and others, in the most respectful manner. The party after being received on board the ship in great style, dined with the governor, at the "govern



ment house" The Franklin probably sailed on Thursday last.

*Appointments.*—A list of appointments, some of them very important, is inserted in page 199.

Mr. Frederick Gyeblm, minister resident from the king of Prussia, has been received at Washington.

*Vermont.*—The bill for a bank in Burlington, has been negatived by the legislature of Vermont—But an act was passed to establish a bank (the first in the state) in the town of Windsor.

James Fisk, esq. (rep.) has been appointed a senator in congress, vice Dudley Chase, esq. appointed chief judge of the supreme court.

*Improvement.*—An elegant bridge has been built over the Scioto, at Chillicothe.

*Internal navigation.*—The Boston Daily Advertiser of Wednesday, has the proceedings of a meeting assembled to consider the practicability and expediency of "opening a direct navigation between Barnstable and Buzzard's bay, which might dispense with the circuitous and often dangerous navigation round cape Cod."

*Cayuga Lake.*—From the American Journal, published at Ithaca, N.Y. From correct information, we can state, that the quantity of salt which has been brought up the lake to our flourishing village the present season, already amounts to about *three thousand barrels.*

The quantity of plaster received at the head of the lake *previous* to our publishing the arrivals weekly, as near as can be ascertained, amounted to *two thousand five hundred tons.*

To give some idea of the *land branch* of this trade (a portage of twenty miles from the Cayuga to the Susquehannah) we mention, that one of the editors a few days since, counted on the road between Ithaca and Owego, about *sixty teams*, loaded with plaster and salt, which must have arrived at Owego and discharged their loads that day.

This, truly, is a circumstance of no little importance—a commerce upon which foreign interdictory orders and decrees can have no effect; except it be to render it more valuable!

*Georgia.*—William Rabun, esq. has been elected governor of Georgia, vice gov. Mitchell resigned—

The votes were, for Mr. Rabun, 62; gen. John Clark 57.

*INDIAN AFFAIRS.*—Gen. Gaines' demand on the Seminole Indians, for the delivery of certain murderers, it seems, has been absolutely refused.—They justify themselves on the plea of retaliation. Hostilities were immediately expected to commence. Gen. G. was proceeding for fort Scott, on the Flint river, where he expected to be joined by 600 Creek warriors, and have an entire force of 2500 men, regulars, militia and indians. The Seminoles, are said to be able to bring 1500 warriors into the field. They are the bravest, most robust, and most truly savage of all the southern tribes.—Woodbine, probably, laid the foundation of this new speck of war. The state of Georgia has had a military force stationed in Camden county for a considerable time, to protect the people from these indians.

The "Georgia Journal" of the 4th inst. says—We are informed, that a large portion of the country lately ceded to the United States by the Cherokee indians, in exchange for an equal quantity of western land, is found on investigation to be within the limits of the Creek nation. The conflicting claims of these tribes to the disputed territory, has been settled in an amicable manner, (although at one time the controversy was likely to produce

a war between them,) by a council of their respective chiefs, chosen to discuss and decide the matter—If a suitable indemnity be not made our government by the Cherokees, the existing treaty with them on this subject, will doubtless be annulled.

The following indians, (says the National Intelligencer) among the most respectable in their appearance and deportment we have ever seen, are now on a visit to the seat of government, from the North-Western country. They are under the direction of Mr Isaac Walker—their business is with the government.

*WYANDOTS.*—Daanquote, or Hdf King, head chief of the nation, from Sandusky; Tau-yau-ro-too yau, head speaker; Dawantou; Manowcue; Scotosh; Tau-yau-dou-tou sou; Squindelecte; You dou-tou-sou.

*DELAWARES.*—Captain P'per; Silas Armstrong.

*SHNECES.*—Captain Smith; Con-gu-tou;

These are the identical chiefs among whom the president of the United States passed a night, as he travelled through the wilderness from Detroit, and by whom he was voluntarily guarded, during his stay with them.

The officers of the U. S. 5th reg. stationed at Detroit, have resolved to take up the remains of lieut. Brooks of the marines (son of gov. R. of Massachusetts) killed in the battle on lake Erie, and those of maj. Holmes, killed in the affair at Michimackanac, and re-inter them at Detroit, and erect a monument over them.

*Soldiers lands.* It is suggested that a proposition will be made at the next session of congress to procure the passage of a law authorising a commutation for soldiers bounty lands, at the rate of one dollar per acre. Great speculations have been made on this property, and if the passage of such a law will not check it, in future, it will at least insure to the soldier something like the value of his claim, if he wishes to dispose of his land.

The subscription to the stock of "*The Bank of the Valley*," for the counties of Shenandoah, Frederick, Fauquier, Loudon, Jefferson, Berkeley, Hampshire and Hardy, in Virginia, is closed. The authorized stock of the bank is 500,000 dollars. The amount subscribed was 735,000! *Nat. Int.*

*New invention.*—We have seen the model of a new invented double *Marine Lever*, for raising ships of the line and other vessels out of water, on very simple, and, apparently efficacious principles, and fixing them in a position to be coppered and repaired, with great ease and economy. The increase of our navy renders it necessary to suggest some new improvement by which ships can be repaired with facility, and a diminution of labor.—This machine will prevent the necessity of dry docks, which are not only enormously expensive, but from the want of sufficient water in the ebbing and flowing of the tide, in some of our principal naval depots, would be difficult to erect. If the machine can be constructed sufficiently strong and durable, we see no other objection to its utility.—The model is in the possession of the inventor, capt. Alexander Coffin, and can be seen by calling at the office in the state prison.—*N. Y. Nat. Ad.*

*ENFORCEMENT OF NEUTRALITY.*—*Providence, R. I. Nov. 14.*—The brig B. of Bristol was yesterday tried in this town before the United States' district court of Rhode Island, for an alleged violation of the neutrality of the United States; and was condemned after an examination, in which sufficient evidence was adduced to justify the decision of the court. We were unable to obtain further particulars in season for this day's paper.

# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

*Unparalleled, perhaps.*—During the last *three* months, without any extraordinary exertion, or any particular cause that we know of to produce such an increase, about *two hundred* new subscribers to the WEEKLY REGISTER have been received, and nearly *fifty* complete sets of the work been disposed of. The editor will thank the public for such support by endeavoring to deserve it.

☞ Expecting to be absent next week, and having no one to take his place at the desk, the editor very respectfully asks the indulgence of his readers, if the usual order of things should not be observed in the succeeding number of this paper.

☞ It is grateful to receive circular letters from inventors, authors, &c. giving an account of their improvements, &c. for which, however, we reluctantly pay postage, and hereafter shall not take up such letters. The least that any gentleman can do when he asks a *favor* of another, is to put him in a condition to grant it, free of expense.

☞ We have received an elaborate opinion, delivered in Baltimore county court, by Judge BLEND, in a matter in controversy about the right to the original bed of a stream once navigable, &c. which shall be inserted in our next.

## Massachusetts' Claims.

We learn from the Boston papers that the claims of Massachusetts for military services during the late war, are now so "*clearly explained*" that "nothing will be wanting to secure their ample *adjustment* but a spirit of justice and candor in the national councils."

We always thought that they had been enough "*explained*" to secure their "*adjustment*" by "just and candid" men; to wit—that *Massachusetts* should pay them herself: but if by "*adjustment*" is meant an assumption of these claims by the *United States*—that is another affair; and the logic must be very keen, indeed, to explain why the national councils ought to pay for cool, deliberate and *unrepented-of acts of disobedience to their authority*. Every body recollects that the legislative, executive and judicial powers of that state, united in solemn decisions that the *United States* could not call out and direct the militia, even when that state, herself, was invaded—how, then, can they be called upon to pay for pretended services rendered? And, unless that state, by acts as solemn, as public and as *pompous*, too, as those by which she disobeyed the orders of the "national councils," is prepared to retrace her steps, acknowledge her errors and beg forgiveness, she had better pay these claims herself and as quietly as possible. The *United States* will not, cannot, *dare* not pay them, but at the entire loss of self-respect, except in the contingency stated,—when *charity* might give what rigid *justice* would refuse. Without it, the urging of those claims

will *uselessly* rouse popular feeling, and excite passions that seem to be hastening to a state of repose. Nay, many will think that the simple preferment of such claims will shew a want of *modesty* that ought to give additional force to the righteous opposition that must meet them. But if they are preferred, we hope that the merits of the case will be calmly enquired into and "*clearly explained*"—after which the further consideration may be *postponed* until the year of our Lord 2818. At which time, perhaps, the people may believe that a man ought to be paid for expenses incurred in acts of *wilful disobedience* to the commands of his superior. And by that time, also, it is possible that posterity will have determined for *what* purpose the militia of *Massachusetts* were embodied at all.

It is with sincere regret that *self defence* has required it of us to touch a topic so productive of severest reprehension. We had hoped that the good sense of our eastern brethren would have suffered it to *rest in peace*. The money claimed *cannot* be paid by the national councils, without a violation of *principle* that will cause the most of those that vote for it to be hurled from their seats by the suffrages of an indignant and justly offended people—a violation of principle that it cannot be supposed the congress of the *United States* is capable of. We know very well that the *physical* force of *Massachusetts* was on the side of the republic in the late war; but we are humiliated with a confession of the belief that it was *that* consideration only which prevented their rulers from acting openly on the side of the enemy. *We* will not be taxed because the people of that state permitted such men to rule them—it is an *affair of their own*, and we will not have any thing to do with it. They undertook "to manage their own concerns (as they presumed to think them, though they were not so) in their own way" during the war—let them so manage the *same matters* in peace.

## Boston Election.

There has been much oppugnation in the *selection* and election of a member of congress, for Suffolk or Boston district, in the place of Mr. *Lloyd*, resigned. There were some circumstances attending it that seem to demand a record in this work.

When Mr. *Lloyd* had resolved to resign, it appears that he not only sent his resignation to the proper authority, but also formally communicated it to a *caucus* called the *Central Committee*. A "*federal caucus*," which was strictly



*legitimate*, was then held, and Mr. Mason was duly nominated and declared to be the "federal candidate:"—but some were dissatisfied, and another caucus called the "*Primary assembly*," assuming a higher degree of authority than the former, directed that Mr. Ritchie, and not Mr. Mason, should be supported, as the "distinct and indivisible federal candidate." Mr. Mason, however, would not bow to the "*Primary Assembly*," and resolved to stand a poll. The republicans then held a caucus, and seeing no chance of electing one of their own party, and considering Mr. Mason as having more liberal principles than Mr. Ritchie, they agreed to support him. He was elected—the votes were, for Mr. Mason 1664; for Mr. Ritchie 1376.

I have read, perhaps, six or eight columns of matter in the Boston papers that I might understand the organization of the several caucuses, without being able to perceive where the "legitimate authority" of one caucus ended, or the "legitimate authority" of the other caucus began. But it seems that they are organized into a sort of a house of commons and house of lords—the latter being a permanent body to manage and direct the business of elections &c. apparently possessing great dignity, from the semi-official correspondence that Mr. Lloyd has had with them, as well on the subject of the claims of Massachusetts against the United States, as on the affairs of the election. The result has "excessively mortified" the high-toned politicians of their party, and portends its severance; for they have severely denounced those that supported Mr. Mason as "*contumacious*," as they say in France of those that refuse their "adhesion" to the Bourbons.

This election, though interesting to the people of Boston, is unimportant to the nation at large; and has its claims to this notice only because of the caucuses that were held about it, to shew the manners and history of party.

### State of the Press.

I read the following article twice over before I could resolve what to do with it, or determine on what I should say to it. The collection of the facts desired is *exactly in my way*, and I will gladly devote myself to that purpose; which may be easily accomplished, if some editors of newspapers in every state will give complete lists of the papers published therein, and take it upon themselves to notice the "*condition, multiplication, declension and fall*" of their respective public journals; explaining also the causes that have affected each or any of them. An annual table or *expose* of no little interest, and perhaps, of some importance, might be formed from these reports, assisted by casual information otherwise obtained; and, if publishers will assist me by giving such ac-

counts early in the next year, I will throw them into a tabular form, and continue it annually, as long as I print the REGISTER and the facts for it can be had—keeping all the while a record of things as they occur. So far I am content: but it is not for me to establish "*canons for the regulation of the press*." I have no pretensions to an office of such dignity, feeling myself quite happy if I can please myself in the management of my own—which is not always the case. Almost every day I feel the want of education, or talents, to conduct it as I would. Fine ideas (as I suppose they are) frequently flit before me, without an ability to embody them and communicate them to others. If the proposition is meant as a compliment, I thank the editors of the Compiler for it, but the "lead of self-examination" tells me I cannot accept it except as a compliment: I have not the vanity to believe that I am fitted to the discharge of the important duty that it would impose upon me.

I should be very much pleased, however, to see the first part of the proposition reduced to practice, and will cheerfully assist in bringing it about, as just stated; for which purpose I shall address certain queries to my "brethren of the type" in the next paper. If the thing succeeds, well—if it does not, a little ink will be wasted and a little paper spoiled, and there will be an end of it.

FROM THE RICHMOND COMPILER.

To Mr. Niles, editor of the Weekly Register.

SIR—We present you the respects of a weak brother—for weak is our wing, and humble our pretensions. We thank you for the work you have given to the American public—We regard it as the most valuable depot of facts which issues from the press.

Time is no doubt necessary to give to such a work all its perfection. Day after day must furnish some new hint for its improvement, and open a new field for you to enter with your sickle.

One of the most useful things you are wont to do, is to sketch a list of passing transactions, which are capable of being reduced to numbers, and from time to time sum up the whole, and present them in one collective point of view. Such was the list of prize-vessels you collected during the late war. Such is the list of emigrations you have lately furnished.

We beg leave to turn your attention to another quarter—one in which both of us are deeply interested. We mean our public journals, their condition, multiplication, declension and fall.

In the first place, we want, what we may call, *canons for the management of the press*, a sort of "*codification*," as Jeremy Bentham calls it, of those rules, which ought to guide the conductor of the press—to regulate its liberty, and restrain its licentiousness: Not rules enacted by the laws of the land; but rules, drawn from the sound principles of discussion, and forming a sort of moral legislation for the press; rules, which every editor ought to observe, and which none should violate without an offence to decency and good taste. These rules will prescribe the rights and duties which one editor owes to another, or which editors and correspondents own

to each other. They would teach us the species of manner which editors ought to use towards each other; the species of matter, which they ought to publish, and those which they ought not; in other words, what is fit for the public eye, and what is not; the species of evidence they ought to require and furnish for their statements; with other cases, which are apt to occur in the editorial line.

We hold, that the number of well regulated papers is a species of *test* of the state of the public mind; their multiplication, is an indirect proof of the growth of a liberalizing spirit among the people; their declension, of a depreciation of that spirit. Hence we should like to see a Register of the numbers of newspapers; which should notice every newspaper that is set up, or the discontinuance of every old one—with the change of editors, &c. &c. Thus you would take notice of every typographical star that rose above or set below the horizon.

In the same manner, you might state the causes of the declension of any paper, whether from mismanagement of the editor, the want of punctuality in subscribers, or from any other cause as you could ascertain it. The press too would be under immense obligations to you, if from these facts you could deduce a plan for putting a good paper on a good basis:—viz: How they are to be best supported, and how the numerous complaints against subscribers and false "patrons" may be prevented.

Another consideration—Let a sort of *account current* be kept, carrying forward from time to time the number of papers that are *stopt*, or have been *set up*, in the different states, &c. &c. and striking a balance, &c.

But, *verbum sat sapientia.*

Yours respectfully, &c.

### Isaac Briggs, esq.

I cannot believe that there is an American, who delights in the application of *practical* mathematics to great national purposes, who will not feel grateful to my much esteemed friend, Isaac Briggs, for the communication that appears in the present number of the REGISTER. It is well, indeed, that a gentleman of his learning and science so zealously devotes them to the public welfare—teaching us *political philosophy*, and enlarging our minds so that they at once comprehend subjects of the highest importance to the national prosperity. He is at present employed as one of the engineers of the great canal that is to unite the lakes with the Atlantic; a duty in which his talents are most happily supported by an ardent zeal for every description of internal improvement, and especially for *that*, the most sublime object of its kind that can offer itself to the reflecting *statesman*. Practical mathematics and mechanics are, certainly, this gentleman's *fort*; and our confidence has been increased as to the final and *complete* accomplishment of the great work in which he is engaged, by his employment therein. For myself, as a member of the *American family* who has endeavored and, perhaps, partially succeeded, to bring himself to regard the *whole* as having a *community* of interest, I am deeply interested in this most important work, by which com-

merce and civilization will soon be extended to yet unexplored regions, and the "wilderness be made to blossom as the rose." Our population will advance its ratio of increase in proportion as the means of subsistence are the more easily obtained; and, as the field of enterprise is enlarged, the more numerous will be the adventurers in it from abroad. That we are destined to become a *great nation*, mighty and powerful beyond any that at present exists, is morally certain; and that mere natural causes may bring this about, is highly probable—but who does not wish that he himself may enjoy some portion of the delight that must spring up from the consciousness that *we are so?* *Franklin* wished to visit his country at the end of an hundred years—and many now seem to think that they were born too soon.— But let us be content, and faithfully perform the respective duties assigned us—confident that our *children* will reap the harvest planted by their *fathers'* care, and go on to improve its increase for the good of posterity. Every man has his degree of usefulness—some to a greater and others to a lesser extent: it is sufficient that *these* are exerted, or encouraged, as they ought to be—the talent should no more be "wrapped in a napkin" than squandered; every man owes something to the society to which he belongs, and ought to be zealous not to leave the world worse than he found it. For myself, humble as I am, but believing, as I do, that the great canal may be completed in from 10 to 15 years, at the inconsiderable expense of 5 or 6 millions of dollars, I feel pleasure in the hope that, when its benefits are manifest to all men, my children may say, *our father was friendly to it, and to all other internal improvements, without regard to their location in the United States.*

But I must stop—taking up my pen only to invite attention to an article in this paper, I have entered upon a subject which, if I could write as I think, would occupy me a twelvemonth, "by way of introduction." But when a man looks at the map and sees that the contemplated canals will open a water communication through lakes Ontario, Erie, Huron, Michigan, Superior, &c. &c. to the lake of the woods; through Champlain to Canada; and, at a very little additional expense, through the fertile and extensive countries of Ohio, Indiana, and Illinois, &c. to Orleans—and from the lakes by the Susquehannah to Baltimore, as well as to New York, and to many other places through different routs, the mind is lost in calculating the magnitude of the consequences, and sighs to see them completed.— There is no spot on the globe wherein so "great effects may flow from such little causes," as in the junction of the Atlantic with the lakes, by a northern route. By referring to the 6th volume of the WEEKLY REGISTER, page 417, the reader will see that in 1814 I indulged myself with



an *ideal* voyage in a steam boat from New York to New Orleans, by way of the lakes, &c. and I am not without hopes that I may live to take such a voyage, in *reality*, if I wish it. The rich, populous and patriotic state of New York has seriously taken up this matter,—may she persevere in, it and effect it! It will be more valuable to her, and the union at large, than the mines of *Mexico* and *Peru*—in dispensing wealth and all the comforts of life to millions on millions of high-souled freemen; in knitting them together as a band of brothers; and in giving strength to their efforts for the common good of the republic.

### Domestic Manufactures.

AN ADDRESS DELIVERED BEFORE THE ONEIDA SOCIETY FOR THE PROMOTION OF AMERICAN MANUFACTURES, AT THEIR ANNUAL MEETING IN WHITESBORO' ON THE 21ST OF OCTOBER, 1817—BY ISAAC BRIGGS.

At a meeting of the society for the promotion of American manufactures, on the 21st day of October inst. the following address was delivered by Mr. BRIGGS.—The committee of the society believing the address to contain many important facts, stated in so plain a manner as not to be misunderstood, requested a copy for publication, which request has been granted.

October 31, 1817.

To Theodore Sill, Recording Secretary of the Society for the promotion of American manufactures.

URICA, 10 no. 29, 1817.

*My Friend*—I have received thy note, in behalf of the committee of the society for the promotion of American manufactures, requesting, for publication, a copy of my address delivered before the society on the 21st instant.

I cheerfully yield it, in hopes that its publication may stir a question very important to the United States; and, whether I may stand approved or convicted of error, candid investigation is always favorable to truth. Respectfully thy friend,

ISAAC BRIGGS.

#### ADDRESS.

*My friends and fellow citizens*—I have some apprehension that I may be deemed presumptuous. Almost a stranger as I am amongst you, and surrounded by men so much more competent to the task, my attempt to open the business of this meeting certainly has that appearance. Oppressed too by the consciousness that, not being in the habit of public speaking, I have not those facilities of arrangement and utterance that flow from practice. My feelings, however, at this moment, are very different from those of presumption: but encouraged by the hope of your kind indulgence—by a thorough conviction of the goodness of our cause, I proceed, with diffidence, to offer my sentiments; and I shall be satisfied if, in plain and simple language, I can make myself understood.

The object for which we have convened—the cultivation of our industry and improvement of our own resources—is indeed of great importance—permit me to say we, for my judgment and feelings are united with you in the common cause. It is of of great importance to us of Oneida county, but not to us only—not to the state of New-York only—it presents to the UNITED STATES a question of national policy.

Some of us, invited by the official voice of our

country in her time of trouble, invested almost the whole of our capital in manufacturing establishments—we expected a remuneration, it is true, but connected with that expectation was the delightful conviction that we were affording to our country valuable relief—that we were promoting her best and permanent interest. We believed, beyond doubt, she would, in the days of her prosperity, redeem her pledge. What is the mortifying result? From an easy competence, we are landed in poverty and debt. When we humbly ask for relief, we are met by the interrogatories—What would ye have? Shall we tax the cultivators of the soil, the main body of our citizens, to pour wealth into your pockets? Such are the views of short sighted politicians.

We disclaim the imputation.

Agriculture, manufactures and commerce, especially internal commerce, are in perfect harmony—they mutually aid and support each other—together, they constitute national prosperity. No one of them can exist alone—no two, exclusive of the third, can permanently thrive. That nation alone which wisely fosters and patronizes them all, in just proportion, can continue eminently prosperous and happy. No tax can be so grievous, as that course of policy which (however indirect and concealed its operation) ultimately exhausts the sources of wealth—takes away the motives for enterprise—and withers, even in the morning of its growth, the prosperity of the whole nation. We may aptly compare a nation to the human body, and agriculture, manufactures and commerce to the limbs. The right hand may be in full health and the feet strong, and for a while may vigorously perform all their functions; yet if even the left hand be diseased, and the disease, through improvidence or false judgment, be suffered to advance, the healthy limbs and the whole body may become infected—be gradually robbed of strength, and sink prematurely into the grave.

In old and corrupt governments, political economy is a great mystery; and it is perhaps the interest of those who manage the machinery of statecraft, to keep it so, by involving it in a labyrinth of technical terms and intricate speculations; but in a government like ours, founded in honesty, resting on the virtue, and having in view the happiness of a whole people, the science of political economy is quite simple—"He who runs may read." I hope we have amongst us but few of those political empirics who would endeavor to involve so simple a subject in *great mystery*, in order to astonish us poor natives, and to acquire for themselves the reputation of *great statesmen*.

It is freely granted that the farmers, the cultivators of the soil, constitute the first, the greatest and most valuable part of our population. If we rationally develop the best and surest means of their permanent prosperity, we shall have exhibited a system of political economy.

In order to do this, let us examine the circumstances of a single family, for what is true of a family, will in principle, be true of a county—of a state—of the United States. This family shall be as a fair average of the whole nation. The proprietor is seated on 200 acres of land, which he cultivates: he has a wife and six children, and hires one laborer. In the first place, we will suppose we have no manufacturing establishments, but depend, for our surplus wants, on foreign fabrications: and in making our estimate we will avail ourselves of the lessons furnished by occurrences since the ter-

mination of the late war. Having no market, but the very small one of a neighboring village, for any produce beyond the foreign demand (and this demand will diminish as foreign nations avail themselves of, and improve, *their own resources*) our farmer will raise *little or nothing* more than the necessities of his own family require, except what he can sell to the merchant for exportation, which will be little (if any) other than wheat, beef, pork, ashes, lumber, flax-seed, tobacco, rice and cotton. Moreover, we will allow our farmer all the advantages of the grand canal, which will be immense, in the cheapness of conveyance to and from a distant market; but we will not allow him a continuance of the advantages which this country has enjoyed, for many years past, from the disturbed state of Europe, because the condition of that portion of the world has essentially changed, and is still changing. We will suppose the village market supplies him with enough to repair accidental losses, wear and tear of his utensils, &c. and we cannot admit that it will do more, for it must be constantly kept in mind that the family we have taken is meant as an *average* of the whole agricultural class of the United States, and that where manufacturing is not supported villages are small and poor.

The whole population of the United States is now about 9,120,000 souls; and the classification of it which is here presented, although not pretended to be mathematically exact, it is believed will be found sufficiently so, to elucidate fairly the principle for which we contend. If an error be committed, we are confident the *supposition* is less favorable to our argument than will be the *fact*.

Of this whole population, we will suppose

1-12 part to be practical farmers	760,000
1-3 women and children capable of common labor,	3,040,000
1-8 mechanics and tradesmen	1,140,000
1-12 hired laborers	760,000
1-16 seamen and fishermen	570,000
1-4 children incapable of common labor	2,280,000
1-16 lame, poor, and idle persons	570,000
	9,120,000

We will even admit that there can be found a steady foreign market for the agricultural produce of the United States to the value of 76 millions of dollars annually, which certainly exceeds what will be the fact.—Then, one hundred dollars, per annum, will be the share of each farmer—all he can receive for the produce of his farm. Fifty dollars, at least, of this he must pay to his laborer, or do without one—so that there will be no inducement for the laborer, or any one else, to purchase land and become farmer, and the value of land will decrease. Besides what the wife and elder daughters of our farmer can spin and weave—for we will suppose them all very industrious—He must have something a little smart to clothe his family for high days and holidays, and imported goods, are very cheap, he can buy them (per yard) for 25 per cent. less than our domestic manufactures, and when he has laid out all his cash, the merchant invites him to take more, the goods are so handsome and so cheap, and tells him he will credit him till next crop!—Honest farmer, beware, thou art on the brink of a precipice!—The sum of 50 dollars must be further reduced. It may be recollected there are 570,000 lame, poor and idle persons to be maintained, and courts of justice and prisons to be supported for punishing some of them; for as markets fail, the demand for labor will diminish; many will become idle for want of employment; our streets and

highways will be infested with mendicants and robbers: our prisons will be filled and crimes will increase. These objects in the shape of taxes, charities or in some form or other, will require at least ten dollars of our farmer's fifty. He has, then, remaining but *forty* dollars, which he lays out with the merchant, for *beautiful and cheap* foreign goods. These goods were fabricated from a raw material sold originally by our farmers for *four dollars*.—They come from the foreign manufacturer charged at \$26

On this sum is laid (at least 8 per cent.) for charges of importation	2
	28
For duties (the national tax) 25 per cent.	7
For merchant's profit, less than 15 per cent.	5
	\$40

Thus our farmer, for the article which he sold for *four dollars*, pays to government a tax of seven dollars: To the foreign manufacturer and for charges of importation, *twenty-eight dollars*, a sum which goes out of our country, never to return. This is indeed a gloomy picture—but not more gloomy than would be found true, were things settled in their regular channels on the ground of abandoning our manufacturing establishments. We should be unwise to deceive ourselves, by expecting a permanent market, for our agricultural productions, in Mexico and South America, should they achieve their independence. In that event, we might indeed share, with other nations, their market for *manufactures*, but instead of our *customers*, they would be our *rivals in agriculture*.

Let us now view the other side of the picture—on the ground that we sustain and effectually encourage our manufacturing establishments; and clothe ourselves by the employment of *our own labor*.

The farmer, in this case, having a brisk market in his own neighborhood, will raise abundance of articles, other than a foreign market would require—he will at least double his former amount—he will now have for his labor on his farm *two hundred dollars* instead of *one*. He can now afford to give his laborer a *hundred* dollars instead of *fifty*. A great portion of the lame, poor, and (otherwise) idle persons are employed in our manufactories.—Idleness, crimes, poor-rates, and taxes diminish—he pays, on these accounts, but 5 dollars instead of 10—he receives wages for one of his small children employed in a manufactory.\* His wife and

\*An objection against employing children in manufactories is often urged, and widely circulated, on account, it is said, of their demoralizing tendency. This objection is certainly founded in prejudice—in a superficial view of the subject—and on candid investigation, would vanish before the light of reason. In those countries where *wages* are pressed down to their minimum, and *labor* forced up to its maximum, the objection may be valid; but this is a state of society which I hope is very distant from our happy land. From my own experience, I know, that a course of the purest, moral, and religious instruction may, with great facility, be connected with these establishments, without preventing reasonable profits; and, were they under the liberal patronage of government, their internal economy, in this respect, might, if necessary, be regulated by law. Thomas Moore, a worthy and conscientious man, introduced into a cotton manufactory, of 5000 spindles, near Batti-



elder daughters still spin and weave as before. It is admitted that he gives, for the same number of yards 25 per cent. more for domestic goods than he did for foreign; and we will even waive the advantage to be derived from the unquestionable superior strength and durability of our own fabrics. Instead of forty, he lays out fifty dollars. Thus prepared, we will state his annual account. He receives—

For the produce of his farm,	\$200
For the wages of one of his smaller children, at 50 cents per week,	26
	\$226
Out of this sum he pays—	
The wages of his laborer,	\$100
State taxes,	5
A tax to the national government instead of the seven dollars duty,	8
He lays out for domestic goods,	50
	\$163

He has then remaining a balance of \$63

Should the policy of improving our own resources prevail, money will be so plenty that the rate of interest will not be higher than six per centum per annum. With a clear annual income of 63 dollars, our farmer can command a loan of 1050 dollars. If he invest this sum in the purchase of more land, or in any other way so that its profit will pay its interest, he can extinguish the principal in 12 years. He may then borrow double the sum, and, in the same manner, extinguish that in 12 years more; and so on, doubling every 12 years.

We will admit the profit of the domestic merchant to be the same we have supposed that of the foreign merchant to be, about 15 per cent. Then the 50 dollars which the farmer lays out in domestic goods, are distributed thus—

For the raw material, instead of four dollars as supposed in the foreign fabric, the goods being more substantial,	5
For manufacturing,	38.50
For merchants' profits,	6.50
	\$50.00

All which is paid in our country, and immediately circulates amongst us.

Let us compare the two statements as applied to the whole nation

<i>Manufactures abandoned.</i>	<i>Manufactures supported.</i>
760,000 farmers will raise and sell surplus produce to the value of <i>etc.</i> 76,000,000	760,000 farmers will raise and sell surplus produce to the value of <i>etc.</i> 152,000,000
	They receive for wages of small children 19,760,000
	171,760,000
They pay in our country.	The pay and the whole amount circulates in our country.
To laborers, 33,000,000	To laborers, 76,000,000
For state taxes, poor rates, &c. 7,600,000	For state taxes 3,800,000
For duties or taxes to the national government, 5,320,000	For national taxes, in lieu of duties, 6,030,000
For merchants' profits, 5,700,000	For merchants' profits, 4,940,000
54,720,000	
To foreign manufacturers and for charges of importation, all which goes out of the country, 21,280,000	To domestic manufacturers, 33,060,000
Balance remaining in the hands of our farmers, 00,000,000	Balance remaining in the hands of our farmers 47,830,000
78,000,000	171,760,000

Surely, in a case so plain, all comment is superfluous. The interest of the farmer and manufacturer is a joint one. Theirs is a common cause, nor is the merchant excluded, except the *exotic*, whose views and feelings are altogether foreign from our country. Let us join, therefore, as a band of brothers, and petition congress—for this purpose, among others, we are assembled. To the patriotism and intelligence of congress, we may safely appeal. It will be sufficient if we bring the subject simply, clearly and closely into their view. Having petitioned that dignified body for relief, for adequate protection against a foreign interference and competition, which threaten, like a chilling frost, to wither our energies in the bud, let us do our own part.

Let us, emulating the noble example of our brethren of Berkshire, in Massachusetts, form a society, on principles of *union*, for the promotion of *American* agriculture, manufactures and commerce. Let us resolve, under a penalty, to clothe ourselves from our own looms—to pay wages of labor where it may circulate in our own country—to give employment to the lame, poor and (otherwise) idle, and, by taking away from vice every plea of necessity, promote virtue.

### Aid to the patriots.

Our readers will recollect that certain gentlemen, late British officers, supposed to be proceeding to join the patriots on the Oronoco, were arrested at Philadelphia, and committed to prison for an alleged violation of the laws of the United States. The following petition, touching those persons, was deposited at the coffee house and other public places in that city for the signatures of the citizens:

*To the honorable RICHARD PETERS, ESQ. judge of the district court of the United States.*

SIR—The subscribers respectfully request your attention to the case of colonel John Needham,

more, a regular system of literary, moral, and religious instruction, with the happiest effects.—Under his superintendence, during several years, the institution was eminently prosperous, even in a pecuniary point of view: and a degree of sound morality reigned, far superior to that exhibited by the same individuals in any other situation. I. B.

It is sometimes urged, as an objection to relieving and supporting manufacturers, that when they had the business mostly in their own hands, they took *high prices* for their goods. This is one of those arguments, founded in prejudice, which, by proving too much, proves nothing. It applies, with equal force to every business in human society, where a person sells the productions of his labor, and if it proves any thing, it proves that all traffic is founded in extortion: For the principle is universal, that, when the demand for any article of trade exceeds the supply, prices rise. The profits of the business invite more and more capital into it, until the demand be fully supplied, and competition brings down the price to its minimum. The proverbially low prices of goods imported since the late war, are an effect of the competition of foreign manufacturers with ours, feeble as they are. Suffer our establishments to fall, and prices will soon rise. Let our manufacturers be defended against foreign competition, and the competition among themselves will reduce prices lower than they can continue to be, in any other way. I. B.

captains Parkins and Ferriar, lieutenants Stacey, Webster and Beisse, Dr. Fry, and sergeant-major Parks, now confined in the prison in this city, under an indictment for having violated a law of the United States, entitled "an act in addition to an act for the punishment of certain crimes against the United States," passed Anno 1794.

If it should appear, on the final trial of their case by a traverse jury, that they are guilty of the crime laid to their charge, the subscribers believe that numerous considerations force themselves on the mind, to extenuate the offence.

They were entire strangers in this country and to its laws. Had they been acquainted with the law, for the infraction of which they stand in their present uncomfortable situation, they might, and it is fairly presumable they would, have avoided the violation of it, which they could easily have done without interfering with the ultimate object of their expedition.

The object they have in view must entitle them to the sympathy and the good wishes of every friend of liberty. That object is no less than the emancipation of a large and fair section of the globe—and a respectable portion of mankind, from the most galling yoke, civil and religious, that ever pressed on the shoulders of a nation—a portion of the globe that may hereafter vie with ancient Greece and Rome for heroism and ardent love of liberty; and where indeed, virtues have been already displayed, that would bear comparison with some of the proudest traits in the history of those illustrious nations.

The subscribers have too much respect for the constituted authorities of their country, to arraign the motives or the object of the legislature of the United States, in enacting the law under which those respectable gentlemen appear as criminals; but they cannot refrain from the expression of the deepest regret and astonishment, that while powerful armaments are fitting out in the ports of monarchical Great Britain, in the most open and undisguised manner, to aid the South American patriots, a similar proceeding should bring down the vengeance of the law, in the form of heavy and ruinous fines, and tedious imprisonment in republican America. In the eyes of the world at large this must appear a wonderful political phenomenon.

We know the limited nature of your powers in the law. We wish them exerted on the side of a regard for the feelings and comforts of your fellow men. We merely request, that you will order these gentlemen a speedy trial, so that, if innocent, they may not continue to suffer a galling imprisonment, one of the worst consequences of heinous crime, and if unfortunately they prove guilty, that they may at once know their fate, and be relieved from a state of goading suspense.

This simple request is made of you in the name of that holy cause for which "Hamden fought, Locke wrote—and Sydney bled"—that holy cause, which, in the fire of youth, you embraced with patriotic ardor—that holy cause whose support has given immortality to Washington, Warren, Green, Mercer, Wayne, Adams, Franklin, Randolph, Clinto, and that numerous host of warriors and sages, who shed a halo of glory round our common country—that holy and divine cause, in fine, which has raised the United States to the high and elevated rank they fill, so much to their own happiness and the approbations of an admiring world.

Philadelphia, Nov. 12, 1817.

### Banks of Rhode-Island.

Abstract of the returns of the several Banke, made to the General Assembly, October session, A. D. 1817.

Names of Banks.	Capital of each bank.	Bills in circulation.	Deposits.	Specie.	Bank stock and U.S.	Real Estate.	Deposited in other banks.	Bills of other banks.	Paid due to the banks.
Providence	450,000	71,333	33,774 20	32,968 33	47,450	21,000 00	1,442 64	12,133 00	416,693 59
Rhode Island	100,000	21,731	14,558 37	11,889 85	10,200	5,430 50	325 26	6,971 00	167,869 48
Exchange	400,000	74,417	67,924 87	36,702 88	25,000	10,000 00	6,274 03	19,108 00	413,885 95
Bristol	120,000	18,669	62,271 26	10,562 00	2,000	10,000 00	5,473 97	46,153 00	48,434 91
Washington	50,000	43,884	4,867 87	16,637 40	0	3,105 40	750 00	6,023 50	76,160 55
Warren	85,000	26,198	29,501 87	26,069 01	0	0	0	11,683 00	102,331 25
Smithfield	50,000	20,679	1,165 30	4,890 42	0	0	0	490 00	76,725 33
Newport	130,000	31,711	46,644 02	28,630 72	0	2,900 00	29,527 65	9,911 49	145,067 06
Roger Williams	150,000	47,160	177,519 07	*52,746 76	0	0	37,140 79	43,795 57	240,956 91
R. L. Union	200,000	63,976	27,598 69	28,540 57	80,000	17,008 32	9,937 55	8,202 47	168,649 52
R. L. Central	60,000	24,257	3,572 18	3,261 77	0	0	0	3,974 15	82,701 32
Narraganset	50,000	11,381	2,745 75	4,136 62	0	0	0	2,371 50	60,338 72
Commercial	50,000	35,059	14,342 65	8,511 41	0	3,000 00	5,611 63	35,798 00	149,480 55
Manufacturers	100,000	30,624	18,750 16	15,252 13	0	12,000 00	66 99	1,897 12	127,742 93
Union	500,000	54,587	60,392 86	25,613 32	8,700	1,414 83	870 17	42,403 11	283,933 10
Pawtucket	150,000	33,133	5,513 43	12,807 69	0	4,500 00	400 00	2,640 36	59,290 34
Merchants (capital paid in 29,630)	50,000	25,487	13,012 93	14,652 27	0	0	2,136 93	5,330 40	45,240 70
	2,695,000	634,295	586,825 01	323,872 92	173,330	90,389 05	97,801 61	180,417 67	2,636,835 14



Price of Stocks, Bills, &c.

	BOSTON, November 15.	NEW-YORK, November 21.	PHILADELPHIA November 16.	BALTIMORE, November 15.
U. S. 6 per cents....old and deferred . . .	100½ to 101	par and int.	101	: : :
.....Louisiana . . .	: :	101	101	: : :
.....war loans . . .	106½ to 106½	106 to 106½	106¾	106
7 per cents. . .	: :	110½ to 110½	110	: : :
5 per cents. . .	68 to 68½	70½ to 71	70	: : :
Bank of the U. S. shares—(100 dollars paid.)	: :	151½ to 152	151¾	151½
Bills on London—adv	1½ to 2	1½	2	1½ to 2

Legislature of Georgia.

COMMUNICATIONS FROM THE LATE GOVERNOR AND THE PRESIDENT OF THE SENATE TO THE LEGISLATURE.

*Fellow citizens of the senate and of the house of representatives.*

Being appointed by the president of the United States agent for Indian affairs for the Creek nation, and having determined to accept the same, I have this day resigned the executive government of the state to the honorable *William Rabun*, president of the senate. In doing which, permit me to assure you, and through you my fellow citizens generally, that in retiring from the service of the state, I shall carry with me a just sense of the obligation which their long continued confidence has laid me under, and that my gratitude will be as lasting as my life. In the various and complicated duties, which in the course of my public life I have been called upon to perform, I cannot flatter myself, that my conduct has been exempt from error, but my conscience acquits me of any intentional departure from duty. Devoted as I have been to the service of the state, and still ardently desiring to see her prosperous and happy, it is a reflection which gives me much pleasure, that the duties of the appointment I am about to enter upon, are so intimately connected with the interests of the state, that by a faithful discharge of the one, the other will be promoted. And I embrace the present occasion as a fit one, to observe, that the policy of the government of the United States, with regard to the various Indian tribes within their boundary, having for its primary object the humane and benevolent purpose of meliorating their condition, and if possible redeeming them from a savage to civilized life, much of the success which ought to be the result of this policy, will depend upon the zeal and ability with which it is executed. In contemplating the situation of the Creek Indians of the present day, residing within our limits, I think it will be generally admitted, that their attachment and adherence to the United States during the late war with Great Britain, which not only involved them in all the horrors of civil war, but caused them the loss of nearly all their hunting grounds, entitle them to our protection and regard; and to a full share of the benefits resulting from the benevolent policy of our government. From these considerations, and with this view of the subject, it will not be expected that the execution of the laws regulating the intercourse with those Indians should be relaxed; so far at least as regards the agency to which I have been appointed, it will be understood, that no intercourse with them, which is forbidden by law, or which may have a tendency to defeat or retard their improvement in the arts of civilized life, will be tolerated. At the same time, for every legal object and honest pursuit, every facility in my power will be afforded.

The objects which claimed immediate executive attention after the adjournment of the last legislature, have been disposed of. They were such generally as depended upon, or grew out of, some legislative act of that session, and need not now be particularly detailed.

I have great pleasure in assuring you that the state of our finances is prosperous and competent, not only to support the annual ordinary expenses of the government, but to effect many objects of public utility.

Permit me to recommend, that an additional sum be invested in bank stock. The collection of the revenue arising from funds of this description is both safe and easy, whilst that arising from taxation is attended with considerable expense and loss—By recommending the adoption of this measure, I do not wish it to be understood as being of opinion that the present taxes ought to be repealed; on the contrary, it is my decided opinion, that they ought to be continued, because the citizen is better able in time of profound peace, and particularly under the present unparalleled prosperity of the country, to pay a tax, than in time of war; we have recent experience upon this subject, which I hope we shall profit by. It is the surplus of your annual revenue, or sums which may be paid to the state by the United States, which I propose should be invested in bank stock.

In thus addressing you, probably for the last time in my life, permit me to assure you of my unalterable attachment to the state, in whose service I have spent twenty five years of the prime of my life, and of my affectionate solicitude for the prosperity and happiness of her citizens.

D. B. MITCHELL.

*State-house, 4th March, 1817.*

GOVERNOR'S MESSAGE.

*Executive department, Georgia, Milledgeville, 3d November, 1817.*

*Fellow-citizens of the senate, and of the house of representatives:*

The late governor Mitchell having accepted the appointment of agent to the Creek nation of Indians, which had been conferred on him by the president of the United States during the last winter, did on the fourth day of March last, resign the office of governor of this state into my hands as president of the senate. My proclamation, announcing the event and assuming the duties, was issued on that day. I was therefore unexpectedly, and after a short notice called from my domestic fireside to discharge the functions of this all important station. Had not the constitution imperiously enjoined the perilous task upon me alone, the good sense of the community would no doubt have justified the want of experience and a more enlarged capacity, as a sufficient plea for me to have declined the arduous trust.

Under these circumstances, I commenced the duties of the office, relying on the liberality of my fellow-citizens, for a generous allowance of any errors I might commit in the discharge of my official duties.

On the twenty-fourth day of February last, the late governor having been notified by the commissioners of the penitentiary, that the building was in a state of readiness to receive convicts, issued his proclamation, announcing the same, and declaring the "act to reform the penal code of this state, and to adapt the same to the penitentiary system," to be in force; immediately therefore, after I came into office, I summoned the board of inspectors, and proceeded to make the necessary arrangements to carry the design of the legislature into operation, by appointing the officers designated by law, and directed that a guard should be enlisted without delay. In a short time after, the institution was completely organized. Convicts began, and have continued to arrive from several of the counties, charged with various crimes, and sentenced by the courts to undergo different periods of confinement and labor. These have been employed by the keeper, under the direction of the board of inspectors, in various sorts of labor—such as were deemed most expedient under existing circumstances. The completion of the building, work shops, &c. notwithstanding the indefatigable exertions of the commissioners, has been greatly retarded by the inclemency of the seasons, and has rendered it very inconvenient, and frequently hazardous, to employ them as advantageously as they might otherwise have been.

The act of last session, entitled "an act to carry into effect the penal code of this state, and the penitentiary system founded thereon," has made it the duty of the governor to pay all the incidental expenses that might be necessarily incurred in carrying the system into complete operation, but no funds was set apart on which he was authorized to draw. The contingent fund being unable to sustain these and the usual demands that are made on it, I determined to issue my warrants on the treasury to meet these expenses, chargeable to the fund appropriated for the purpose of completing the building. Whether my conduct on that occasion was justifiable or not, your wisdom will determine. The progress of this infant establishment, has already excited considerable feeling throughout the state. Its numerous friends have hailed it as the harbinger of order and peace, and as a place of deposit for the lawless and disobedient; while its enemies have viewed its approaches with extreme regret: Many, it is understood, have already removed without the limits of the state, and others have avowed their intention of pursuing the same course for the purpose of obtaining a situation beyond the reach of its grasp.—From the experiments already made, I am persuaded that, though considerable expense has, and will for some time, attend this institution, yet under proper management, and the experience, which time will naturally afford, it will ere long become a formidable engine, in the hands of a well regulated government, for the suppression of vice and the encouragement of virtue.

For a considerable time before and since I came into office, the Indians bordering on our southwestern frontiers have manifested a hostile disposition, by embodying themselves, plundering from the citizens of Camden county several hundred head of cattle, and on the 24th day of February

last, a party made their appearance near Clark's mills, on the St. Mary's, and wantonly murdered a woman and her two children, set their dwelling house on fire and effected their escape with impunity. This distressing intelligence was immediately communicated to this department by major-general Floyd, and several other gentlemen of that neighborhood. Without delay I transmitted an account of the same to the war department, and earnestly pressed the necessity of an adequate force being placed on that exposed frontier by the general government, in order that protection might be afforded to the defenceless inhabitants who were then flying from their homes. I also instructed major-general Floyd to order from his division a sufficient force to repel those lawless intruders, and to inflict suitable chastisement on them whenever they might be found on our borders, until the pleasure of the general government should be known. The acting secretary of war, in reply to my letter, observed, that the subject was referred to major general Jackson, and that the necessary protection might be expected; but, unfortunately for us, it has not been afforded. We have therefore been under the necessity of maintaining a detachment of our militia, on the frontier of Camden county, for several months past, under the direction of major Bailey of that county. Some time in the month of May, while the major and his party was pursuing a large number of cattle, which had been driven off, they fell in with two companies of Indians, and attacked them with great bravery, killed several, wounded others, put them to flight and returned without sustaining any loss. Since that period, I have not received information of any damage done in that quarter by the Indians.

On the 8th of September, I received a communication from major-general Gaines, dated at fort Montgomery on the 20th July, calling for two battalions of our militia, to be held in readiness, to assist him in reducing the Lower Creek or Seminole tribe to order. I immediately caused the requisition to be complied with, and the two battalions have been detailed and organized, and are now waiting further orders.

In the month of April last, I was notified by Mr. Crawford, the secretary of the treasury of the United States, that he had issued a warrant on the treasurer, in favor of the governor of Georgia, for the sum of three hundred and seventy five thousand dollars, in part payment of our western lands, which had been ceded to the general government; and about the same time the treasurer enclosed to me drafts on the Planters' bank of this state, and the bank of New York, for that sum. These I deposited in our state bank for collection, which enabled us to pay the amount of our subscription then due to that bank, and left a considerable balance which was entered to the credit of the state, subject to future appropriation. I also received through Mr. Crawford, the award and decree of the commissioners appointed by virtue of an act of congress, for the indemnification of certain claimants of public lands in the Mississippi territory, a transfer of the monies which remained in our treasury, commonly called the Yazoo deposit, amounting to one hundred and eighty-four thousand, five hundred and fifteen dollars, ninety-four and a half cents, in part payment of the one million two hundred and fifty thousand dollars, stipulated to be paid by the articles of agreement and cession between the United States and the state of Georgia. In the decree of the commissioners before men-



ed the interest, if any, which may have accrued on the foregoing amount, is claimed in behalf of the United States. In a correspondence between the secretary of the treasury and myself, on the subject, I have denied that any interest has accrued to the United States.

In the act to appropriate monies for the political year eighteen hundred and seventeen, it will be recollected, that the sum of ten thousand dollars was set apart, under the direction of the governor, to be equally divided between all the widows and children, say children under fourteen years of age, of those citizens of the state who were killed or died in the service of this state, or the United States, during the late war between the United States and Great Britain and the Creek Indians; with a proviso, that no more than ten dollars should be given to any one individual. The time limited by law for applications to be made, was on or before the first day of May last, and for want of information of the existence of the fact, a large portion of that unfortunate class were deprived of the benefit intended by the legislature; I therefore thought proper to extend the time, by an executive order, to the first of September; during which period, the most of those interested, have availed themselves of the opportunity, and brought in their claims, which have been paid off, leaving a considerable balance subject to your direction.

The attention of the legislature having been so frequently called to the subject of improvement in our navigable water courses, our public highways, and affording assistance to our infant seminaries of learning, by my predecessors in office, I should deem it unnecessary to say any thing at this time, were I not fully persuaded, that all the means which may be requisite to the accomplishment of objects so much to be desired, are now completely within your power. Our funds are ample and abundant. Many of our sister states are vying with each other in improvements of this description, and are now sharing the happy results of their enterprising spirit. And shall we so far forget our own interest as to neglect these laudable pursuits, while we enjoy a state of peace and unparalleled prosperity? I hope not. Indeed I am fully persuaded that a more favorable opportunity to commence internal improvements upon an extensive scale, can hardly be expected. Their importance in a free country, must be evident to every thinking person in the community, and will unquestionably command the early and prompt attention of an enlightened and patriotic legislature.

The accompanying documents, relative to the subjects mentioned in this communication, together with a statement of warrants drawn on the treasurer during the political year now past, and a list of executive appointments, made in obedience to the ninth section of the second article of the constitution of this state, are herewith submitted for your consideration.

These are the most important subjects which have been acted on during the year past; there are sundry others of less importance which will require your attention during the session.

In the conclusion of this address, permit me to assure you, that I feel gratified in believing, that whatever may promote the honor and interest of our beloved country, will command your serious and constant attention; and that union and harmony may prevail in your councils, is the prayer of your devoted fellow-citizen,

WILLIAM RABUN.

## Connecticut.

FROM THE COLUMBIAN (CONNECTICUT) REGISTER.

Address of the republican members of assembly to their constituents.

*To the friends of toleration and reform in Connecticut.*

From those to whom you have entrusted the power of legislation, sentiments on subjects relating to the common welfare will be favorably received. We can hardly hope ever to congratulate you on an event more auspicious, or on one in which that welfare is more concerned. You have taught a lesson, for which posterity will bless you, that the power and the will to reform mischiefs in men or measures, dwells in the people of this republic, and that no law of the commonwealth is equal to their safety.

Long and arduous as has been the conflict, we may now hail the hour when those principles "which illustrious men" held sacred, and for the "security of which they devised a model," will be again embodied in our government, and exemplified in its administration. The wisdom and perseverance which have acquired the victory, will not be tarnished by an abuse of its blessings.

On this spot should we pause and review the state of public opinion. Correct and enlightened on the great concerns of the community, it only needs to be crowned by a "spirit of conciliation and good will towards each other, and all the people of the state."

We invite you to a task easy to men of correct and independent minds. It will prove the source of the reform to be pure, and its ends benevolent; and that while you have borne wrongs with composure, you can look down on the vanquished, without reproaching him in his fall.

True to the tolerant spirit, which breathes through all the elementary institutions of our nation and state, and which now ratifies our peace and tranquility; we should beware of imposing on others a measure, against which we have successfully contended. To fortify the title, and enjoy the fruits of an inheritance, once more recovered without convulsion, should now be the study of the people of this state. It is for you to enquire in what manner the blessings of good government and wholesome laws can best be secured and perpetuated. High advantages are possessed by you for devising the means of their security. The theories, and the practical evils incident to many institutions are before you for the guide of your enquiries. The merits of many forms, adapted some to a larger, and others to a less extensive population, and diverse conditions of society, tender to you great facilities, in case you take up the subject. To frame a constitution, is a matter of immense weight. Its considerations should be mature and dispassionate. You are the origin and fountain of power. The time and manner in which it shall be brought into action, are yours also. If in "adjusting" the important rights and duties of the state, "by the aid of mutual consultations and friendly advice, you adapt the changes you make to the age in which you live," the honor and advantage of the republic will be promoted, and the veneration of posterity insured.

A constitution grounded on the best principles, will be the result of your best efforts.

Little could it be reasonably expected, that the reform so nobly effected at the last election, could have done more than it has done. Its progress, to be sure and steadfast, must be gradual. Its roots, like those of the oak, will then strike deep, hind

the soil which they penetrate, and its branches breast the lowering tempest.

The immense objects of equalizing taxation; securing the freedom of elections; removing the burdens incident to military duty; with other weighty concerns for your interest, have engaged our assiduous and incessant attention. For reasons known to yourselves, little has been thoroughly effected.

But the palladium is still safe, and we shall hand back to you the sacred deposit. Soon, we trust, uninfluenced by fear or favor, you will exercise your ancient privileges, and a concise and plain provision of law secure their stability.

As friends, whose interests are precisely like yours, we counsel you to be watchful. Those from whom your confidence is withdrawn, have their eyes still upon you. They are foiled, but not expelled. They have retired to a point, shortly distant, to rally their forces anew. All the skill and vigor which veteran troops can unite, will assail you on the spring campaign. If you sleep on your post, be assured your camp will be cut up, and the splendid victory which now gladdens your hearts, will be lost—IRRETRIEVABLY lost.

Be vigilant, be firm, be persevering yet a little longer, and your sons shall "*Speak with the enemy in the gate. You shall sit under your own vine and fig tree, and none shall molest or make you afraid.*"

Signed by order,  
MOSES WARREN, *Chairman.*

### British Maritime Law.

We have already called the attention of our readers to the principle laid down by the British in respect to certain Tunisian vessels, that had appeared on their coast. The rule is important, and completely at variance with the whole conduct of the British themselves in respect to other nations, and especially so of their usage towards the United States, for many years preceding the late war. Hence it is important that this British principle, *in regard to themselves*, should be well understood, for future guidance.

FROM THE MADRID GAZETTE.

Tunis, July 26.—The Tunisian sloop of war commanded by the admiral of this regency, Mustapha Rias, which went a cruising on the 16th of March last, with another sloop and a schooner, came back on the 13th inst. having presumed to push as far as the Categat, and to capture on her return two Hamburg ships within a short distance of the British coast. The masters and six men of their crews, whom Mustapha Rias kept on board his sloop as prisoners of war, were immediately confined, by the bashaw's order, in the citadel of the city, called Gaspa, where they remain altogether wretched and forlorn.

On the 22d and 24th inst. his Britannic majesty's brig *Statellite*, and frigate *Myemdon*, from Palermo and Malta, successively came in with despatches for the consul. On the morning of the 25th, the captain of the frigate waited upon the bashaw, and in the name of the prince regent, claimed the Hamburg prisoners (the ship having been recaptured, without the straits by the English frigate —) upon the ground, that they had been taken within sight of the British coast, and, at the same time, called upon him to direct his corsairs henceforth to abstain, like the Algerines, from cruising in those waters.

Unawed by these demands, the bashaw answered the British consul, that, with respect to the Hamburg prisoners, he would not release them until after the arrival of the ships captured by his cruisers,

and unjustly detained by the British government; and that, as to the limits which it wanted to set to his corsairs, they had never cruised within sight of the British isles, and that, therefore, the injunction was useless—an evasive answer which cloaks his sinister intentions.

The British consul, seeing the impossibility of prevailing upon the bashaw to comply with the prince regent's wishes, called for an ostensive and categorical note which H. E. immediately gave him; and the consul delivered it to the commanding officer of the frigate, which directly sailed for Malta.

August 4.—The day before yesterday came in the other Tunisian sloop of war, commanded by Mahomet Laz, which captured, on the coast of Portugal, a Hamburg vessel, laden with wine and cork. Seven unfortunate Hamburgers, detained on board the sloop as prisoners, have shared the fate of their countrymen, and been shut up in the dismantled castle of Gaspa, exposed to great hardships. Fortunately for them, the Danish consul here has received orders from his court to supply all their wants, by which means their situation is somewhat improved.

### Foreign Articles.

EUROPE, GENERALLY.

A Paris paper of Oct. says—The number of troops of permanent armies, have never been so considerable in a time of peace as at the present. Yet the arts of peace are more cultivated than ever. What danger could be apprehended if a part of the men who consume without producing, were restored to agriculture, to manufactures, &c.

The regards of Europe are turned towards the Spanish colonies. Men recruit for the insurgents, in London, although the editors write against them. They recruit also for them in the United States. *The progressive growth of the last mentioned nation, continues at a pace which defies all calculation.*

The emperor of Austria has adopted conscriptions to fill his regiments in Italy. This system has been much abused; but its abuse should not cause what is good to be rejected. *Of all modes of recruiting, conscription is that which appears best adapted to the actual state of society.* It is the means of forming invincible armies for the defence of states and does honor to the profession of arms!

*European liberty.* Extract of a letter, dated Hamburg, Aug. 6, 1817. "We left Cape Henry, June 27, and arrived at Bremen, July 26. Immediately after our arrival at Bremen, we had to take passports to permit us to proceed to this place.

"You cannot reconcile yourself to the changes which have taken place in this country these few years past. Germany now appears to me as strange as the U. S. did when I first visited that happy country. All the regulations of the French which were a burthen to the people have been retained—particularly the military system and the alien office.

"I could not get a pass on the certificate of the American consul, but had to get other security—when I received a permission for one month, and it was understood that if I remained above a month, that I would be obliged to become a citizen and do military duty. I had to go into Denmark, where my pass from Bremen was of no avail. I had to get a Danish pass—so again a Prussian when going to Berlin. These expenses and vexations are numerous, for at every garrison it is to be countersigned; the same is the case with the military.—All persons from 13 to 45 have to do duty, and nobody is admitted a citizen, unless he is first made



perfect as a soldier. It is believed here that England favors the Barbary powers to enter the North Sea, and to take our vessels, to prevent our trading to the Mediterranean."

## ENGLAND, &amp;c.

It is calculated by the proprietors of the Waterloo bridge, lately erected in England, across the Thames, that the tolls will amount to upwards of \$200,000 per annum.

*Poor Rates*—Aggregate statement of all monies raised by the poor's rates, &c. and of monies expended for the maintenance of the poor in England and Wales, in the year ending 25th March, 1817:

	Total Raised.	Total Expended.
England	16,789,262, 11 4 3 4	14,858,160 17 0
Wales—	279,636, 10 8 1-2	213,867 17 9

17,068,999 22 1-2 15,072,028 14 9

J. H. ADDINGTON, *under secretary of state.*

## FRANCE.

The French papers are filled with the trials of persons concerned in an extensive plot under the insignia of *L'Épingle noir* (the black pin). They were prosecuted under the idea that their object was the expulsion of the Bourbons; but, it seems, they only desired to drive out the allied troops. The king's advocate stated that they amounted to 80,000 men. They were defended in the court with so much boldness, as to excite the threats of the attorney-general; but were declared *not guilty*, by the jury. When the verdict was pronounced much approbation was expressed in the court.

At Toulouse, a person had been condemned to three months imprisonment and a fine, for having traced on the sand the figure of an eagle!

Gen. Vaux blew out his brains at Dijon, on the 24th Sept. Cause not stated.

A Paris article of 4th Oct. says—"From a statement of commerce of France during the year 1816, it appears, that the importations of Dunkirk, Cherbourg, Havre, Brest, L'Orient, Rochefort and Toulon, amounted to 42,151,511 francs, and the exports to 20,104,126, the balance in favor of importations, 20,046,535.

*Dresden, Sep. 19.* The 17th of this month we saw arrive here, about twenty men of the old body guards, who in the campaign of 1812, had been made prisoners of war in Russia, and were detained there till the present time.

## SPAIN.

A letter from a young American, dated at Valencia, in Spain, says that, attracted by the word "WASHINGTON," in the play bills, he attended the theatre, and witnessed a comedy truly American. The plot is taken from the circumstance of the General's threatening retaliation on his British prisoners, which deterred the British commander from inflicting death on a number of American officers, prisoners of war. The play was well written, and excellently performed. During the performance, an illumination scene took place, and in the most conspicuous part of the stage appeared, in large transparent letters, "Vive Washington!"

The play was repeated three nights—and the writer says that he had never seen any thing so complimentary to the general's memory on our own stage.

## NETHERLANDS.

A new palace is to be built for the king of the Netherlands at Brussels—estimated expense, between 3 and 4 millions of florins.

Of 13,544 births in North Holland, during the year 1816, 1368 were illegitimate.

## GERMANY.

The *Democratic Press* of the 21st inst. says—Our readers are aware that in the Diet assembled at Frankfort, on the Maine, are represented not only the powerful, but the petty potentates of Germany. Their deliberations involve the best interests of Germany, and engage the serious attention of all Europe. We have heard, from unquestionable authority, that the Diet some time since appointed a person to come to the United States, whose instructions are to travel through the Union, and make enquiry, from every person and authority, within his reach, as to the reception and encouragement given to the emigrants from Germany, their situation generally through the Union, and particularly in the several states. This representative of the German Diet, is Baron Von Gagern, whose brother is an influential member of the Diet, where he represents the king of the Netherlands. Baron Von Gagern arrived in Philadelphia about three weeks since, and is gone on to the city of Washington. This notification is deemed of some importance, as upon the report of M. Von Gagern, will not only depend the measures which shall be adopted by the Diet, but greatly influence the opinions and conduct of the German people towards this country.

## PRUSSIA.

A Berlin article of Sept. 23, states that after long discussions, it has been determined by the government to impose a duty of 30 per cent. on all British manufactures, imported into the Prussian states.

## BLACK SEA.

The Spanish and Neapolitan governments, as well as Sweden and Sardinia, have solicited of the Porte the liberty of navigating the Black sea. It is said that the Turkish government demands a very high compensation for the privilege. The conferences with Baron Strogonoff, the Russian minister, relative to boundaries, were still going on.

## RUSSIA.

Gen. de Tuyll de Servanskerken, has been named as the successor of Mr. Daschkoff, as minister near the United States—and was expected soon to set out on his mission.

The emperor has started on his tour through his empire.

*Petersburg, Sept. 17.* A deputation from the nobles of Courland, has presented a resolution for the abolition of personal servitude among the peasants of that province, for which they have requested the confirmation of the emperor.

The nobles of Esthonia were amongst the first of those of the empire, who had given last year the noble example of the abolition of slavery.

The harvest was never more abundant in almost the whole of the empire. The weather continues beautiful and serene, but the temperature commences to be cold, and it announces the approach of winter.

Government has organized at *Odessa* an institution for the education of the rising generation, to be called the *Lyceum de Richelieu*, to perpetuate the memory of the founder of the colony. [Perhaps no place in the world of so recent an origin, has increased more rapidly than *Odessa*, on the Black sea. It was founded after the commencement of the French revolution by the present prime minister of France, the duke of Richelieu, then an exile from France.]—*Gen.*

## BARBARY POWERS.

The *National Intelligencer* says—The revolution in Algiers, and the decapitation of the Dey, now confirmed, are events not uninteresting in them-

selves, and particularly to us. The late Dey had established, among all our countrymen in the Mediterranean, who had opportunities of observing his character, a reputation of probity, elevation, fortitude, and intrepidity—qualities not often united in an Algerine chief of any grade, and, therefore, remarkable. He had signalized himself for the two latter qualities, in a distinguished manner, by the cool and desperate resistance he made to the demands of the British admiral Exmouth, and afterwards to the attack by the tremendous force employed to enforce them. Whenever he has yielded, as far as we have observed, to the demands of any nation, it has been from policy, when his discriminating observation taught him it would be in vain to prolong resistance. He was an Algerine, it is true, and therefore entertained notions, and pursued a policy, when he dare, reprobated by the laws of nations, and obnoxious to the advancing civilization of all christian nations. But, as an Algerine, he was a great man; and his dethronement may prove the harbinger and the cause of the utter annihilation of the power of ALGIERS.

He was dethroned, it is reported, because his reign had been disastrous. Disaster, then, is to be retrieved—and retrieved it can only be by re-establishing the former principles and practices of that power, the surrender of which is the disaster of which the Dey was accused. Should the attempt be made on our commerce, we shall be immediately engaged in a war with that nation. It is in this view we consider the revolution as interesting to us—and that we have been gratified in reflecting, that we have a force in the Mediterranean, should the revolution at Algiers portend a revolution of policy, sufficient to protect our own commerce, and keep the pirates in their ports, if not to annihilate their marine.

The *National Advocate*, speaking of the deposition of the Dey, informs, that, though the Janissaries generally agree to decapitate their "legitimate sovereign," the choice of a successor is more difficult. On one occasion, not being able to fix on a suitable person for that dignity, they agreed to put it upon the first man they should meet at a certain place. He happened to be a grave digger; and, in spite of his most earnest remonstrances, they created him dey. The poor creature did as well as he knew how, but they soon found that he would not suit them, and told him that his power was at an end. He was glad of it, and would have cheerfully returned to his old trade—but they said that the honor of the office would be seriously affected by such a determination, and, to preserve it unsullied, they strangled him.

The naval force of Algiers is given at one frigate of 44 guns; 5 corvettes from 18 to 24 guns, and 5 brigs and schooners.

#### EAST INDIES.

Intelligence has been received of an insurrection of the natives at Saporanes, one of the principal residences attached to Amboyna. The Dutch resident was killed, and a detachment of about 200 men, sent by the Dutch authorities to quell the disturbance, was defeated and nearly every man of them destroyed.

It is computed by Mr. Raffles, late lieutenant governor of the island of Java, in his history of that island, recently published, that from the year 1730 to the year 1752, a period of twenty-two years, the deaths in the city of Batavia exceeded a million of persons, or nearly fifty thousand a year: It is astonishing that any place could supply such a waste of population. We had not imagined that

any thing like it had ever occurred, for such a length of time, in any city on the globe.

*Bombay, July 18.*—We learn by letters from the Gulph of Persia, that a severe action had taken place between the Wahabee troops, commanded in person by Abdelaben Soed, and the Turkish troops under the command of Abraham Pacha, the son of Ali Pacha, the viceroy of Egypt, in which the former met with a severe defeat. The action took place at Mattswiah, seven stages from his capital, Deriah. Abdelaben has since fallen back to the fortress of Boridah, in the district of Kassime, four stages from Deriah, where he was again assembling his troops, in the hopes of retrieving the credit he had lost by the defeat, which was so complete, that it is stated, if Abraham Pacha only followed up his success the Wahabee power will be entirely annihilated.

On the evening of the 15th of June, Mr. Anderson, the 4th officer of the H. C. ship Charles Grant, was swimming a short distance from the ship, accompanied by a quarter master and fore-castle man. Mr. Anderson struck out and swam towards a Portuguese frigate, then lying about half a cable's length from him, and he was followed by the two men. As they approached the frigate, Mr. Anderson was heard to say "don't drown me;" on this exclamation, the quarter master turned round, and to his inexpressible horror and alarm, saw an immense shark darting at Mr. Anderson—he immediately exerted his whole strength for his own safety, and fortunately succeeded in getting on board the Portuguese frigate. The alarm was given and the boats of the frigate and the Charles Grant, were instantly lowered down into the water, but unfortunately without preventing the fatal catastrophe.—The shark passed Mr. Anderson, then turned round and took him under the water, which was instantly discoloured with his blood; he rose again, but was then attacked by five or six more of these voracious animals and he was gone in an instant. One shark was observed to be making after the fore-castleman, on which a sentry on board the frigate with great presence of mind and coolness, levelled his musket and shot the fish, thereby preserving the life of the sailor. The next day a large shark was caught by the people on board the H. C. ship Vansittart, measuring upwards of 12 feet.

#### CANADA.

A Quebec paper of the 11th inst—states, that three hundred and three vessels with five thousand three hundred and seventy five new settlers have arrived at that port, during the past season.

#### FLORIDA.

We have nothing new from Amelia Island. But learn that the Mexican privateer Superior, capt. Jolly, had captured a Spanish vessel from the coast of Africa, with 290 slaves, and also an English schooner from Havanna for Laguirra, with a full cargo of stores for gen. Morillo, among which were 30,000lbs. of gunpowder. These prizes were ordered for Amelia, from whence the negroes will certainly be smuggled into the U. States, as many others have lately been. This trade in human flesh is so profitable, that if that island is not taken possession of by the United States, we shall hear of many slave vessels sent in as prizes that had very conveniently laid off the port to be captured, as certain English vessels were taken to the eastward, during the late war.

#### MEXICO.

Advices from Vera Cruz state that gen. Mina, with a powerful force, had arrived in the neighborhood of the city of Mexico, and there was little



doubt of his accomplishing the projects he had in contemplation.

#### SOUTH AMERICA.

Gen. Paez is said to command 10,000 men in Venezuela, is a black man. He is a bold and indefatigable chief of the revolutionists.

A vessel arrived at Guadaloupe, navigated by 4 Spaniards, which was taken possession of by the French authorities, on a well grounded belief that she was the prize of a patriot privateer,—that had been manned by 4 Americans and the 4 Spaniards—and that the former, while asleep, were murdered by the latter, expecting then to share the prize among themselves. They were sent to France for trial.

☞ The *Aurora* is truly pouring a flood of light upon the geography, commerce, and political concerns of Mexico and South America. We propose to attempt a methodical digest of the many interesting facts given us through that paper.

## The Englishman in America.

### VIEWS OF AMERICA.

The English newspapers and magazines (says the Richmond Compiler) abound with articles on American affairs—on the actual situation and future prospects of the republic. This is one convincing evidence of the importance which is attached to us in the old world.

One of these pieces has lately reached us, in the Monthly Magazine of July last, in the form of a letter written by a Mr. T. Bakewell from "Spring Vale."—He says he has "resided for several years in one of the United States of America"—that he has "connections there with whom he corresponds, and who occasionally furnish him with American newspapers." He therefore comes forward to give some information about the situation of the United States. Like the remarks of all observers at a distance, some of his remarks are incorrect; but the most of them are judicious:

"The most perfect liberty and harmony in religion prevails, as I am told, in every part of the union; it certainly did where I resided. It would have been thought the most palpable want of breeding, to mention the subject of religious doctrines in a mixed company, or to betray the least want of respect to any, on account of their religious tenets; not that the people are more indifferent to the duties of religion there than elsewhere, for most assuredly a much larger proportion of the people are strict in their religious observances than what prevails with us. But no one there presumes to question the propriety of his neighbor's religious persuasions; liberality and candour in judging is not the sentiment, for they do not take upon them to judge at all. There are no union of church and state, no religious disability, no invidious distinctions, no ostentatious display of the ceremonies of one denomination of religionists over another; provided their moral conduct is correct, the people there may enjoy their respective religious feelings in perfect peace; and practise the rites in open day, equally free from the imputation of superstition, bigotry, or heresy. Those, however, who profess no religion at all, are looked upon with suspicion.

"I know of no particular disabilities that aliens are subjected to in America, except their not voting at elections, or serving in the militia; but the welcome that is often given to respectable strangers, arises more from the feelings and habits of courtesy, than any real desire of receiving emigrants. The Americans have a competent share of confidence in

their own mental and physical resources, and feel no want of the assistance of strangers, whatever we may think to the contrary; and those who have nothing but their wit and gentility to dispose of, cannot carry them to a worse market, for it is overstocked already with these articles. There is neither a real nor an imaginary want of learned professors; at the same time a want of education, a provincial accent, or vulgar manners, would be a more insuperable bar to respectability in America; than they would in London.

"Titles go for nothing in America—people of riches will be favorably received any where, and such may confidently expect common civility, social order, and—as far as respects the white population—honesty, from the Americans; but they must be content with a less share of obsequious homage than they might command in a place where there is less independency of spirit. Those who go to America with small fortunes, solely upon a plan of economy, will be grievously disappointed; for, though some necessaries of life are cheap, yet the elegancies, and many of the necessary conveniences of life, are excessively dear; and the elegancies of life are indispensable. Perhaps there is no country where so large a proportion of the expenses of a family are a sacrifice at the shrine of elegant appearance and the habits of refinement; for there are no people, I should suppose, whose enjoyment of luxuries has so much outran the producing those luxuries among themselves; or who are so well able to procure them from others upon extravagant terms.

"Money employed in trade, and well attended to by persevering industry, and strictly correct habit, has a chance of success; but the needy speculator will find himself so close elbowed in every corner of North America, and so often outwitted, that he had better stop on this side of the Atlantic. In the present state of England, and I fear its prospects, laborers and mechanics, with families, have reason to wish themselves citizens of America, where there is little deficiency of employment, and still less of beggary and distressing want; but the chances of domestic comfort, in the respective countries, were not very greatly in favor of America, so long as the English laborer and mechanic could find employment.—The streets in America are not paved with gold, nor will the land yield its increase without toil and care; and toil and care are more irksome and dangerous to health, in America, than in England; and the reason that so many emigrants express disappointment and disgust is owing, most generally, to their having entertained the most foolish and romantic ideas of the country, previous to seeing it. There cannot, I think, have been a time within these last forty years, in which the skilful and industrious agriculturist, with a sufficient capital, would not have found it more to his interest to have been an American farmer than an English one; for generally speaking, the produce of the American farmer is more steady in its value, more certain of sale, and affording a better profit, than the produce of the English farmer. And a sum that should be equal to the rent and taxes of a farm in England, for two years, would purchase the feesimple of the same quantity of land in America, of equal quality, and in a situation having all the advantages of good society."

## Manufacture of Paper.

FROM THE DELAWARE WATCHMAN.

We have lately visited the paper mills of *Thomas Gilpin & Co.* on the Brandywine, and witnessed

the performance of their new machine for manufacturing paper on an extensive scale, which promises to be an important addition to the arts and manufactures of our country. This process of making paper delivers a sheet of greater breadth than any made in America, and of *any length*—in one continued unbroken succession, of fine or coarse materials, regulated at pleasure to a greater or lesser thickness.—The paper, when made, is collected from the machine on reels, in succession as they are filled; and these are removed to the further progress of the manufacture. The paper in its texture is perfectly smooth and even, and is not excelled by any made by hand, in the usual manner of workmanship—as it possesses all the beauty, regularity and strength of what is called well closed and well shut sheets. The mills and engines now prepared, are calculated to do the daily work of *ten paper vats*, and will employ a water power equal to about 12 to 15 pair of mill stones, of the usual size.

The apparatus and machine are on a principle and construction entirely new, and are patented by the inventors here. It has been very expensive, and has been brought to its present state of perfection with much labor, ingenuity and perseverance.

It is with much pleasure we announce the success of this machine; and we hope it will tend to secure our country against the importations from abroad, which have so much interfered with our own domestic arrangements; and we are also much gratified in believing, that its establishment on our own stream so immediately in the neighborhood of this place, will aid its improvement, and add to the valuable manufactures on the Brandywine.

### CHRONICLE.

Messrs. Rodney, Graham and Bland, as commissioners to South America, with Mr. Brackenridge, as their secretary, and Mr. Reed, private secretary of Mr. Rodney, left Baltimore on Thursday last in the Norfolk steam boat, to embark in the Congress frigate.

The legislature of North Carolina met on the 17th inst. John Branch was elected speaker of the senate, and gen. Jredell speaker of the commons.

Mr. McMillan, a representative in congress elect, for North Carolina, died, on the 13th inst. in the 32d year of his age.

The articles of the "*North Carolina commercial company*" are published. They provide for a capital that shall not exceed \$500,000, in shares of \$100 each; seven directors to manage the affairs of the company; its operations to be entirely commercial, and the principal establishment to be in Fayetteville; the association to continue for 12 years, and so long thereafter as the majority may agree upon, &c. The great object of this company appears to be to *export* (direct) native products of the state, and *import* such supplies of foreign articles as are required for its consumption. There cannot be a question but that such a company, reasonably well conducted, will much benefit the state, and give a powerful spur to *internal improvements*; hence it has our best wishes for its success.

A sea serpent has been seen in Long Island Sound. The wild fowl are said to have appeared much alarmed by the visitor, flying in every direction as he approached them. And a letter from a passenger on board the ship Cotton Plant from New York to Savannah, to a gentleman in that city dated "*Savannah, 12th Nov. 1817*," says—

"P.S. I forgot to mention for the information of S. L. that, while lying to in latitude 33, 15 there

was a great substance passed us through the water, the head of which was elevated some 40 or 50 feet, supposed to be the *big serpent*, which supposition was confirmed, as we were soon surrounded by a school of loag fish, which we made out to be his spawn!

The European papers are filled with our accounts of this strange animal.

*The Franklin.* A French officer, mons. Perrong, who ranks as captain of a frigate in the service of Louis, admitted through the solicitation of the marquis *La Fayette*, is regulated as a gun-room passenger in the Franklin 74, to become acquainted with the machinery, order, &c. that belongs to the American navy. This may come of "*French influence*," but, certainly, *Napoleon* has nothing to do with it, and that's some satisfaction! This ship went to sea last Monday.

The Washington City Gazette says—Two agents of the colonization society wished to obtain passage to England in the Franklin, for the purpose of selecting a situation for the intended colony: but have been refused, on the ground that the government might be supposed concerned in the transaction.

The U. S. brig Boxer has been wrecked at the south pass of the Mississippi—crew, specie and armament saved.

The United States' vessels Prometheus, Enterprise, and Lynx, have arrived at New York from the eastward, and would, it was understood, in a few days, accompany the corvette John Adams to the gulf of Mexico.

A ship pierced for 32 guns has been built and launched in New York, in 72 days, at Messrs Brown's yard—another war vessel of 900 tons, was immediately to be launched from Mr. Eckford's.—They are probably intended for the "*Spanish*" American market.

*Naval Depot.*—The citizens of Annapolis have taken measures to represent to the government of the United States, the eligibility of that place for the location of a Marine hospital and naval arsenal. A committee waited upon the president with a statement of the advantages of the place, and were politely received, and informed that the harbor would be examined. They were also assured by Mr. Evelett, proprietor of the machine by which the Potomac has been deepened near Georgetown, that the bar at the mouth of the Severn may be removed so as to give 25 feet water over it, for an expense of about 15,000\$, including the cost of a machine for it.

*The Army.* A complete battalion of U. S. light artillery, under command of lieut. col. Eustis, was publicly exercised at Boston on the 13th inst. The privates had been chiefly enlisted in the present year, and gave great satisfaction by the exactness of their discipline.

*Boundaries of the United States.*—The commissioners under the 4th article of the treaty of Ghent, will hold a final session in the city of New York on Monday 24th inst; and their decision on the important questions submitted to them will then be made public. Colonel Austin, the agent for the United States, left town yesterday, to be present at the conferences of the commissioners.—*East. Chron.*

The commissioners appointed to settle the northern boundary line, have arrived in this city. D. P. Adams, esq. one of the assistant commissioners, proceeded to Washington on Tuesday morning, with despatches from gen. Peter B. Porter. Major Fraser is still in this city. The utmost harmony prevailed between the commissioners, and there is reason to hope that the business has, or will, termi-



nate to the satisfaction of both parties.—*N. Y. Gaz.*

**BANK OF THE UNITED STATES.**—The following list of the branches of the U. States bank now in operation may not be unacceptable to the public, who have not before had them in one view. Offices of discount and deposit are in operation at—Portland, New-Hampshire; Boston, Massachusetts; Providence, Rhode-Island; Middletown, Connecticut; New-York, New-York; Baltimore, Maryland; Washington, District of Columbia; Richmond, Virginia; Norfolk, Virginia; Charleston, South Carolina; Savannah, Georgia; New Orleans, Louisiana; Cincinnati, Ohio; Lexington, Kentucky.

Branches have been established at Louisville in Kentucky; Chillicothe in Ohio; Pittsburg in Pennsylvania; Fayetteville in North Carolina; and Augusta in Georgia, which are not yet but soon will be in operation.—*Nat. Int.*

A bank has just gone into operation at Shawnoetown, in the Illinois Territory, of which *Samuel R. Campbell* is president, and *John Reeves* cashier—having been chartered at the last session by the legislature of that territory.

It was expected that a proposition would be introduced into the legislature of Georgia to tax the branch of the United States' bank established at Savannah. It appears that the branch of the old bank at that place was taxed, and that the tax was regularly paid.

A steam pump has been erected at Alexandria. It is in successful operation, and will discharge 1500 gallons per minute.

**TENNESSEE.** *From the National Intelligencer.* An appeal to the sense of the people has been authorized, by the requisite majority of two thirds of the legislature of Tennessee, on the expediency of calling a convention to amend the constitution of that state; on which the people are invited to vote, *aye* or *no*, at the next general election. This is the most democratic process of any of our governments—submitting the question to the people, individually, for their opinion, without any representative intermediation.

The following resolution has been introduced into the legislature of Tennessee, by some one who dreads the introduction of the national bank *et dona ferentes* into that state. The fate of the motion does not yet appear.

"Be it resolved by the general assembly of the state of Tennessee, That they do greatly regret the necessity which impels them to declare, that they will view with concern and disapprobation the establishment of any bank, branch of any bank or other monied institution, not chartered by the laws of this state, within the limits thereof; and they do feel themselves under all the ties of responsibility which bind the representative to the people, so use all lawful means in their power to prevent and prohibit the same."

**Snow.** There was a great fall of snow at Thomaston, Maine, on the 6th inst.

**Commerce.** On the forenoon of the 13th inst. there sailed from New York—3 ships for Liverpool, 4 do. and 3 brigs for Savannah; 3 ships for France; 2 do. and 1 brig for Charleston; 3 ships and 1 brig for the West Indies; one ship for Washington city; 1 do for Amelia; 3 brigs for New Orleans; 1 brig for Lima, and several others. New York is, probably, the second commercial city in the world—London being the first.

**Despatch.**—Letters from Baltimore to Norfolk, by the packet Experiment, on Sunday morning last, had answers returned by the steam boat Virginia,

On Tuesday, at 9 o'clock A. M.—410 miles in 48 hours!

"*French influence.*"—A good deal of noise has been made in the papers about certain "Furniture" imported from France for the president's house. It turns out as we expected—the "furniture" consists exclusively of porcelain, mirror plates and carpets, and a few such other small articles as are not manufactured in the United States.

A living female elephant has been brought to New-York from Calcutta. She was insured at \$5000 and the freight paid was \$8000.

The *Vevay*, Indiana, Register of the 21st ult. says, the vintage is just finished to the satisfaction of the vine dressers, it having produced five thousand gallons of wine; the best vines yielding 350 gallons to the acre—which however, it is observed, falls far short of the common crops on the lake of Geneva, which are said sometimes to have yielded 2500 gallons per acre. The causes of this difference ought to be enquired into.

**Emigration.**—Through New-York and down the Alleghany river is now the tract of many emigrants from the east to the west—260 waggons has passed a certain house on this rout in nine days, besides many persons on horseback and on foot. The editor of the Genessee Farmer observes, that he himself met on the road to Hamilton a cavalcade of upwards of twenty waggons, containing one company of 116 persons, on their way to Indiana, and all from one town in the district of Maine. So great is the emigration to Illinois and Missouri also, that it is apprehended that many must suffer for want of provisions the ensuing winter.

*A lord amongst us!* It is currently reported (says the New York Mercantile Advertiser) that a young man named Williams, who keeps a retail store, at Middletown, Connecticut, is ascertained to be the rightful heir to an earldom in England, with an income of 115,000 sterling per annum; and that documents authorising him to take immediate possession of his estate and title, have just been received. We understand his parents emigrated from Bermuda. He is said to be a man of fair character, and of unassuming manners,

**Puzzle for lawyers.**—In one of the counties of Hungary, a case has been produced by nature, which furnishes the Hungarian lawyers with an opportunity to exercise their ingenuity. On a steep declivity of the river Hernath, lay two vineyards, one above the other: the higher one, detaching itself from the rock, glided down the declivity upon the lower vineyard, which it now entirely covers.—The question is, who is the owner of this vineyard, and who is considered the loser.

We learn, with regret, that many of the brave soldiers of the late army, travel to the seat of government, (some of them from wounds in service, ill able to travel) to obtain patents for their bounty lands.

The war department and general land office, have not been sparing in public notifications, that neither trouble nor expense is necessary to enable a soldier to obtain his patent.

We consider it a duty of every good citizen who may know a soldier, to inform him by sending his discharge to the war department; or his land warrant to the general land office, and a request to have his land in Illinois territory, and his patent sent to his place of abode, he can obtain his patent in a few days free of every expense, even of that of postage.—*Nat. Int.*

# NILES' WEEKLY REGISTER.

NEW SERIES. No. 15—VOL. I ] BALTIMORE, DECEM. 6, 1817. [No. 15—VOL. XIII. WHOLE No. 327.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

## To Editors of Newspapers.

GENTLEMEN:—In the last number of this paper an article of considerable interest to our craft, and of some interest, also, to the public at large, was copied from the *Richmond Compiler*. To carry its design partially into effect, it is respectfully requested that at least one editor in every state, &c. will be so obliging as publicly to answer the following query:

How many newspapers are published in the state, territory or district of ———? Describe whether they are daily, tri-weekly, semi-weekly or weekly—Give their names, with that of their editors, and of the cities, towns or villages in which they are located—state their political character, with an account of the sheet, whether imperial, super-royal, &c. on which they are printed—And add such other particulars as may appear useful to assist in the formation of a *general table* to shew the state and condition of the press in the United States.

And, at the same time, to accomplish an object very important to the public, give a perfect list of all the INCORPORATED BANKS in your state, territory or district—with the amount of their capitals,\* the places at which they do business (including their branches, if any) and the names of their presidents and cashiers; and if any are in disrepute, in their own neighborhood, please to designate them.

All the information afforded on either of those subjects shall be methodically arranged in a tabular form, for common reference; and the facts that belong to them shall be recorded as they are made known to me, for annual exhibitions.

## Interesting Law Case.

OPINION OF JUDGE BLAND, DELIVERED IN BALTIMORE COUNTY COURT, NOV. 3, 1817.

Charles C. Brown and others, lessee— } Baltimore county court,  
vs. } September term, 1817.  
Mordcaai Kennedy.

This is an action of ejectment brought to recover a parcel of land which constituted the original bed of that stream of water, which passes through the city of Baltimore, called Jones' Falls—It appears, that on the first day of June, in the year 1700, a patent was obtained from the lord proprietary by James Todd for a tract of land called Todd's Range; that at the time the patent issued to Todd this stream of water, called Jones' Falls, passed entirely through it, and was, for some distance beyond that which is now designated as the piece, from which the plaintiff alleges he has been ejected, in every sense of the expression, a navigable river, the tide flowed and re-flowed into it, sea-fish were

taken in it, and vessels of considerable burthen passed along it with ease; that Charles Carroll became seized in fee simple of the whole of the tract called Todd's Range; that on the 18th day of April, 1757, Carroll conveyed a part of Todd's Range lying on the north west side of Jones' Falls to William Lyon, in which conveyance to Lyon the left bank of that water course is called for as the boundary; that on the 20th May, 1757, Carroll conveyed another part of Todd's Range, lying on the right bank of Jones' Falls, calling for its margin as the boundary, to Alexander Lawson; that some time in the year 1784, certain owners of the land on the left side of Jones' Falls, for their own benefit, and with the consent of Lawson and of those claiming under Lyon, dug a canal across the isthmus, formed by a very circuitous bend of this stream of water, beginning above and terminating below the land in controversy, so as finally to direct its waters entirely through the canal, and cause that portion of the original navigable bed, a part of which is now the land in controversy, to be, in the course of a few years, wholly abandoned; that after these conveyances, and the bed of this stream had become in many parts dry fast land, and no longer admitted a passage for its waters, Charles Carroll, son and heir of the Carroll who, being seized in fee of the whole tract called Todd's Range, had conveyed parts of it to Lyon and to Lawson, on the 26th day of January, 1795, conveyed all his right to the land which then was or had been covered by the waters of Jones' Falls to Smith and Williams, under whom the defendant claims.

The lessors of the plaintiff claim under Lawson, and allege, that the patent for Todd's Range passed all the lord proprietary's right to the soil under the navigable water of this stream, subject to the uses of navigation merely, to James Todd and thence to Carroll; and consequently the deed from Carroll to Lawson, by calling for Jones' Falls as the boundary of the land, virtually conveyed to him the bed of the river to the middle of the stream; to the possession and enjoyment of which land, being now a firm, elevated and fast alluvial formation, or dereliction, he asks by this action to be restored.

The defendant claims under Lyon and Smith and Williams, and repels the plaintiff's pretensions on the principles, that the right to the soil of the bed of this navigable stream called Jones' Falls, so far as it was navigable, could not be, and, therefore, was not aliened by the lord proprietary; or if it was, that the deed to Lawson under whom he claims will not authorize him to extend his pretensions farther than the margin of Jones' Falls which is the precise line called for; or in other words, that the right of the state to the soil, once covered by the navigable water of this river, never has been parted with, or if it has, it is now vested in him by virtue of the deed to Smith and Williams, in neither of which cases can the plaintiff recover.

This is a case in many respects anomalous in its nature; one of much intricacy, and to which there have been few if any parallel in this state. It is a case, in which the value in controversy is very considerable; and above all, it is one involving principles and consequences, that may in their operation deeply and materially affect this great commercial

\*If any part of the capital is not paid in, state the amount unpaid in a note.



city, one of the fairest and most flourishing of the union; and, therefore, I deemed it proper to take time to reflect, and to bestow upon it as close an investigation as my daily duties here, and few leisure moments, would possibly admit. I felt called on by the very important bearing of this case, to endeavor to cast some few rays of light upon those questions, which it has now become so indispensably necessary to decide, and which are so extensively interesting in their nature, as they passed from me to their ulterior destination, where they will no doubt be in every respect fully explored and finally put to rest.

This is a controversy about the right to the original bed of a stream once navigable, now diverted from its ancient course; about a part of a piece of land once covered with navigable water in which sea-fish were taken, and on which large vessels floated, but which is now dry, elevated fast land, laid out into streets, some of which are paved, and improved upon by as commodious dwellings as any in this growing city.

What is meant by a navigable river—in whom is the soil of the beds of the navigable rivers of our country vested—could such soil have been aliened during its submersion by the late lord proprietary, or has it in any case or by any authority been aliened, and vested in an individual for any purpose?

These are enquiries certainly of the greatest consequence and most extensive interest; for, if the upper end of the tide waters of this branch of the Patuxent river, called Jones' Falls, which at one time afforded passage and harbor for vessels of considerable burthen, could be aliened and vested in an individual, by one common grant, to be obtained in the usual way, from the land office, then any part of the bed of the same river below, even that over which the fleet of the late enemy rode during the late gallant and memorable defence of our city, might in like manner be granted and vested in an individual, so as to prevent the erection of some of the most important nautical improvements, without in some degree violating the private right of such individual. The advantages, indeed the very invention, and all the blessings derivable from navigation are, comparatively, of modern date. The infant art, but just discovered, led the way to our continent, and has been most materially developed in exploring and describing its extent and situation. The rights and interests of navigation are of the greatest importance to our country; therefore, every claim of an individual, which may in any manner trench upon its freedom, or by which it may be at all affected, should be severely scrutinized, and exhibited in the most unquestionable shape before it is sanctioned and sustained by the law of the land.

A navigable stream of water is such a one as will, in its natural state, serve for the transportation of men and merchandize. In general all rivers, creeks, or water courses in which the tide ebbs and flows may be considered as navigable; but the flux and reflux of the sea is not conclusive evidence of their being navigable; for there are many places into which the tide flows, that are not navigable rivers, but creeks within a private estate, *Comp.* 86. So, on the other hand, rivers beyond tide water are frequently deemed navigable, as the Thames above Kingston, and the Severn above Tewkesbury, *Hale de jur. M.* 12—*Doug.* 444. All navigable rivers are considered as public highways, so far as respects the free passage of persons and property along them, in like manner as roads or terreous highways; *2. Inst.* But in other respects no two cases can be more distinct. In the latter, if the way be founder-

ous and out of repair, the public have a right to go on the adjoining land: but if a river should happen to be choked up with mud, that would not give the public a right to cut another passage through the adjoining lands, *3. T. R.* 263. In the case of terreous highways the public has no other right than, that of a free passage for every citizen; but the freehold and all profits belong to the owner of the soil—So do all trees upon it, and mines under it, which may be extremely valuable. The owner may carry water pipes under it; or he may get his soil discharged of the servitude or easement of a way over it, by a writ of *ad quod damnum*, *1. Burr.* 143. And where no person claims the property of the lands on either side of the road, the presumption is in favor of the lord of the manor; but if the road goes through the property of others, the presumption is in favor of the owners of the land on each side; but, in either case, the presumption only stands till the contrary be proved, *Leff.* 358.

But by the common law of England the right of property in the soil of the bed of all navigable rivers is presumed to be in the king, *5. Bac. Abr.* 497. And if any one claims any special privilege or right in it, the proof lies on him, and he must shew a distinct grant or a clear and specific right, *1. Mod.* 105. This however is not the case with regard to streams of water not navigable; for the beds of such water courses are granted as other lands, and consequently belong wholly to the proprietor of the tract thro' which they pass, or to the owners of the land on either side where it is called for as the dividing line; in which case the grant conveys the right to the soil of the bed to the middle of the stream. *5. Bac. Abr.* 494.

Although by the common law of England, all lands, whether dry or covered with water, are held either by or of the king, yet it is laid down as a general rule, that the soil of the beds of all navigable rivers is presumed to be actually vested in and held by the king, until the contrary is expressly shewn; because such soil has not been, nor ever was granted out and distributed in like manner as other lands. The king, it is said, has two distinct rights in navigable rivers, the *jus privatum*, which consists of the right of soil of the bed, to any profits that may be derived from it with some other such rights; and the *jus publicum*, which consists in the freedom of fishing, navigation and the like; the first of which the king may alien and may belong to a citizen, but not the latter.

But this private right of soil in the beds of navigable rivers, since the positive provisions of magna charta and the adoption of the principles growing out of, or founded upon those provisions, seems to me either, in fact and truth, not to be a private right, or to be one of a most singular and extraordinary nature. The Saxon English, it would seem, highly estimated, and were always attentive to the navigation of their rivers as well as their coasts. Their continental conquerors, however, led over from Normandy by the first William, not only introduced feudal despotism, and degraded the nation by wantonly compelling it to accept of the administration of justice in a foreign language, but also oppressed and materially injured the people in some of their best and most natural rights, which were alike beneficial to their conquerors as to themselves. The barbarous Normans not only seized on all the dry land of England, but, ignorant of the importance of navigation, they seem to have considered the rivers as mere fish ponds; and accordingly granted them out indiscriminately, appropriated them to individual purposes, fenced them in, and obstructed



their passage at pleasure. To prevent and remove these evils, introduced chiefly by the Norman kings, magna charta provided in the sixteenth chapter, that "no banks shall be defended from henceforth, but such as were in defence in the time of king Henry our grand-father, by the same places and the same bounds, as they were wont to be in his time."

2 *Inst.* 39. That is, the navigable rivers should not in future be barred up and treated as mere private property as they too frequently had been. And the 23d chapter of magna charta declares, that, "all weirs from henceforth shall be utterly put down by Thames and Medway, and through all England, but only by the sea coasts," 2 *Inst.* 38. The liberal and just interpretation, that has been given to which, is, that all obstructions in any public navigable river whatever, which, in any manner may affect its uses and benefits, shall be prohibited, abated or removed.

Since magna charta the king cannot grant to any one an exclusive right of fishery; and he, who claims such right, must shew it to have originated by grant or prescription as far back as the reign of Henry the second, 2 *Blac. Com.* 39. And this too in cases where the fishery would seem to be almost as much the production of the soil of the bed of a river as the grass of a field; as in the case of oysters, elms, and muscels, the exclusive right to dredge for which the king cannot grant since the enactment of magna charta, 4 *T. R.* 439; 6 *Mod.* 73. Nor can an individual acquire a right, since magna charta, to alter and make a more permanent and effectual weir, where he had by ancient prescription, a right to erect such a structure for the purposes of fishing, 7 *East.* 199. The grant of a free or several fishery, which was always founded on, or oftener than otherwise coupled with the right of soil of the bed of a river, so essentially affected in many instances the necessary facilities of navigation, that it was not allowed by magna charta. This great law it would seem, therefore, should be extended in like manner to the prohibition of all grants analogous to those of free fishery, so as effectually to preserve the rights and interests of navigation according to its true intent and meaning.

The king, however, it is said, is the owner of the soil of the beds of all navigable rivers as well as of the sea, and also, that he holds the soil covered by all those great waters as his private property. But the extent of his power of alienation over this kind of property is the great question.

"The king of England, says *Ld. Hale*, *de jure mar.* 31, hath the propriety as well as the jurisdiction of the narrow seas; for he is in a capacity of acquiring the narrow and adjacent sea to his dominion by a kind of possession, which is not compatible to a subject; and accordingly regularly the king hath that propriety in the sea; but a subject hath not nor indeed cannot have that propriety in the sea, through a whole tract of it, that the king hath; because without a regular power he cannot possibly possess it. But though a subject cannot acquire the interests of the narrow seas, yet he may by usage and prescription acquire an interest in so much of the sea as he may reasonably possess, viz. of a *districtus maris*, a place in the sea between such points, or a particular part contiguous to the shore, or of a port or creek or arm of the sea. These may be possessed by a subject, and prescribed in point of interest, both of the water, and the soil itself covered with the water, within such a precinct; for these are maniorable, and may be entirely possessed by a subject.

"The civilians tells us truly, nihil præscribitur nisi quod possidetur. The king may prescribe the propriety of the narrow seas, because he may possess them by his navies and power; a subject cannot. But a subject may possess a navigable river, or creek or arm of the sea; because these may be within the extent of his possession and acquiescence."

From what is here said it clearly appears, that although the soil covered by the sea as well as that covered by a navigable river is held by the king as his private property, yet that the greater part of it is altogether inalienable; because it cannot be acquired and held by an individual. It is therefore an inalienable national domain, because none but a nation can possess and hold such property. This appears to be a principle of the common law, drawn from the pure fountain of natural reason, which from the nature of things could not be violated as regards the open parts of the sea, and large bays, such as the Chesapeake; but which, having been totally disregarded by the Norman kings and barons, as far as was in their power, has been affirmed and restored by magna charta, as alike applicable and reasonable in regard to all navigable rivers as to the sea itself, by those provisions which sanction such rights as were previously acquired, and prohibit the erection of those defences, weirs,\* inclosures and fisheries so necessary to designate and preserve the evidences of a separate and distinct ownership and holding in any extent of soil covered with a navigable river.

But although it is admitted, that no direct and immediate act of ownership can be, or has been exercised over the soil of the bed of a navigable river, while the navigation continues, yet it is said, that there are certain incidental, consequential, appendant or appurtenant rights and profits which the owner of such property may have; such as that now set up, to the derelictions of the river, or to any islands formed by force of its waters; or to wrecks floating over its surface. Cases of this sort have occurred, no doubt frequently in some of the rivers, and on some parts of the coasts of England. The low lands of the Isle of Ely as it is called have undergone many changes and from its exposure to the whole power of the ocean it is liable to undergo many more. There are many rivers in England, as well as the Severn, which are "wild, unruly, and many times shift their channels," and we are told that "sometimes the ocean, especially the narrow sea lying between England and France, leaves the English shore in a great considerable measure possibly by reason of some superundation on the other eastern shore, or by some other reason we know not." *Hale de jure mar.* 30. I have met with many cases upon this subject, but not one in which the claim of the individual to the soil covered by navigable water was not evidently traced back by grant or prescription beyond the date of magna charta.

The king, it is said, may grant fishing within a creek of the sea, or in some known precinct that hath known bounds, though within the main sea. He may also grant that very interest itself, viz. a navigable river that is an arm of the sea, the water and soil thereof. And although the sea is a fluid thing, yet the terra, or solum subjectum is fixed; and by force of a clear and evident usage a subject may have the propriety of a private river; though the acquiescence of the former be more difficult, and requires a very good evidence to make it out.

\* The right to make weirs is considered as a proof of the ownership of the soil, *Hale des. M.* 28.



*Hale de ju. ma.* 17, 15. So the shore between high and low water mark may not only belong to a subject in gross, which possibly may suppose a grant before time of memory, but it may be parcel of a manor. And the evidences to prove this fact are commonly these; constant and usual fetching gravel and sea-weed, and sea sand between the high-water and low-water mark, and licensing others so to do; inclosing and embanking against the sea, and enjoyment of what is so inned; enjoyment of wrecks happening upon the sand; and such like. *Hale de ju. ma.* 26, 27. But custom will not entitle the subject to relict land, or make it part of a manor. And this is an exception out of that generality, possibly, that *terre, relicte per mare* may not be prescribed. But a certain creek, arm of the sea, or districtus maris, may be prescribed in point of interest; and by way of consequence or concomitance, the land relicteth there, according to the extent of such a precinct as was so prescribed of such *districtus maris*. *Hale de ju. ma.* 31, 32. Therefore the discovery of the extent of the prescription or usage, whether it extend to the soil or not, rests upon such evidences of fact as may justly satisfy the court and jury concerning the interest of the soil. *Hale de ju. ma.* 33.

Hence it appears, that the title to such portions of soil covered by navigable water, which it is said a subject may hold, "requires a very good evidence to make it out." And we have seen, that the creation of any new wears, and the like strong and decisive evidences of a separate holding are positively prohibited by magna charta; and it is held that the driving of a stake even in the bed of a navigable river would be deemed a pippresture, and abated accordingly as a nuisance; and it is also held that the passage and use of a river by vesseks, like the travelling along a road, is evidence of the right of the public, not merely of the right of way as in the case of a road but of the right of soil in the bed of the river, *Anstr.* 603. In consequence of which it appears that no title to any soil covered by navigable water has ever been sustained by any solemn decision which title did not exist prior to the passage of magna charta.

"If the king, says lord Hale, at this day grant *portum maris de S.* the king having the port in point of interest as well as in point of franchise, it may be doubtful, whether at this day it carries the soil, or only the franchise; because it is not to be taken by implication—But, surely, if it were an ancient grant, and usage had gone along with it, that the grantee held also the soil, this grant might be effectual to pass both; for both are included in it."

*Hale de ju. ma.* 33. Lord Hale here makes a distinction between an ancient and a modern grant, and gives us to understand that the former would be treated with much more liberality than the latter, and that one of his day, for the soil of the bed of a navigable river, would be effectual if its expressions were sufficiently explicit; yet in this treatise of his, which has been said to have exhausted the subject, and to contain every thing to be met with upon it, there is no instance of a grant, since magna charta of land covered with navigable water.

Lord Hale seems to speak of it as a thing remarkable, that within the bounds of the lands granted by Alan de Percy, to the monks of Whitby abbey, there were many arms or creeks of the sea, as Derwent, Muse, Ese, &c. which lands were given by a subject; but then Percy's charter, as he tells us, was confirmed by king Henry the first, long before magna charta, *Hale, de ju. ma.* 26.

In the case of sir Sackville Crow against John

Smith, in the exchequer, the information stated Smith to be a farmer of the lord Barclay, and set forth, that the river Severn was an arm of the sea, flowing and reflowing with salt water, and was part of the ports of Gloucester and Bristol, and that the river had left about 300 acres of ground near Shinbridge; and, therefore, they belonged to the king by his prerogative.

Upon the trial it appeared by unquestionable proof, that the Severn, in the place in question, was an arm of the sea, flowed and reflowed with salt water, was within and part of the ports of Bristol and Gloucester, and that within time of memory these were lands newly gained and inned from the Severn; and, that the very channel of the river did within time of memory run in that very place where the land in question lies; and that the Severn had deserted it, and the channel did then run above a mile towards the west.

On the other side, the defendant claiming under the title of the lord Barclay alleged these matters, whereupon to ground his defence, viz.—1st, That the barons of Barclay were from the time of Henry the second, owners of the great manor of Barclay. 2d. That the river of the Severn *usque filum aque* was time out of memory parcel of that manor—and 3d. That by the constant custom of that country, the *filum aque* of the river of Severn, was the common boundary of the manors on either side of the river.

It appears, that the plaintiff insisted, that the Severn was a public river and could not by prescription be made parcel of a manor, which objection the court overruled, and admitted, that although all right to such river is *prima facie* in the king, yet it may be by prescription and usage, time out of mind, parcel of a manor—whereupon the defendant went to his proofs, and insisted upon very many badges of property or ownership; as, that the lords of the manor had all royal fish; that they had the sole right of salmon fishing, that they had all wrecks, and that they had ancient rocks or fishing places, and wears, or such as were of that nature, within the very channel; that they had at various times and in several ways leased out those rocks, wears, and fishing places; and that by common tradition and reputation, as testified by very many ancient witnesses, the manors on either side of the Severn were bounded one against another by the *filum aque*. Upon this proof of such ancient title as alleged, the case was abandoned by the plaintiff. *Hale, de ju. ma.* 34.

Good pleading, it is said, is in many cases strong evidence of the law. Now in this case the defendant alleges, "that the barons of Barclay were from the time of Henry the second, owners of the great manor of Barclay, and that the river of the Severn *usque filum aque* was time out of memory parcel of that manor"—thereby referring in the most distinct and clear terms to the provisions of magna charta; and then in his proofs, adduced to sustain this allegation, he has recourse to badges of property and ownership, such as the exclusive right of fishery and the erecting wears in the channel of the river, the right to exercise which the king certainly could not grant since magna charta.

But is it clear, that the king can alien any, and every species of property which the law vests in him in fee simple as his private property? If we seek for an answer to this question in the history, as well as in the laws of England, we shall find, that this right of alienation has been often grossly abused; and that it is by no means so generally acknowledged, or so well established, or so unlimited

as to any particulars as might at first be supposed—The case of the bankers 11; State trial 136—1 Plow. hist. Irel 177.

In short, it appears to me, that the saying so often to be met with in the English law books, that an individual *may be* the owner of land covered by navigable water, relates more properly to those old grants and titles acquired before the reign of King John, than to any of modern times, and that the property of the king in land so situated is not that kind of mere private estate in fee simple of which he may divest himself at pleasure. But, it is of the nature of a public inalienable right, which it is necessary he should continue to hold, as a national domain, in his political capacity of representative of the nation, in order that the important rights and interests of navigation may be more securely and perfectly preserved; or, that it is one of those private rights so intimately blended with, and necessary for the preservation of the public rights, that it ought not, nor cannot be aliened and transferred to an individual—I am persuaded of this, because the assertion of the right of alienation, unaccompanied by any evidence of its ever having been exercised for so many ages, where there were so many opportunities and temptations to exercise it, affords an irresistible presumption, that it does not in fact exist.

If then the king could not alien any soil which formed the bed of a navigable river, it would seem necessarily to follow, that he could not grant such right to lord Baltimore. But, after having thus far investigated the powers of the king of England relative to this subject, it will be necessary now to enquire, what are those of the lord proprietary; for within the province, it is admitted, he stood, in many respects, in place of the king; and, therefore, relative to the matter now under consideration, his powers and practice may be found to be essentially different, and in many respects much more circumscribed than those of the king from whom he derived his title and powers.

The charter of Charles the first to lord Baltimore, for the province of Maryland, is not only a conveyance of mere private property, but also embraces in it a grant of political and regal powers. When, therefore, it uses the language of a transfer of mere private property, it must be remembered, that such expressions operate no farther than as a conveyance from one individual to another; and that the whole is subject to be controlled by the express reservations of the charter itself, and also by those powers, and that government, which was to be called into existence by the charter. So that, although it should be admitted that the king might invest the lord proprietary of a foreign colony with larger and more extensive regal prerogatives than those which he himself could exercise in England, yet the government which the proprietary is required to create, becomes by such creation, and by force of the charter, invested with power to limit and set bounds to the prerogative of the lord proprietary himself.

By the seventh section of the charter, the proprietary is invested with the power to frame a government and to cause laws to be made for the government of the inhabitants of the province, which, it is declared, shall be absolute and binding, “so, nevertheless, says this section, that the laws aforesaid be consonant to reason; and be not repugnant or contrary, but, (so far as conveniently may be,) agreeably to the laws, statutes, customs and rights of this our kingdom of England.” This clause, therefore, virtually gave to the inhabitants of the

province all the rights and privileges, compatible with their new situation, which they could enjoy in England—and besides, the provincial government was no sooner formed than it specifically and by name adopted magna charta and declared it to be the law of the land—*Bacon's laws*, 1633, ch. 2. It appears then, that the lord proprietary, immediately on his entering upon the exercise of his authority, was to the full as strictly limited, in his prerogative, as the king of England. Therefore, without enquiring what the king might have granted by the charter, it is clear, he did not grant to lord Baltimore any prerogative here, freed from the restrictions imposed upon English prerogative. We have seen that the two chapters of magna charta, relative to the subject now before us, contain exceptions or savings of some rights antecedently acquired; but when the great charter was introduced, adopted, and applied as a restraint upon the regal prerogatives of the lord proprietary, there were no such previous rights here which those saving clauses could protect; consequently magna charta operated here as an absolute and unqualified restraint upon the lord proprietary, in all respects whatever, as regards navigable rivers and the sea coasts; its provisions as respects such waters, and the lands which they cover, is general and imperative, without saving or exception of any sort whatever.

According to this view of the subject, it appears that the lord proprietary, within the province of Maryland, stood in the place of the king and was invested with royal powers and prerogatives co-extensive with those of the king of England since magna charta; but on looking farther into the provincial charter its provisions suggest the propriety of enquiring, whether there are not some clauses in that instrument which materially affect the lord proprietary's power over the navigable waters of the province, and which, in fact, deprive him of the power of aliening any land while it is properly and necessarily covered by them?

The second section of the charter of Maryland recites, that, “whereas our well beloved and right trusty subject Cæcilius Calvert, baron of Baltimore, in our kingdom of Ireland, son and heir of George Calvert, knight, late baron of Baltimore, in our said kingdom of Ireland, treading in the steps of his father, being animated with a laudable and pious zeal for extending the christian religion, and also the territories of our empire;” and then proceeds to specify the objects of the grant and the limitations under which they shall be held and enjoyed. This charter is dated on the twentieth of June in the year sixteen hundred and thirty two; it was however ordered to be made out the year before, but the great seal not having been affixed, before the death of lord George, it was issued the year following to his son—and the expressions, “treading in the steps of his father,” used in the recital, allude to the exploits of the late lord George in America, which so ingratiated him with king James the first, that he granted him the province of Avalon, in Newfoundland, near which he had added some new glory to the British arms in the war with France, and also created him baron of Baltimore. Therefore a few facts and circumstances, relative to the Newfoundland fishery and navigation, will cast much light upon the reservation contained in the sixteenth section of the charter; because, it is evident from this allusion to the exploits and merits of lord George, that those facts and circumstances and the nature of the scene on which they were hid, and with the grant for part of which he had been previously rewarded, were present in the mind of the



grantor when the charter of Maryland was made out.

The Newfoundland fishery, which was first discovered or resorted to for profit and merchandize by some adventurous French navigators, in the year 1504, was so skilfully and dexterously followed up, from thence forward, by most of the civilized nations of Europe, that it soon became an object of great national importance to them all, and to none more than England. So early as 1548 the parliament of England directed its attention to the subject, and passed an act to prohibit the admiralty from exacting certain tolls which it claimed. In 1603 there were employed in this fishery annually two hundred British ships, and upwards of ten thousand men.— And in the year 1621 king James granted to sir George Calvert, afterwards lord George Baltimore, all that part of Newfoundland called Avalon, which he took possession of and held many years. After wards, in the year 1626, at the commencement of the quarrels of Charles the first and the parliament of England, the house of commons originated a bill for the maintenance and increase of shipping and navigation, and for the freer liberty of fishing voyages on the coast of Newfoundland, Virginia, and New England, which was rejected in the house of lords. In consequence of which, a short time after, in a strong representation of grievances which they presented to king Charles, they insisted, “that the restraint of the subject from the liberty of a free fishing, with all the necessary incidents, was a great national grievance.” The specific nature and description of those restraints, thus strongly complained of, I have no where been able distinctly to learn, but there is every reason to believe, that, so far as they related to the American shores and waters, they originated altogether from those royal charters, by virtue of which the grantees set up a right, in exclusion of the residents of Great Britain, under the construction, that having an unlimited royal power over the beds of rivers and the adjacent seas, they had the power to exercise an exclusive right of fishery; and on that ground assumed an authority to throw certain restrictions in the way of the freedom of fishing. I conclude that the restraint alluded to by the house of commons, must have been occasioned in this way, because their complaint seems to have been grounded on the rejection of their bill for the protection of the freedom of fishing and navigation in the American waters; and also, because if the cause of complaint had have originated from the people of England, the courts of that country could, and would have interposed their authority to prevent and remove this “great national grievance.”

With the recollection of these circumstances, let us now turn to the sixteenth section of the charter of Maryland. After authorising the lord proprietary to erect and constitute ports and harbors for the convenience of trade, it proceeds thus—“Saving always to us, our heirs and successors, and to all the subjects of our kingdom of England and Ireland, of us our heirs and successors, the liberty of fishing for sea fish, as well in the sea, bays, straits, and navigable rivers, as in the harbors, bays, and creeks of the province aforesaid; and the privilege of salting and drying fish on the shores of the same province; and for that cause to cut down and take hedging wood and twigs there growing, and to build huts and cabins, necessary in this behalf, in the same manner as heretofore they reasonably might, or have used to do.”

Now taking this reservation in connection with the circumstances and controversies in existence

and pending at the time it was written, it does appear to me clear, that all right to the soil of the beds of all navigable waters, together with all the incidents thereto, were never intended to be conveyed to lord Baltimore as mere private property, alienable at pleasure. And the clause itself furnishes some evidence that it was not so intended; for a privilege on shore is reserved as an incident to the reservation of the right in the water; the privilege on the dry land is evidently and from the very nature of the thing itself, attached to a more important right and estate in the sea or river. It cannot be, that one mere usufructuary interest is thus attached to, and upheld by, another mere usufructuary interest. A mere privilege is always considered as inferior to that to which it is attached. The privilege, or use of the shore, is here attached to the right of fishing; the right of fishing, therefore, includes in it, in this case, something more than the mere use of the waters; it comprehends the right of soil of the bed of the waters to which the use of the shore is attached as one of those “necessary incidents,” the being deprived of which, together with the main right, the house of commons had complained of as “a great national grievance.”

But it has been said, that this would be to strain the words of this clause of the charter, utterly beyond their fair and true intent and meaning. It is, however, fair to presume, that this charter was drawn by some eminent lawyer; and, therefore, it will be doing no injustice to its phraseology to give it any interpretation warranted by the well known adjudications of the time. According to Plowden, then, it had been long held as the ancient common law, that by the grant of a free fishery in a river, the property in the soil of its bed would, and did pass—*Plow.* 154. Now, if a grant of free fishery would pass the right of soil in the bed of a river, it surely would not be denied, that a reservation of a free fishery would prevent the right of soil from passing. For, it must be allowed, that the same words which would operate to convey an estate, would operate with equal efficacy when used for the purpose of reserving an estate. But, when we recollect the circumstances and the feuds of the times, when this charter of Maryland was granted, it would seem to be no more than bare charity to the grantor, bad, and obstinate, and wicked as he was, to allow that in this instance he meant, by this reservation, to yield, so far, to the complaints and claims of the English people as to except from this grant, to his favorite Lord Baltimore, all right over the soil of the beds of all navigable rivers and the sea coasts, together with all rights which could be deduced therefrom.

This saving in the sixteenth section of the charter is manifestly dictated in utter ignorance of the value and the nature of the fisheries of the waters of Maryland; for, the privileges of the use of the shores as reserved, were then, and are now wholly useless for any fishery ever known in our waters. But the reservation is couched in general, comprehensive and popular terms, with an evident design to catch and pacify the popular feeling, then so much alive; and to shew, that there was no possible new danger, or grievance to be apprehended from the new charter, by which the fishery specifically, and in legal contemplation, the very soil itself and every thing relative to the subject was reserved which the people of England could possibly ask. And from the nature and circumstances of the times, when the Maryland charter was granted, it is but liberal and reasonable so to construe



this saving in it as to except out of it the right of soil in the navigable rivers as well as every incident thereto which might in any respect be necessary to preserve the freedom of navigation, of fishery, and the use of the waters of the province for the people of England and Ireland.

It is this view of the sixteenth section of the charter of Maryland and of what appears to be its true intent and meaning which has satisfied me, that the lord proprietary had no right to grant any land which was naturally and properly covered by navigable water; and, therefore, that the land in question, which was of that character, could not be, nor was not embraced by the patent for Todd's Range, granted to James Todd.

Before I take leave of this point, however, it seems to be necessary to notice a matter apparently resting upon the same principles, for the purpose of shewing its dissimilarity from the question before us, and of laying it aside—I allude to the right to grant the privilege of making wharves and of reclaiming land. The right to grant the privilege of making wharves is included as a necessary incident to the power to create and establish ports and harbors which is expressly given to the lord proprietary by this sixteenth section of the charter. And even if it had not been thus expressly granted, the power to improve the navigation by means of wharves, grows out of the nature of things, and has always been recognized by the common law; for in England, as lord Hale observes, there are a thousand instances of the kind, *Hale de ju. ma.* 85. And in this country such cases are quite common. By the common law also, the king may grant lands covered by tide water for the purpose of their being reclaimed; but if the carrying of such reclamation into execution will injure the navigation, the grant will be deemed void; and if it be not actually made within a reasonable time the grant of the privilege will be considered as lapsed and abandoned and the right of soil will remain in the public.

There is, however, still another very important question upon this part of the case, to be considered and decided; for, it is said, that the words of the patent of Todd's Range are sufficiently comprehensive to embrace this land; and if so, it may be considered, that the patent is at most only voidable, and must prevail in a court of law until it is regularly vacated; consequently it becomes necessary to enquire, whether this patent for Todd's Range, which is couched in the phraseology common to all grants issuing from the land office, would convey land covered by a navigable water course which ran into the tract. For, if those expressions and that special description, required by the common law to pass land covered by an arm of the sea, be not found in the patent for Todd's Range, no right to the soil of the bed of Jones' Falls, so far as it was navigable, did pass, whatever might be the powers of the king or of the lord proprietary over land so situated.

As regards land covered by navigable water, the presumption of the common law is, not merely, that it is holden of the king, derived from him in one way or other; but, that the right is actually in him, until the contrary is clearly shewn, by some grant or uninterrupted prescription in full force at the time. The maxim, that all lands are holden of the king, is founded on feudal principles; but the maxim, that the right to the soil under the navigable waters shall be presumed to be actually in the king, is founded on a regard to the public good, and the interests of navigation. The ports and harbors are said to be the gates, and the navigable rivers

the great natural highways of the nation, which the king is as much bound, as the representative of the nation, to protect and preserve from the rage and violence of the ocean, as he is to guard the realm against the incursions of a public enemy. And the absolute ownership of the soil covered by such navigable waters is, oftener than otherwise, essentially necessary to enable the chief magistrate effectually to discharge this high and important duty. Hence the correctness of the maxim, that he shall be presumed in all cases to have retained the ownership of such soil until the contrary is expressly shewn. There is solid sense and reason in the maxim, which presumes, that neither the republic, nor their accredited agents have parted with any of the means necessary to enable them to perform their duty to society until the contrary is distinctly made to appear. And it is this very important difference between the principles of law, applicable to land covered with navigable water, and that situated in the common way, which has given rise to the necessity of a more accurate, special and specific description in a grant for the former than for the latter kind of land.

It does not appear, that the common law recognizes or requires any peculiar set form of words, as necessary to be used in a grant of land covered with navigable water, nor is it any where laid down what expressions shall be deemed sufficient in such a grant; but, it is clear, that its phraseology must be very descriptive, strong, unequivocal, and distinct.

"But it seems, says lord Hale, the grant of *incrementa maritima* will not pass lands that often happen to be relicted by the sea; because, that is not so properly *maritimum incrementum*. And besides, the soil itself under the water is actually the king's, and cannot pass from him by such an uncertain grant as *maritima incrementa*; but must pass a present interest."

"But if the king will grant land adjacent to the sea, together with a thousand acres of land covered with the water of the sea, as usual of the same land, &c. adjacent, such a grant, as it may be penned, will pass the soil itself; and if there shall be a recess of the sea leaving such a quantity of land, it will belong to the grantee." *Hale de ju. ma.* 18.

In the case of the attorney general against sir Edward Farmer, 2 *Lev.* 171. *T. Raym.* 241. 2 *Mod.* 106. It appeared, that a patent was issued containing these strong expressions, "all the soil, ground, land, shore, and marshy land lying contiguous to the premises, which appear sometimes to be inundated by the waters of the sea covering it, and which might, by the reliction of the sea, be sometimes after recovered, or otherwise in any manner whatever, not by limiting, nor naming the value, whether in quantity or quality." After which a great quantity of land was gained from the sea, which the patentee claimed as being contiguous and adjoining, and therefore, coming within the express terms of his grant. As to which, it was said by Holt for the king, that if these words contiguous and adjoining were to have the force intended for by the grantee, his rights might be extended over to Denmark; that this grant, in order to comprehend any part of the sea, which was parcel of the prerogative, it ought to be expressly named; and moreover, that at the time this grant was made, this reliction was but a possibility, and consequently no present interest passed by the grant. And it was held accordingly by the whole court, that nothing did pass, and that the property which had been so gained by the reliction of the



sea, belonged to the king and not to the patentee of the lands immediately adjacent.

Some additional light appears to me to be thrown upon this subject by the case of the Abbot of Ramsey, which was a contest about the right to a piece of marsh, over which the sea occasionally flowed, *Dyer*, 326; and by the case of the corporation of Romney, which was a controversy about land lying between the flux and reflux of the sea, *Dyer*, 326, *note*; and by the case of Ward against Creswell, which was a contest about the right of landing fishing boats at a certain shore, *Willis*, 265; and also by the cases of the king against Smith and others, *Doing*, 444; and Ball against Herbert, 3 *T. R.* 258, which were controversies respecting the right of having a towing path along the margin of a navigable river; in all of which, it seemed to be tacitly but clearly admitted, that a grant in general terms of so much land calling for, or lying on the sea coast, or the shore of a navigable river, at most, carried the grantee's right no farther than to low water mark.

From all which, I feel satisfied, that according to the principles of the common law, no grant from the king, couched merely in those general terms used for the purpose of conveying land, will or can be construed to convey any part of the soil of the bed of a navigable stream, not specifically and specially designated in such grant; and consequently, that no part whatever of the bed of this stream called Jones' Falls passed from the lord proprietary to James Todd by the general and common expressions of the patent for Todd's Range.

But are these the principles of the law of Maryland, and have they been applied, and are they applicable to the local and other circumstances of our country? All titles to lands in Maryland, some few proprietary leases excepted, *Land H. A.* 219, were derived from the lord proprietary through the land office. The patent for Todd's Range was obtained in that way; its true intent and meaning must, therefore, be regulated and governed by the rules and principles of that office so far as they apply.

Although the word land, in its legal signification, comprehends any ground, soil or earth whatever, as meadows, pastures, woods, waters, marsh, &c. yet it would seem, that terra or land, according to the more ancient law of England, referred only to that which might be ploughed, *Co. Litt.* 4 *a.* and that seems at this day to be its most current, though not its more comprehensive and legal signification.

Under the proprietary government, as well as under the present, there were five distinct kinds of warrants by which a citizen might have any land designated to which he wished to obtain a complete legal title by patent. 1st, a common warrant, which could affect only such land, as was waste uncultivated and new in every respect—2d, a warrant of resurvey, which was intended merely to correct the errors of the first survey, by including or leaving out waste land, intended or not intended to be obtained—3d, a special warrant, to include vacant cultivation; 4th, an escheat warrant; and, 5th, a proclamation warrant, for the purpose of obtaining a patent for any land designated by any of the four first kinds of warrants, to which the title remained imperfect after a certain lapse of time. The three first are original in their nature and operation. The inception and commencement of title is dated from the original designation of the land made under their authority. The two last are derivative only, being founded on a previous complete or incomplete title or designation of land. And from a very early period, it seems to have become a uniform under-

standing and settled principle of the land office, that there were but two kinds of land which could be affected by an original warrant of that office, whether common or special; that is, such land as was vacant, waste, uncultivated and new in every respect; and such as had been cultivated and improved, which shews, that, in that office, the word land was understood in the more ancient and current sense to refer to that, the surface of which might be ploughed merely by being cleared of its timber.

That none other than such land, or than what is commonly called forest or arable land, was at first conveyed by titles derived from the land office is proven by various facts and circumstances. It was not usual until sometime about the commencement of the last century, and after the greater part of the lands in the province had been granted, to include contiguous marshes; in consequence of which, after that period, we find applications for warrants of resurvey for the purpose of including such lands, in order, as it is stated, "to prevent evil minded persons from encroaching thereon to the prejudice of the holder of the upland"—*Land, H. A.* 147.—And by the land law of 1699, it was declared, that "such adjacent marsh shall be deemed and adjudged absolutely to belong to the land to which it is adjacent, and be bounded by the same courses drawn from the firm land into such river or creek as the firm land is bounded by, except in Somerset county, and upon Delaware and the Ocean"—*Land, H. A. app.* IX. It also appears by all the lord proprietary's instructions, that in laying out lands the surveyors were to make actual surveys by passing over the ground, and in their descriptions of the boundaries to refer to some visible and tangible object on dry land, as trees or the like; and it is observable, that a similar reference to visible and tangible objects is made in all the examples of description of boundary put in the land law of 1699; and the 17th example concludes in these words, "yet, if any of the former courses come to the river, branch or cove, the courses shall there determine, and thence by the water be bounded and shall not pass over, but the owner shall be content with what land is between such lines and the water, be it never so little"—*Land, H. A. app.* VIII.

It likewise appears by the repeated instructions of the lord proprietary, that the lands were to be so laid out as not to permit any one to have more than a certain extent upon a navigable river, so as to give access, and the advantages of such water courses to as great a number of settlers as possible—*Land, H. A.* 55, 63, 157. And it moreover appears by the application for the first warrant of resurvey found on record, dated 26th October, 1658, "that upon scrutiny it is found a considerable part thereof is run into and taken away by several creeks and coves of water; it is therefore prayed, that a warrant to resurvey the same after such manner as shall leave out the said water, and if vacant land shall be found contiguous to include the same,"—*Land, H. A.* 148.

Hence, it is clear, so far as the rules and proceedings of the land law and the land office cast any light upon the subject, that no portion of the soil under any navigable river ever was understood or intended to be conveyed by a patent in the ordinary form, in whatever way it might be located, or nowsoever the confines or boundaries of such tract might be described.

But, in addition to these evidences derived from the old acts of assembly, and the rules of the land office, as fortified and explained by them, the

case of the state of Maryland at the relation of Yates against Smith and Purviance—2 *Ha. & M H* 244—is conclusive to shew, that no part of any land covered by a navigable stream could, or did, in any case, pass by a grant which contained no other than the usual words of conveyance of land. The case was this; the state, at the relation of Yates, filed a bill against Smith and Purviance, for the purpose of vacating a patent which they had obtained for a tract called Bond's marsh resurveyed; because, among other reasons set forth in the information, the "vacant land, added to the original tract aforesaid, now is, and at the time of obtaining the said warrant and grant, was part of the waters of the north west branch of Patapsco river," which the defendants admitted was "at some tides covered with water, and at other tides uncovered by water and muddy ground, and in some parts covered with flags"—and it was proved, that the survey was made on the ice, and that it could not have been otherwise made but by wading or having the assistance of boats, and that there was a large space of water between the shore and the land included in such survey. The patent was declared void. There is nothing in the case, as reported by Harris and McHenry, which declares the reasons and grounds on which the decision of the court was founded; but from the manuscript notes of the late Mr. Jennings, who was of counsel in the cause, it appears, that its being a grant for the bed of a navigable river was one of the objections made, and much relied on against the validity of the patent; and his notes are endorsed thus, "bill in chancery to vacate a patent, which included navigable water, patent vacated by decree." Whether the reason of the decree was, that the land under navigable water was not the subject of a grant, or that it would not pass by the usual and general expressions does not appear; but whether founded on the one ground or the other, in point of principle, it applies with equal force against the patent for Todd's Range, which must in like manner be held to have no operation, so as to convey any land which was covered by the navigable water of this same stream called Jones' Falls, or the north-west branch of Patapsco river.

The chief point, and great difficulty in this case, being thus disposed of, another enquiry, having an incidental bearing upon it, seems to invite some little attention before we leave this part of the investigation; that is—In whom is the right of the soil of the bed of that part of the present passage of this stream called the canal of Jones' Falls?

If the canal be still private property; if the state has no legal claim to it, I apprehend that it might be at any time closed by its owners. And if as has been contended this ancient deserted bed has now become the vested private right of the plaintiff or the defendant or of both, the public might be placed in a most singular dilemma. The public, it would appear, were originally entitled to a free passage for a very copious and valuable stream of water, part of which was navigable, which navigation the public might have continued or might now find it very advantageous to restore; but, owing to the ingenuity of some individuals and the industry of others, in accelerating the operations of nature, the public now finds itself totally deprived of a passage for its river, and also of a valuable part of its navigation.

It, therefore, occurred to me, that in this case it was not enough for the plaintiff to shew, that he had acquired a right in the old bed, without shewing, that the state had acquired a right to the new pas-

sage; for it would be difficult, in a case like this, where there is a manifest natural necessity to have a passage for this stream in one way or other, to establish the position, that the state had lost its right to the old channel, and yet might have acquired no right, whatever, to the new one. A case like this, of imperious natural necessity, admits of no possibility or doubt; the right of the state to a free passage for this stream in one way or the other is conclusive and absolute; and, therefore, it would seem, that its indubitable right to the old passage cannot be lost or at all affected until it has acquired a title to the new passage altogether as clear and incontrovertible.

It is a principle of the common law, that the state as well as an individual, may acquire an absolute right to property, or to certain uses of it by prescription, custom, long usage or by a tacit dereliction of the property or the use, and a dedication of it by the original owner to the use of the state. Thus if a citizen have a public wharf unto which all persons who come to that port *must come* and unload or load their goods; in that case there cannot be taken arbitrary and excessive duties, but they must be reasonable and moderate though settled by license or charter. "For now the wharf, says lord Hale, is affected with a public interest and it ceases to be the *jus privatum* only; as if a man set out a street in new buildings on his own land, it is now no longer bare private interest, but it is affected with a public interest, *Hale de ju. Ma. 77, 78.*

And, with regard to such usufructuary rights, claimed by an individual, the courts have, in conformity to the period of limitation established by positive law, laid it down as a rule, that the person claiming such right must either produce a grant, or shew an enjoyment for twenty years at least uninterrupted by the owner of the inheritance, 11 *East, 374*; but the right of the state or the public to such property or use, has been held to be established by a much shorter period of prescription or limitation. Thus, in a controversy about the right to the passage of the public along a street leading to the Foundling Hospital in London, it appeared, that the street had been used for fifty years, but for the last eight years only, the owner had permitted the public at large to have the free use of the way without any impediment whatever. Lord Kenyon said, "This is quite a sufficient time for presuming a dereliction of the way to the public.—In a great case which was much contested, six years was held sufficient. If it were otherwise in such a great town as this, it would be a trap to make people trespassers." 11 *East 375, note.* So on the other hand, it is laid down, that after a street or public highway has been laid out, over lands, which are the property of the state, and dedicated to the public, the right to such highway cannot be affected or closed by any subsequent grant of the right of soil over which the highway passes, *Burr.*

On these principles of common law, it is, therefore, my opinion, that the canal of Jones' Falls has been long enough dedicated to the public for presuming a dereliction of all right of its former owner to the public; and also, that the streets and highways, that have been laid out over the old bed of Jones' Falls, so far as it was navigable, and consequently, as I have before shewn, is the property of the state, has been sufficiently dedicated to the public, to prevent any future grantee of the state from closing up, or in any manner affecting such right of way by any title or patent emanating from the land office.



Upon the whole, therefore, I am of opinion as to this first point, that the soil of the bed of this navigable water course now claimed by the parties to this action, never was conveyed by the lord proprietary to James Todd by the patent for Todd's Range, because king Charles the first could not, consistently with the provisions of magna charta, make such an alienation, and therefore he could not, nor has not by the charter of Maryland, conferred upon the lord proprietary the power to make such an alienation; because whatever the king of England's power might have been, the lord proprietary had no authority to make such an alienation, the right to land during its submersion under navigable water having been expressly reserved to the king or for the benefit of the British empire by the charter of Maryland; and because whatever might have been the king's or the lord proprietary's power in this respect, yet land so situated under a navigable river could not, nor would not pass by mere general expressions, without being specifically and specially described.

Having thus established this first position, as to the manner in which the land covered by this river was held, what remains of this case is plain and may be condensed into a very small compass. The only question yet to be decided is, does this land, which was once covered by the navigable water of Jones' Falls, belong to the state, to those who claim under Todd or to either of them? This will be determined at once by ascertaining what is the true legal character of this new formation of dry and.

It is no less curious than agreeable and satisfactory to observe, what an entire uniformity of principle has existed at all times, and is now to be found, in the code of all civilized nations upon this subject. They all recognize the distinction between the alluvion, and the dereliction of a river or of the sea from its bed, they all make the same distinction between the gradual accretions to the banks, and the formations on, or desertions of the bottom; and they all, thence, deduce the same rights to the new formations.

Alluvion is, as the etymology of the word, from *ad* and *lavo*, imports a washing to the bank by the waters. It must be gradually produced by the act of the waters themselves; for, if it proceed from any other cause, or instead of being a gradual washing to the shore, it be an entire mass torn from one place and cast on to another, it may be followed, and shall continue to belong to its original owner. Alluvion is given as a perquisite to the riparian holder to whose bank it is washed and attached by the waters. The land in question, in this case, is not, however, claimed as alluvion; all pretensions to it, as such, have been totally and absolutely abandoned by the counsel for the plaintiff; and in my opinion very justly, for it certainly cannot be considered in any respect as what the *law* calls alluvion. Geologists, it is true, give to the word alluvion a more comprehensive sense, they treat of *alluvial*, as contradistinguished from *primitive* formations, and in that sense alluvion would comprehend not only what the *law* deems to be alluvion, but all the derelictions of the waters, as well as all insular formations.

It would seem, according to the most respectable authorities, that by the Roman law, the soil of the beds of all rivers, whether navigable or not, is given to the owner of the banks; like the soil covered by those small private streams, the middle of which, according to the English law, it is declared shall be the line between the property of the riparians

holders. By the civil law the soil of the bed of navigable rivers is not held as a national domain, but by the common law it is always considered as such, until the contrary can be expressly shewn.—And this, according to all writers upon the subject, is the only difference between the two codes; in all other respects, and in every other principle, as regards this subject, they are precisely alike.

It is a principle of the common law, and I believe I might add with safety, of all civilized nations, that all derelictions, or insular formations of, or upon the bed of any water course whatever, shall accrue and belong to him, or to the state who was the owner of the bed when covered with water. In England, as we have seen, the derelictions, the insular formations, and the wreck floating over the bed of the Severn in some parts, were held to belong to lord Barclay; because, he was the owner of the soil covered by the waters of the Severn in that district as parcel of his manor. And in all other cases, we have seen, that such derelictions, insular formations and wreck are held to belong to the king or to the state upon the same principle, that the soil covered by the water was royal or national domain—"and, as lord Hale expresses it, by way of consequence or concomitance, the land relict will belong to the former owner of such *districtus maris*"—*Hale de. ju. mar. 32*. Alluvion then, is a perquisite given to the riparian holder; and derelictions, and insular formations, are perquisites given to the owner of the soil when it shall be abandoned or arise above the waters with which it was covered. If land covered by water be the property of the state it shall, when uncovered and the waters are removed, continue to be the property of the state.

These principles of law, it appears, are universal; and, it is believed, that whether our attention be directed to the waters of the Tiber or the Thames, the Rhine or to the Ganges, *Gentoo laws* 162, their alluvion, their derelictions, and their insular formations will be found to have been disposed of according to the same rules and principles of law. The canal cut by Drusus, the adopted son and the virtuous and distinguished general of the emperor Augustus, from the Rhine to the Issel, which laid bare many miles of the channel previously occupied by the former of those great rivers, and gave to modern Holland many thousands of acres of its most fertile fields; and the circumstance of the insular formation in the Tiber, began more than five hundred years before the christian era, when the Roman people expelled the proud Tarquin, consecrated his field to Mars and threw the crop they found lying on it into the Tiber, where it lodged and formed that fine island called the *Insula Særa*, which the republic adorned with so many temples, alike indicate how extensively these principles may have operated in some countries, and how solemnly they have been sanctioned by the lapse of ages, and the most venerable antiquity.

In this case, the bed of Jones' Falls, so far as it was navigable, never having been granted to any individual, the right still continues in the state to the land where this dereliction has taken place; and therefore, neither of the contending parties now before the court, by any thing yet shewn, have any claim to it whatever; and consequently, it is my opinion, that the plaintiff cannot recover.

☞ Judge Hanson then, immediately after, delivered his opinion at large, in which he differed in all respects from the foregoing. Dorsey, chief judge, having been counsel in the case did not sit.



CONGRESS.

WASHINGTON, December 2.

Yesterday being the day appointed by the constitution for the annual meeting of congress, the members of both branches assembled at the capitol towards mid-day, and both houses organized themselves, and adopted the usual preliminary rules of business.

IN THE SENATE.

At 12 o'clock, Mr. Gaillard, (the president pro tempore of the senate the time the senate last adjourned) took the chair.

On calling over the list of senators, it appeared that the following members were present, viz.

From *New-Hampshire*, Messrs. Morrill and Storer; from *Rhode-Island*, Mr. James Burrill, jr.; from *Connecticut*, Mr. David Daggett; from *Vermont*, Messrs. James Fisk and Isaac Tichenor; from *New-York*, Messrs. Rufus King and Nathan Sandford; from *New-Jersey*, Messrs. James J. Wilson and Mahlon Dickerson; from *Pennsylvania*, Messrs. Abner Lacock and Jonathan Roberts; from *Virginia*, Messrs. James Barbour and John W. Eppes; from *North-Carolina*, Mr. Nathaniel Macon; from *South-Carolina*, Mr. Smith; from *Georgia*, Mr. Charles Tait; from *Kentucky*, Mr. John J. Crittenden; from *Tennessee*, Mr. John Williams; from *Ohio*, Mr. Benj. Bugles; from *Indiana*, Messrs. Waller Taylor and James Noble; from *Mississippi*, Messrs. Thomas H. Williams and Walter Leake.

The new members present having been qualified (with the exception of the senators from *Mississippi*, which state is not yet recognized by the congress)—the usual rules of proceeding and arrangement were adopted. A committee was appointed to wait on the president, jointly, with such committee as the other house should appoint. And the senate adjourned.

*December 2.*—Mr. Otis, from *Massachusetts*, appeared and took his seat to day.

The president's message was received and read, and 2000 copies ordered to be printed. Adjourned.

*Wednesday, December 3.*—Mr. Goldsborough, from *Maryland*, appeared and took his seat.

Mr. Barbour, from a committee appointed on that subject, reported a resolution for the admission of the state of *Mississippi* into the Union; which was read three several times, passed and sent to the other house for concurrence. Adjourned.

HOUSE OF REPRESENTATIVES.

*December 1.*—The house was called to order by the clerk to the last congress, (Mr. Thomas Dougherty) and, on calling over the roll of representatives, it appeared that a large majority of members were present, viz.

From *New-Hampshire*—Messrs. Josiah Buder, C. Claggett, Salma Hale, Arthur Livermore, John F. Parrott, Nathaniel Upham.

From *Massachusetts*—Messrs. Benjamin Adams, Samuel C. Allen, Walter Folger, jr. Joshua Gage, John Holmes, Marcus Morton, Jeremiah Nelson, Benjamin Orr, Albion K. Parris, Nathaniel Ruggles, Zabdial Sampson, Henry Shaw, Nathaniel Silsbee, Solomon Strong, Ezekiel Whitman.

From *Rhode-Island*—Mr. John L. Boss, jr.

From *Connecticut*—Messrs. Uriel Holmes, Ebenezer Huntington, Jonathan O. Mosely, Timothy Pitkin, Samuel B. Sherwood, Nath'l Terry, Thos. S. Williams.

From *Vermont*—Messrs. Heman Allen, Samuel C. Crafts, Wm. Hunter, Orasmus G. Merrill, Charles Rich, Mark Richards.

From *New-York*—Messrs. Oliver C. Comstock, Daniel Cruger, John P. Cushman, John K. Drake, Benjamin Ellicott, Josiah Hasbrouck, John Herkimer, Thomas H. Hubbard, Wm. Irving, Dorrance Kirtland, Thos. Lawver, John Palmer, Jas. Porter, John Savage, Philip J. Schuyler, Tredwell Scudder, Jno. C. Spencer, Henry R. Storrs, Jas. Tallmadge, jr. John W. Taylor, Caleb Tompkins, Geo. Townsend, Peter H. Wendover, Rensselaer Westerlo, Jas. W. Wilkin, Isaac Williams.

From *New-Jersey*—Messrs. Benj. Bennett, Joseph Bloomfield, Chas. Kinsey, John Linn, Henry Southward.

From *Pennsylvania*—Messrs. William Anderson, Andrew Boden, Isaac Darlington, Joseph Heister, Joseph Hopkinson, Samuel D. Ingham, William P. Maclay, David Marchand, Robert Moore, Jas. Murray, Thomas Patterson, Levi Pawling, Adam Seybert, Jacob Spangler, Christian Tarr, James M. Wallace, John Whitside, Wm. Wilson.

From *Delaware*—Mr. Louis McLane.

From *Maryland*—Messrs. Thos. Cutbreth, John C. Herbert, Peter Little, Geo. Peter, Philip Reed, Samuel Ringgold, Samuel Smith, Philip Stuart.

From *Virginia*—Messrs. Wm. Lee Ball, Philip P. Barbour, Burwell Bassett, Wm. A. Burwell, Edw'd Colston, Robert S. Garnett, Wm. McCoy, Charles F. Mercer, Hugh Nelson, Thomas Newton, James Pleasants, Alexander Smyth, George F. Strother, Henry St. George Tucker, John Tyler.

From *North-Carolina*—Messrs. Edwards, Daniel M. Forney, Thomas H. Hall, Geo. Mumford, James Owen, Lemuel Sawyer, Thos. Settle, Jesse Slocumb, J. S. Smith, Felix Walker, Louis Williams.

From *South-Carolina*—Messrs. Joseph Bellinger, Wm. Lowndes, Henry Middleton, Stephen D. Miller, Sterling Tucker.

From *Georgia*—Joel Abbott, Thomas W. Cobb, Zaddock Cook, Joel Crawford, John Forsyth, Wm. Terrel.

From *Kentucky*—Rich'd C. Anderson, jr. Henry Clay, Joseph Desha, Richard M. Johnson, Anthony New, Tunstall Quarrels, jr. Geo. Robertson, Thos. Speed, David Trimble, David Walker.

From *Tennessee*—Messrs. Wm. G. Blount, Francis Jones, Geo. W. L. Marr, John Rhea.

From *Ohio*—Messrs. Levi Barber, Paineon Beecher, John W. Campbell, Samuel Herrick, Wm. H. Harrison.

From *Louisiana*—Mr. Thomas B. Robertson.

From *Indiana*—Mr. Wm. Hendricks.

The house then proceeded to the choice of a Speaker. On counting the votes, it appeared that of 147 votes given in, there were for

Henry Clay	140
Samuel Smith	6
Blank	1

So that Mr. CLAY was declared to be duly elected Speaker; and being conducted to the chair, the usual oath was administered to him by Mr. Bassett: when the Speaker made his acknowledgements to the house in the following terms:

"If we consider, gentlemen, the free and illustrious origin of this assembly; the extent and magnitude of the interests committed to its charge, and the brilliant prospects of the rising confederacy, whose destiny may be materially affected by the legislation of congress, the house of representatives justly ranks amongst the most eminent deliberative bodies that have existed. To be appointed to preside at its deliberations is an exalted honor of which I entertain the highest sense. And I pray you to accept, for the flattering manner in which



you have conferred it, my profound acknowledgements.

If I bring into the chair, gentlemen, the advantage of some experience of its duties, far from inspiring me with undue confidence, that experience serves only to fill me with distrust of my own capacity. I have been taught by it how arduous those duties are, and how unavailing would be any efforts of mine to discharge them without the liberal support and countenance of the house. I shall anxiously seek, gentlemen, to merit that support and countenance by an undeviating aim at impartiality; and at the preservation of that decorum, without the observance of which the public business must be illy transacted and the dignity and the character of the house seriously impaired."

The members having been severally qualified by taking the oath to support the constitution, the house proceeded to elect a clerk. On counting the ballots, it appeared that 144 votes were given in, all of which were for THOMAS DOUGHERTY, who resumed his place as clerk of the house.

THOMAS CLAXTON was then re-appointed door-keeper, BENJAMIN BUNCH assistant door-keeper, and THOMAS DUNA sergeant at arms, without opposition.

After the usual incipient proceedings, and interchanging messages with the senate, the house adjourned to twelve o'clock to-morrow.

*Tuesday, December 2*—This day appeared, in addition to those already mentioned, Mr. *Bateman*, of New-Jersey, Mr. *Claborne* and Mr. *Hogg*, of Tennessee, and Mr. *Lewis*, of Virginia.

PRESIDENT'S MESSAGE.

This day at 12 o'clock, the president of the United States transmitted to both houses of congress, the following message, by Mr. Joseph Jones Monroe, his secretary—

*Fellow citizens of the senate  
and of the house of representatives:*

At no period of our political existence had we so much cause to felicitate ourselves at the prosperous and happy condition of our country. The abundant fruits of the earth have filled it with plenty. An extensive and profitable commerce has greatly augmented our revenue. The public credit has attained an extraordinary elevation. Our preparation for defence, in case of future wars, from which, by the experience of all nations, we ought not to expect to be exempted, are advancing under a well digested system, with all the despatch which so important a work will admit. Our free government, founded on the interests and affections of the people, has gained and is daily gaining strength. Local jealousies are rapidly yielding to more generous, enlarged and enlightened views of national policy. For advantages so numerous, and highly important, it is our duty to unite in grateful acknowledgements to that Omnipotent Being, from whom they are derived, and in unceasing prayer, that he will endow us with virtue and strength to maintain and hand them down, in their utmost purity, to our latest posterity.

I have the satisfaction to inform you, that an arrangement, which had been commenced by my predecessor, with the British government, for the reduction of the naval force, by Great Britain and the United States, on the lakes, has been concluded; by which it is provided, that neither party shall keep in service on lake Champlain more than one vessel; on lake Ontario, more than one; on lake Erie and the upper lakes, more than two: to be armed, each with one cannon only, and that all the other armed vessels of both parties, of which an exact list is interchanged, shall be dismantled. It is also

agreed, that the force retained shall be restricted, in its duty, to the internal purposes of each party; and that the arrangement shall remain in force until six months shall have expired, after notice having been given by one of the parties to the other of its desire that it should terminate. By this arrangement, useless expense on both sides, and what is of still greater importance, the danger of collision, between armed vessels, in those inland waters, which was great, is prevented.

I have the satisfaction also to state, that the commissioners under the fourth article of the treaty of Ghent, to whom it was referred to decide, to which party the several islands in the bay of Passamaquoddy belonged under the treaty of one thousand seven hundred and eighty three, having agreed in a report, by which all the islands in the possession of each party before the late war have been decreed to it. The commissioners, acting under the other articles of the treaty of Ghent, for the settlement of boundaries, have also been engaged in the discharge of their respective duties, but have not yet completed them. The difference which arose between the two governments under that treaty, respecting the right of the United States to take and cure fish on the coast of the British provinces, north of our limits, which had been secured by the treaty of one thousand seven hundred and eighty three, is still in negotiation. The proposition made by this government, to extend to the colonies of Great Britain the principle of the convention of London, by which the commerce between the ports of the United States and British ports in Europe had been placed on a footing of equality, has been declined by the British government. This subject having been thus amicably discussed between the two governments, and it appearing that the British government is unwilling to depart from its present regulations, it remains for congress to decide, whether they will make any other regulations in consequence thereof, for the protection and improvement of our navigation.

The negotiation with Spain, for spoiliations on our commerce, and the settlements of boundaries, remains essentially in the state it held in the communications that were made to congress by my predecessor. It has been evidently the policy of the Spanish government to keep the negotiation suspended, and in this the United States have acquiesced, from an amicable disposition towards Spain, and in the expectation that her government would, from a sense of justice, finally accede to such an arrangement as would be equal between the parties. A disposition has been lately shewn by the Spanish government to move in the negotiation, which has been met by this government, and should the conciliatory and friendly policy which has invariably guided our councils, be reciprocated, a just and satisfactory arrangement may be expected. It is proper, however, to remark that no proposition has yet been made from which such a result can be presumed.

It was anticipated, at an early stage, that the contest between Spain and the colonies would become highly interesting to the United States. It was natural that our citizens should sympathize in events which affected their neighbors. It seemed probable, also, that the prosecution of the conflict, along our coast, and in contiguous countries, would occasionally interrupt our commerce, and otherwise affect the persons and property of our citizens. These anticipations have been realized. Such injuries have been received from persons acting under the authority of both the parties, and for which redress

has, in most instances been withheld. Through every stage of the conflict, the United States have maintained an impartial neutrality, giving aid to neither of the parties in men, money, ships or munitions of war. They have regarded the contest, not in the light of an ordinary insurrection or rebellion, but as a civil war between parties nearly equal, having, as to neutral powers, equal rights.—Our ports have been open to both, and every article, the fruit of our soil, or of the industry of our citizens, which either was permitted to take, has been equally free to the other. Should the colonies establish their independence, it is proper now to state, that this government neither seeks, nor would accept from them any advantage, in commerce or otherwise, which will not be equally open to all other nations. The colonies will, in that event, become independent states, free from any obligation to, or connection with us, which it may not then be their interest to form on the basis of a fair reciprocity,

In the summer of the present year, an expedition was set on foot against East Florida, by persons claiming to act under the authority of some of the colonies, who took possession of Amelia Island, at the mouth of St. Mary's river, near the boundary of the state of Georgia. As the province lies eastward of the Mississippi, and is bounded by the United States and the ocean every side, and has been a subject of negotiation with the government of Spain, as an indemnity for losses by spoliation, or in exchange for territory, of equal value, westward of the Mississippi, a fact well known to the world, it excited surprize, that any countenance should be given to this measure by any of the colonies. As it would be difficult to reconcile it with the friendly relations existing between the United States and the colonies, a doubt was entertained, whether it had been authorized by them, or any of them. This doubt has gained strength, by the circumstances which have unfolded themselves in the prosecution of the enterprize, which have marked it as a mere private, unauthorized adventure. Projected and commenced with an incompetent force, reliance seems to have been placed on what might be drawn, in defiance of our laws, from within our limits; and of late, as their resources have failed, it has assumed a more marked character of unfriendliness to us, the island being made a channel for the illicit introduction of slaves from Africa into the United States, an asylum for fugitive slaves from the neighboring states, and a port for smuggling of every kind.

A similar establishment was made, at an earlier period, by persons of the same description, in the Gulf of Mexico, at a place called Galvezton, within the limits of the United States, as we contend, under the cession of Louisiana. This enterprize has been marked in a more signal manner by all the objectionable circumstances which characterized the other, and more particularly by the equipment of privateers, which have annoyed our commerce, and by smuggling. These establishments, if ever sanctioned by any authority whatever, which is not believed, have abused their trust, and forfeited all claim to consideration. A just regard for the rights and interests of the United States required that they should be suppressed, and orders have accordingly been issued to that effect. The imperious considerations which produced this measure will be explained to the parties whom it may, in any degree, concern.

To obtain correct information on every subject in which the United States are interested; to inspire

just sentiments in all persons in authority, on either side, of our friendly disposition, so far as it may comport with an impartial neutrality; and to secure proper respect to our commerce in every port, and from every flag, it has been thought proper to send a ship of war, with three distinguished citizens, along the southern coast, with instruction to touch at such ports as they may find most expedient for these purposes. With the existing authorities, with those in the possession of, and exercising the sovereignty, must the communication be held; from them alone can redress for past injuries, committed by persons acting under them, be obtained; by them alone can the commission of the like, in future, be prevented.

Our relations with the other powers of Europe have experienced no essential change since the last session. In our intercourse with each, due attention continues to be paid to the protection of our commerce, and to every other object in which the United States are interested. A strong hope is entertained, that by adhering to the maxims of a just a candid and friendly policy, we may long preserve amicable relations with all the powers of Europe, on conditions advantageous and honorable to our country.

With the Barbary states and the Indian tribes, our pacific relations have been preserved.

In calling your attention to the internal concerns of our country, the view which they exhibit is peculiarly gratifying. The payments which have been made into the treasury show the very productive state of the public revenue. After satisfying the appropriations made by law for the support of the civil government and of the military and naval establishments, embracing suitable provision for fortification and for the gradual increase of the navy, paying the interest of the public debt, and extinguishing more than eighteen millions of the principal, within the present year, it is estimated that a balance of more than six millions of dollars will remain in the treasury on the first day of January, applicable to the current service of the ensuing year.

The payments into the treasury during the year one thousand eight hundred and eighteen, on account of imports and tonnage, resulting principally from duties which have accrued in the present year, may be fairly estimated at twenty millions of dollars; internal revenues, at two millions five hundred thousand; public lands, at one million five hundred thousand; bank dividends and incidental receipts, at five hundred thousand; making in the whole twenty-four millions and five hundred thousand dollars.

The annual permanent expenditure for the support of the civil government, and of the army and navy, as now established by law, amounts to eleven millions eight hundred thousand dollars; and for the sinking fund, to ten millions; making in the whole, twenty-one millions eight hundred thousand dollars; leaving an annual excess of revenue beyond the expenditure, of two millions seven hundred thousand dollars, exclusive of the balance estimated to be in the treasury on the first day of January, one thousand eight hundred and eighteen.

In the present state of the treasury, the whole of the Louisiana debt may be redeemed in the year one thousand eight hundred and nineteen; after which, if the public debt continues as it now is, above par, there will be annually about five millions of the sinking fund unexpended, until the year one thousand eight hundred and twenty-five, when the loan of one thousand eight hundred and twelve and the



stock created by funding treasury notes, will be redeemable.

It is also estimated that the Mississippi stock will be discharged during the year one thousand eight hundred and nineteen, from the proceeds of the public lands assigned to that object, after which the receipts from those lands will annually add to the public revenue the sum of one million five hundred thousand dollars, making the permanent annual revenue amount to twenty-six millions of dollars, and leaving an annual excess of revenue, after the year one thousand eight hundred and nineteen, beyond the permanent authorized expenditure, of more than four millions of dollars.

By the last returns to the department of war the militia force of the several states may be estimated at eight hundred thousand men, infantry, artillery and cavalry. Great part of this force is armed, and measures are taken to arm the whole. An improvement in the organization and discipline of the militia, is one of the great objects which claims the unremitting attention of congress.

The regular force amounts nearly to the number required by law, and is stationed along the Atlantic and inland frontiers.

Of the naval force, it has been necessary to maintain strong squadrons in the Mediterranean and in the Gulf of Mexico.

From several of the Indian tribes, inhabiting the country bordering on lake Erie, purchases have been made of lands on conditions very favorable to the United States, and, as it is presumed, not less so to the tribes themselves.

By these purchases, the Indian title, with moderate reservations, has been extinguished to the whole of the land within the state of Ohio, and to a great part of that in Michigan territory, and of the state of Indiana. From the Cherokee tribe a tract has been purchased in the state of Georgia, and an arrangement made, by which, in exchange for lands beyond the Mississippi, a great part if not the whole of the land belonging to the tribe, eastward of that river in the state of North Carolina, Georgia and Tennessee, and in the Alabama territory, will soon be acquired. By these acquisitions, and others that may reasonably be expected soon to follow, we shall be enabled to extend our settlements from the inhabited parts of the state of Ohio, along lake Erie, into the Michigan territory, and to connect our settlements by degrees, through the state of Indiana and the Illinois territory, to that of Missouri. A similar and equally advantageous effect will soon be produced to the south, through the whole extent of the states and territory which border on the waters emptying into the Mississippi and the Mobile. In this progress, which the rights of nature demand, and nothing can prevent, marking a growth, rapid and gigantic, it is our duty to make new efforts for the preservation, improvement and civilization of the native inhabitants. The hunter state can exist only in the vast, uncultivated desert. It yields to the more dense and compact form, and greater force of civilized population: and of right it ought to yield, for the earth was given to mankind to support the greatest number of which it is capable, and no tribe or people have a right to withhold from the wants of others more than is necessary for their own support and comfort. It is gratifying to know that the reservation of land made by the treaties with the tribes on lake Erie, were made with a view to individual ownership among them, and to the cultivation of the soil by all, and that an annual stipend has been pledged to supply their other wants. It will merit the consideration of

congress, whether other provision, not stipulated by the treaty, ought to be made for these tribes and for the advancement of the liberal and humane policy of the United States towards all the tribes within our limits, and more particularly for their improvement in the arts of civilized life.

Among the advantages incident to these purchases, and to those which have preceded, the security which may thereby be afforded to our inland frontiers, is peculiarly important. With a strong barrier, consisting of our own people, thus planted on the lakes, the Mississippi and the Mobile, with the protection to be derived from the regular force, Indian hostilities, if they do not altogether cease, will henceforth lose their terror. Fortifications in those quarters, to any extent, will not be necessary, and the expense attending them may be saved. A people accustomed to the use of fire arms only, as the Indian tribes are, will shun even moderate works, which are defended by cannon. Great fortifications will, therefore, be requisite only, in future, along the coast, and at some points in the interior, connected with it. On these will the safety of towns, and the commerce of our great rivers, from the bay of Fundy to the Mississippi, depend. On these, therefore, should the utmost attention, skill and labor, be bestowed.

A considerable and rapid augmentation in the value of all the public lands, proceeding from these and other obvious causes, may henceforward be expected. The difficulties attending early emigrations, will be dissipated even in the most remote parts. Several new states have been admitted into our union, to the west and south, and territorial governments, happily organized, established over every other portion in which there is vacant land for sale. In terminating Indian hostilities, as must soon be done, in a formidable shape at least, the emigration, which has heretofore been great, will probably increase, and the demand for land, and the augmentation in its value, be in like proportion. The great increase of our population throughout the union will alone produce an important effect, and in no quarter will it be so sensibly felt as in those in contemplation. The public lands are a public stock, which ought to be disposed of to the best advantage for the nation. The nation should, therefore, derive the profit proceeding from the continual rise in their value. Every encouragement should be given to the emigrants, consistent with a fair competition between them, but that competition should operate in the first sale to the advantage of the nation rather than of individuals. Great capitalists will derive all the benefit incident to their superior wealth, under any mode of sale which may be adopted. But if, looking forward to the rise in the value of the public lands, they should have the opportunity of amassing, at a low price, vast bodies in their hands, the profit will accrue to them, and not to the public. They would also have the power, in that degree, to control the emigration and settlement in such a manner as their opinion of their respective interests might dictate. I submit this subject to the consideration of congress, that such further provision may be made on the sale of the public lands, with a view to the public interest, should any be deemed expedient, as in their judgment may be best adopted to the object.

When we consider the vast extent of territory within the United States, the great amount and value of its productions, the connection of its parts, and other circumstances, on which their prosperity and happiness depend, we cannot fail to entertain a high sense of the advantage to be derived from



the facility which may be afforded in the intercourse between them by means of good roads and canals. Never did a country of such vast extent offer equal inducements to improvements of this kind, nor ever were consequences of such magnitude involved in them. As this subject was acted on by congress at the last session, and there may be a disposition to revive it at present, I have brought it into view for the purpose of communicating my sentiments on a very important circumstance connected with it, with that freedom and candor which a regard for the public interest and a proper respect for congress require.—A difference of opinion has existed, from the first formation of our constitution to the present time, among our most enlightened and virtuous citizens, respecting the right of congress to establish such a system of improvement. Taking into view the trust with which I am now honored, it would be improper, after what has passed, that this discussion should be revived, with an uncertainty of my opinion respecting the right. Disregarding early impressions, I have bestowed on the subject all the deliberation which its great importance, and a just sense of my duty, required—and the result is a settled conviction in my mind, that congress do not possess the right. It is not contained in any of the specified powers granted to congress; nor can I consider it incidental to, or a necessary mean, viewed on the most liberal scale, for carrying into effect any of the powers which are specifically granted. In communicating this result, I cannot resist the obligation which I feel to suggest to congress the propriety of recommending to the states the adoption of an amendment to the constitution, which shall give to congress the right in question. In cases of doubtful construction, especially of such vital interest, it comports with the nature and origin of our institutions, and will contribute much to preserve them, to apply to our constituents for an explicit grant of the power. We may confidently rely, that if it appears to their satisfaction that the power is necessary, it will be granted.

In this case I am happy to observe, that experience has afforded the most ample proof of its utility, and that the benign spirit of conciliation and harmony, which now manifests itself throughout our union, promises to such a recommendation the most prompt and favorable result. I think proper to suggest also, in case this measure is adopted, that it be recommended to the states to include, in the amendment sought, a right in congress to institute, likewise, seminaries of learning, for the all important purpose of diffusing knowledge among our fellow citizens throughout the United States.

Our manufactories will require the continued attention of congress. The capital employed in them is considerable, and the knowledge required in the machinery and fabric of all the most useful manufactures, is of great value.—Their preservation, which depends on due encouragement, is connected with the high interests of the nation.

Although the progress of the public buildings has been as favorable as circumstances have permitted, it is to be regretted the Capitol is not yet in a state to receive you. There is good cause to presume, that the two wings, the only parts as yet commenced, will be prepared for that purpose the next session. The time seems now to have arrived, when this subject may be deemed worthy the attention of congress, on a scale adequate to national purposes. The completion of the middle building will be necessary to the convenient accommodation

of congress, of the committees, and various offices belonging to it. It is evident that the other public buildings are altogether insufficient for the accommodation of the several executive departments; some of whom are much crowded, and even subject to the necessity of obtaining it in private buildings at some distance from the head of the department, and with inconvenience to the management of the public business. Most nations have taken an interest and a pride in the improvement and ornament of their metropolis, and none were more conspicuous in that respect than the ancient republics. The policy which dictated the establishment of a permanent residence for the national government, and the spirit in which it was commenced and has been prosecuted, show that such improvement was thought worthy the attention of this nation. Its central position between the northern and southern extremes of our union, and its approach to the west, at the head of a great navigable river, which interlocks with the western waters, prove the wisdom of the councils which established it.

Nothing appears to be more reasonable and proper, than that convenient accommodation should be provided, on a well digested plan, for the heads of the several departments, and for the attorney general; and it is believed that the public ground in the city, applied to these objects, will be found amply sufficient. I submit this subject to the consideration of congress, that such provision may be made in it, as to them may seem proper.

In contemplating the happy situation of the United States, our attention is drawn, with peculiar interest, to the surviving officers and soldiers of our revolutionary army, who so eminently contributed, by their services, to lay its foundation. Most of those very meritorious citizens have paid the debt of nature and gone to repose. It is believed, that among the survivors, there are some not provided for by existing laws, who are reduced to indigence, and even to real distress. These men have a claim on the gratitude of their country, and it will do honor to their country to provide for them.—The lapse of a few years more, and the opportunity will be forever lost; indeed, so long already has been the interval, that the number to be benefitted by any provision which may be made, will not be great.

It appearing in a satisfactory manner that the revenue arising from imposts and tonnage, and from the sale of the public lands, will be fully adequate to the support of the civil government, of the present military and naval establishments, including the annual augmentation of the latter, to the extent provided for, to the payment of the interest on the public debt, and to the extinguishment of it at the times authorized, without the aid of the internal taxes, I consider it my duty to recommend to congress their repeal. To impose taxes, when the public exigences require them, is an obligation of the most sacred character, especially with a free people. The faithful fulfilment of it is among the highest proofs of their virtue, and capacity for self-government. To dispense with taxes, when it may be done with perfect safety, is equally the duty of their representatives. In this instance we have the satisfaction to know that they were imposed when the demand was imperious, and have been sustained with exemplary fidelity. I have to add, that, however gratifying it may be to me, regarding the prosperous and happy condition of our country, to recommend the repeal of these taxes at this time, I shall, nevertheless, be attentive to events, and should any future emergency occur, be not less



prompt to suggest such measures and burt hens, as may then be requisite and proper.

JAMES MONROE.

Five thousand copies of the message of the president was then ordered to be printed—and the house adjourned.

Wednesday, December 3.—Four other members attended and were qualified, viz. from Pennsylvania, Mr. *Sergeant*; from Virginia, *Goodwyn* and *T. M. Nelson*; from South-Carolina, Mr. *Nesbitt*.

The speaker laid before the house a letter from John Gardner, chief clerk in the general land office, accompanied by two copies of a map of the bounty land in the Illinois territory, engraved for the use of the soldiers of the late army.

On motion of Mr. *Smith*, of Md. the several standing committees (nineteen in number) were ordered to be appointed. The Speaker appoints them.

Mr. *Taylor*, of N. Y. offered a series of resolutions, relative to subjects mentioned in the president's message, which shall be attended to hereafter. Adjourned.

### “How to get 'em out.”

“It was the fortune” of the editor of this paper, to be an officer of the navy during the late war.—He was attached to the squadron under commodore Decatur, at the time he was blockaded in the harbor of New London. During the blockade frequent communications were held with the enemy, sanctioned by flags of truce. At one time his force off the harbor consisted of a 74, 2 frigates, and a sloop of war, viz:—the *Ramilies*, 74, com. Hardy; *Endymion*, 40, capt. Hope; *Statira*, 38, capt. Stackpole; *Loup Cervier*, (formerly the *American Wasp*) 16, capt. ——. Our fleet, in the harbor, consisted of the United States, 44, com. Decatur; *Macedonian*, 38, captain Jones, and *Hornet* 16, capt. Biddle. At the close of a conference held on board the frigate United States, a British officer, who had been the bearer of despatches from com. Hardy to com. Decatur, complained very much of the sedentary duty they were compelled to perform; that his commodore did not know “*how to get us out*,” and that they were all tired of the station, as they were deprived of opportunities to signalize themselves. “To signalize yourselves!” (replied an American officer) “Why sir, your commodore may have an immediate opportunity, if he is disposed.” How so?” asked the British officer.—“Why, let the *Ramilies* get under way and put to sea, and if you do not have an opportunity, wind and weather permitting, in less than 20 glasses after, I will forfeit my commission.” The British officer, on his return, communicated the substance of this conversation to com. Hardy, who immediately communicated it to the commanding officers of the different ships under his command. Capt. Hope was overjoyed at the news; capt. Stackpole said, “pon honour this is the best news I have heard for some time.”—In the ecstasy of joy it was agreed that the *Ramilies* should put to sea immediately.—The commodore, however, thought proper to give the contemplated enterprize a few days consideration, when it was ultimately agreed upon not to hazard a rencontre, as the United States was a line of battle ship! the *Macedonian*, a 44 gun frigate! and the *Hornet* a sloop of war of the largest class! Thus were frustrated their ardent hopes of “*signalizing themselves*.”

The foregoing, from the pen of an uncouth seaman, “*little bless'd with the set phrase of peace*” nay, with Mr. Niles' masterly pen, very easily be imbued

with “*union of wit and sentiment*,” so as to render it not unacceptable to his numerous readers.

*Berks and Schuykill Journal.*

☞ The above has an immediate reference to an anecdote that was published in the REGISTER a few weeks ago. The editor thanks the “seaman” for his compliment, but acknowledges himself incapable of sharpening the point or moulding the sentiment of the preceding, any better than it is. It is really a “good thing,” and tends to shew what was the universal sentiment of Americans—that the way to “get 'em out” was always at the option of the enemy, by leaving before New London an equality of force.—But—“they knew a trick worth two of that.”

### Russia.

FROM THE SALEM REGISTER.

Since the new order of things the Russians have borrowed from Europe not only its higher sciences, but all the familiar means of diffusing just such knowledge as the government might find to be profitable. The Petersburg Gazette, the oldest in Russia, has been published in Russia, and German, under the academy of sciences, embracing all foreign affairs, and such commercial notices as the interest and convenience of commerce might require. The Northport or New Gazette, twice a week, began in 1809 under the minister of the interior, for the purpose of the police, and for such other objects as the tranquility of Russia might admit. The Russian Invalid, which had as its first object military affairs, appeared in 1813, continued till 1815, and contained all the military arrangements and documents of the empire, with such use of the papers of Hamburg and Berlin as might fulfil its purpose. To this was added the Patriot, which appeared in 1812, and continued till the end of 1813. Its editor belonged to the Petersburg school establishment, and its object was for political, historical and literary information. It contained many articles which might assist the history and geography of Russia, as well as of the state of the press in that country. The Spirit of the Times, was also another paper which appeared weekly in 1815, of which the object was general, but it is said to have contained interesting original documents. The persons to whom these papers were committed, were persons of reputation, and under protection of the government. Such publications were not confined to Petersburg. At Moscow in 1815, several papers appeared. Already in 1802 had been published the European Herald, from Karamzin, the celebrated poet and traveller, and afterwards by other hands.—In this work was much literature, history and useful information. Besides this, at the same place was the Russian Herald, under major Clinka, containing much domestic information, with all the ardor of national attachment. The Moscow Newspaper, a common paper, twice a week, was under the direction of the University. In Astracan, twice a week appeared the Oriental Advertiser, a political and literary paper in the Russ and Armenian. The Casan Advertiser was well conducted, and appeared once a week, and was under the authority of the University at Petersburg. In Charkow was the Ukraine Herald, a literary paper from the youth of the University. Another paper also appeared in this place called Democritus in Charkow, a monthly satirical paper from a teacher in that place. In Riga was a Russ weekly paper, under the direction of some distinguished persons in that place, directed to all the objects of the common newspapers in other parts of Europe.

# NILES' WEEKLY REGISTER.

NEW SERIES. No 16—Vol. I ] BALTIMORE, DECEM. 13, 1817. [No. 16—Vol. XIII. WHOLE No. 328.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The congress of the United States appears really to have met for the "*despatch of business.*"—Never before, perhaps, at so early a period of the session, and in such a time as the present, were their proceedings so interesting as now. We shall take care to keep a correct journal of affairs transacted at Washington.

The momentary pressure of documentary articles, with the proceedings of congress, messages of governors of states, &c. excludes several things of our own manufacture, and a very considerable mass of miscellaneous matter. But, it is our first purpose to preserve such articles; and, assisted by a supplement or two, we shall soon relieve our files of them, and find room for those alluded to.

## Treasury Report.

ANNUAL REPORT OF THE SECRETARY OF THE TREASURY, TO THE TWO HOUSES OF CONGRESS.

*Treasury Department, Dec. 5th, 1817.*

Sir—I have the honor to enclose a report, prepared in obedience to the act, entitled "an act to establish the treasury department."

I have the honor to be, very respectfully, sir, your most obedient servant, WM. H. CRAWFORD.  
*The hon. the president of the senate.*

### REPORT.

In obedience to the directions of the "act, supplementary to an act to establish the Treasury department," the secretary of the treasury respectfully submits the following report and estimates:

#### REVENUE.

The net revenue arising from duties upon imports and tonnage, internal duties, direct tax, public lands, postage, and incidental receipts, during the year 1815, amounted to \$49,552,852 02

viz:

Customs 36,303,231 77  
Internal duties 5,963,225 88  
Direct tax 5,723,152 25

Public lands, exclusive of those in the state of Mississippi and Alabama territory 1,287,959, 28

Postage and incidental receipts 275,282 84

And that which accrued from the same sources, during the year 1816, amounted to 36,743,574 07

viz:

Customs, (see statement A) 27,569,769 71

Internal duties, (see statement B) 4,396,133 25

Direct tax, (see statement C) 2,785,343 20

Public lands, exclusive of those in the state of Mississippi and of the Alabama territory, (see statement D) 1,754,487 38

Postage and incidental receipts 237,840 53

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It is ascertained that the gross amount of duties on merchandize and tonnage, which have accrued during the three first quarters of the present year, exceed 17,000,000; and that the revenue arising from internal duties and from the public lands, during the same period, exceed that of the corresponding quarters of the year 1816.

The balance in the treasury, on the first day of January, 1817, exclusive of 10,665,287 dollars 39 cents, in treasury notes, of every description, amounted to 11,295,592 86

The payments in the treasury during the three first quarters of the year are estimated to amount to

27,095,984 14

viz:

Customs 21,732,068 22

Internal revenue and direct tax 3,480,173 43

Public lands exclusive of those in the state of Mississippi and the Alabama 1,326,077 44

Postage and incidental receipts 26,913 93

Repayments into the treasury 530,751 18

And the payments into the treasury, during the 4th quarter, from the same sources, are estimated at 5,980,000

Making the total amount estimated to be received into the treasury, during the year 1817, amount to 33,075,984 14

Which, added to the sum in the treasury, on the first day of January last, makes the aggregate amount of 44,371,577 00

The application of this sum, for the year 1817, is estimated as follows, viz:

To the 30th September the payments have amounted to 32,710,002 98

viz:

Civil, diplomatic, and miscellaneous expenses, exclusive of three hundred & seventy five thousand dollars paid to the state of Georgia from the proceeds of the Mississippi lands 2,790,218 75



Military service, including arrearage 7,105,816 90  
 Naval service, 2,044,474 25

Public debt exclusive of \$3,592,927 60 of treasury notes, which have been cancelled in due course of settlement, 20,761,462 98

During the fourth quarter, it is estimated that the payments will amount to 5,660,000

Civil, diplomatic, & miscellaneous expenses 600,000

Military service 1,110,000

Naval service 1,300,000

Public debt to the first of January, 1818, inclusive 2,650,000

Making the aggregate amount of 38,370,002 88

And leaving, on that day, exclusive of eight millions, 682,697 dollars and seventy cents, in treasury notes, which are in a train of settlement, in order to be cancelled, a balance in the treasury of 6,001,575 88

OF THE PUBLIC DEBT.

The funded debt, contracted before the year 1812, which was unredeemed on the 1st day of October, 1816, as appears by the statement (1) amounted to 37,494,267 01

By the same statement, it appears that the funded debt, contracted subsequent to the first day of January, 1812, amounted to 71,201,551 28

Making, together, the sum of 108,659,818 29

To which must be added the temporary loan from the Cumberland bank of 50,000

Making the aggregate amount of 108,745,818 29

On the first day of January, 1817, there was added to the above amount, including seven millions dollars of five per cent. stock, subscribed to the bank, and including, also, a temporary loan from the bank of 500,000 dollars: the sum of 7,877,471 61

From which deduct the amount of the old six per cent. and deferred

stock reimbursed between the 1st day of October, and the 1st day of January, 1817, inclusive, amounting to 815,434 42

Leaving the sum of 7,061,987 19

Making the public debt, which was unredeemed on the 1st day of January, 1817, as appears by statement (2) amount to 115,807,805 48

From the 1st day of January, to the 30th day of September, 1817, inclusive, there was, by funding treasury notes, added to the public debt, as appears by statement (6) the amount of 1,097,315 43

Making, on that day, as appears by statement (4) the aggregate amount of 116,905,120 91

During the same period there was purchased and redeemed of the public debt, including five hundred and fifty thousand dollars of temporary loans, the sum of 16,993,275 50

Which, deducted from the amount of the public debt, last stated, leaves, unredeemed, on the 1st day of October, 1817, as per statement (3) the amount of 99,911,845 41

Since the 30th September, there has been purchased or redeemed of the principal of the public debt, as appears by statement (5) the amount of 333,235 16

And there will be reimbursed of the principal of the old six per cent. and deferred stock, to the 1st day of January, 1818, inclusive, the amount of 709,513 70

Making, together 1,042,748 86

Which, being deducted from the aggregate amount of the public debt, on the 1st October, there will remain, unredeemed, on the 1st January, 1818, the sum of 98,869,096 55

By the same statement (5) it appears that the principal of the public debt, purchased and redeemed, during the year 1817, including 550,000 dolls. of temporary loans, amounts to 18,036,023 72

In this sum is included all the funded debt held by the bank of the United States.

The old six per cent. stock will be redeemed in the course of the year 1818. The first instalment of the Louisiana debt falls due on the 21st day of October of that year. According to the terms of the convention, this debt is to be discharged by annual instalments of not less than three millions each. It is therefore presumed that, consistently with the letter of the convention, the whole debt cannot be discharged in one payment. But for this obstacle, in the present state of the treasury, and under

the existing provisions of the sinking fund, the whole amount of the stock might be redeemed on the 21st day of October next. It is believed that neither the letter or spirit of the convention forbids the redemption of that stock in two annual instalments, by which the whole debt will be redeemed on the 21st day of October 1819.

After the redemption of the Louisiana stock, there is no part of the principal of the public debt redeemable at the will of the government until the 1st day of January, 1825, except the five per cent. stock subscribed to the bank of the United States. As the commissioners of the sinking fund are not authorized to redeem the five per cent. stock, the permanent annual appropriation of 10,000,000 of dollars, from the year 1819 to 1825, under the existing laws, can only be applied to the payment of the interest of the public debt, and to the gradual reimbursement of the principal of the six per cent. deferred stock; and will leave during that period, an annual surplus of nearly five millions of dollars.

During the year 1825, the exchanged six per cent. stock, the six per cent. of 1812, and the stock created by finding treasury notes, amounting together to 18,895,456 23. will be redeemable. To the redemption of the whole of this stock within that year, the sinking fund, by the aid of its surpluses, will not only be entirely adequate, but will be amply sufficient to redeem the remainder of the public debt, at the several periods at which the different stocks of which it is composed become redeemable. The whole debt, including the five per cent. stock, will be extinguished during the year 1830, except the three per cent. stock, which is not redeemable at the will of the government.

It is not presumed that taxes will be imposed, and collected, for the express purpose of purchasing the funded debt above its nominal value. It is, however, believed to be unsafe to reduce the revenue below the permanent annual expenditure as now authorized by law, including the appropriation constituting the sinking fund. A reduction below that amount would postpone the redemption of the public debt beyond the periods when the several loans of which it is composed become redeemable, or impose upon the legislature the duty of resorting to them anew for that object.

If, then, the revenue shall, until the year 1825, be equal to the present annual expenditure, it is respectfully suggested whether the public interest will not be promoted, by authorising the commissioners of the sinking fund to purchase the funded debt at such rates above par, as in their judgment will be for the interest of the nation, rather than to suffer the annual surplus of the sinking fund to remain in the treasury unapplied, for five successive years. Should such an authority be given to the commissioners of the sinking fund, it is probable that the different species of stock would advance in price above their present current value; but as the authority would be permissive, not imposing the obligation to purchase, it is probable that the surplus of the sinking fund might be more beneficially employed in purchasing the public debt than by remaining idle in the treasury, until the year 1825. If that surplus could be annually invested early in each year, at the present prices of the different species of stock, it would produce a saving to the nation of not less than four millions of dollars, between the first days of January, 1820, and 1825. The interest which will accrue on the 5 per cent. stock, between the first days of January, 1820, and 1825, when it is estimated that the whole redeemable debt will be discharged, will amount to

\$3,500,000; if, therefore, it is intended to redeem that stock, the surplus in the sinking fund may be legitimately applied to that object, during the year 1820 and 1821.

By statement (3) it appears that the treasury notes which have issued under the several acts of congress on that subject, have amounted to

36,133,794

Of which there has been cancelled at the treasury,

26,574,431

There is now in the treasury, which will be cancelled when settled, exclusive of 422,519 77, the estimated interest upon them, the amount of

8,623,400

Making together the sum of

35,497,331

Leaving outstanding, an estimated balance of,

635,963

As the outstanding treasury notes are convertible into funded debt, which is considerably above par, it is presumed that such portion of them as are not lost or destroyed, will be funded, instead of being paid into the treasury in discharge of duties and taxes. It is, therefore, probable that an addition to the public debt will be made during the year 1818, nearly equal to the treasury notes estimated to be outstanding.

Statement (E) presents the state of the land-offices in the state of Mississippi, and in the Alabama territory, from which it appears the receipts into the treasury have amounted to \$1,124,100 81, of which 431,120 were in Mississippi stock.

From the proceeds of the sales of these lands, there has been paid to the state of Georgia the sum of 683,441 33, and there has been transferred to the state, by the commissioners of the U. States, under the act compromising the Yazoo claims, that part of the original purchase money remaining in the state treasury, amounting to 184,515 94, making together the sum of 872,957 27, and leaving still due to the state the sum of 377,042 73, which is now ready to be paid under the provisions of the act of the 3d of March last.

By statement (7) it appears that the Mississippi stock awarded by the commissioners, amounts to

4,278,434

From which deduct the amount received into the treasury,

431,120

Leaves outstanding the sum of

3,747,314

Which it is estimated will be received into the treasury during the two succeeding years, in payment of the public lands in the state of Mississippi, and in the Alabama territory, or will be discharged by payments from the treasury out of the proceeds of the sales of those lands.

*Of the estimates of the public revenue and expenditures for the year 1818.*

The importations of foreign merchandise during the years 1815 and 1816, so greatly exceeded what was presumed to be equal to the annual average consumption, that a general impression was produced that the importations during the present year would fall greatly below that demand. Under this impression the revenue accruing from that source, for the year 1817, was, in the annual report of the treasury of the 16th of December, 1816, estimated at 12,000,000. But it is ascertained that the gross revenue arising from that source, during the three first quarters of the year, have exceeded 17,000,000,



and it is estimated that that of the whole year will exceed 22,000,000.

It is presumed that the importations from the East Indies during the present year greatly exceed those which will take place during several consecutive years; and that the reaction produced by the excessive importations of 1815 and 1816, has in some degree been diminished by that circumstance. There is, however, just ground to believe, that the revenue derived from this source, will not, for any given series of years, fall below that of the present year. Considering that this revenue, during the year 1807, (the last year that our commerce was not greatly embarrassed by belligerent aggression,) exceeded 16,000,000; that the duties then imposed are considerably augmented by the present tariff, and that our population has increased more than thirty per cent. carrying with it, in the same degree, an increase of the means of procuring foreign articles, with an undiminished relish for their consumption; it is presumed that the revenue from that source, during the present year, will be found to be less than that of any number of successive years.

According to these views the permanent annual revenue may be estimated to amount to

<i>Viz:</i>		24,525,000
Customs,	20,000,000	
Internal duties,	2,500,000	
Public lands, exclusive of the Mississippi and Alabama lands,	1,500,000	
Bank dividends at 7 per cent.	490,000	
Postage and incidental receipts	35,000	

And the payments into the treasury during the year 1818, may be estimated at the same amount.

To which add the balance estimated to be in the treasury on the first day of January, 1818

Making together the sum of	30,525,000
The probable authorized demands upon the treasury during the year 1818, are estimated to amount to	21,946,351 74

<i>Viz:</i>	
Civil, miscellaneous, diplomatic, and foreign intercourse,	2,069,843 29
Military services, including an arrearage of five hundred thousand dollars,	6,265,132 25
Naval service, including one million of dollars for the gradual increase of the navy,	3,611,376 20
Public debt,	10,000,000 00

Which, being deducted from the amount estimated to be received into the treasury, including the balance on the first of January 1818, leaves, on the first of January, 1819, a balance in the treasury, of 8,578,648 dollars 26 cents, which, however, will be applied to the redemption of the Louisiana stock, under the provisions of the act for the redemption of the public debt, passed the 3d day of March, 1817, as far as those provisions will admit. All which is respectfully submitted

WILLIAM H. CRAWFORD.

Treasury department, Dec. 5th, 1817.

## Legislature of Maryland.

On Monday, the 1st inst. a sufficient number of members appeared in the house of delegates to form a quorum, but in consequence of the act to *Suppress Duelling*, (passed at last session,) prescribing an additional oath to the old oath of qualification, which additional oath was deemed unconstitutional, the members present did not qualify, but adjourned until the next day, that farther time might be had to consider the subject. On Tuesday the opinion of Luther Martin, esquire, was communicated by letter to one of the delegates, and after the members convened, they determined to dispense with the additional oath, and qualify in the manner heretofore practised.

Nicholas Stonestreet, esq of Charles county, (fed) had 35 votes for speaker; Mr. Hawkins, of Frederick (rep.) had 31.

The following is a copy of the letter from Mr. Martin, alluded to in the preceding—

*Baltimore Nov. 24th, 1817.*

Dear Sir—I certainly would not wish to throw any obstacles in the way of any legislative provisions for the suppression or prevention of duelling; but so far as the law of last session requires, that the member chosen as a representative shall be obliged to take the oath prescribed by that act, I think there can be no doubt but that the same is unconstitutional. The constitution has declared what are the qualifications which shall render a person eligible, and when duly elected, what oaths are to be taken by the member chosen, before he takes his seat. The additional oath required by the aforesaid law, has not the apology of having any relation to the peculiar duties he owes to his country in his legislative character, nor to regulate his conduct while he sustains that character. If such a law can be constitutionally passed, the legislature may, with as much propriety, enumerate every breach of the decalogue through all the subdivisions of each of the commandments, and compel each member, before he can serve his constituents, who have made him their choice, to bind himself by the solemn sanction of an oath, to live thereafter a life of sinless purity. Nor can I think it, even in a moral or religious point of view, correct that such oaths should be taken; for although it is certainly a sacred duty to form the strongest resolutions against the violation of any duty which we owe to our God, or our fellow-creatures, and to solicit divine assistance to give us strength to keep such resolutions, yet I can scarcely believe, the most pious divine would recommend, to those under his charge, to lay such a snare for their souls, as to bind themselves, with an oath, to keep them: And I can easily conceive that a man, who would conscientiously desire to perform every duty, might shrink, almost with horror, from placing himself in such a predicament, that if through the weakness of human nature he should violate his duty, he must thereby incur not only the guilt peculiar to the specific offence, but also stain his soul, in addition, with the guilt of perjury. And the more conscientious the person, the greater in all probability would be the reluctance.

Whether the legislature by merely passing a law, could constitutionally disable a man from being chosen a delegate for having been guilty of sending a challenge, I think very doubtful—But in this case they have gone much further—they have declared a man to be ineligible, not for committing a crime, but because he may decline to bind himself under the sanction of an oath that he never will commit it; or what amounts to the same—as to declare him-

self ineligible; for it prohibits him from serving, if elected.

I remain, dear sir, very respectfully, your obedient servant,  
LUTHER MARTIN.  
Benjamin W. Leconte, esq.  
Cambridge, Md.

## Legislature of Virginia.

COUNCIL CHAMBER, Dec. 1st, 1817.

*Fellow citizens of the senate,  
and of the house of delegates.*

In discharge of my duty in conformity to the established custom of all my predecessors in office, I venture to address a few remarks to you upon the commencement of your legislative labors. The happy constitution under which we live has most wisely provided against the innumerable evils which would have resulted from blending executive, legislative and judicial powers and duties. The executive, at all times scrupulously regarding that constitution or form of government, consecrated in their affections by its being an inheritance, which descended to them from their revolutionary fathers, securing to them their rights and liberties; and witnessing as they have done, under the wisdom of its institutions, the rapid advancement of the state to the high and honorable reputation which it sustains, would be the last to encroach upon its principles. They would, therefore, deem it their duty to avoid every suggestion which would have the appearance of giving a bias to the legislative will. While they thus regard the rights of every department of government, and of every individual in it, they will be prompt to feel and ready to discharge, to the best of their abilities, the high and responsible obligations imposed upon them and their department by the constitution.

Happily for our beloved country, it no longer groins under the horrors of a relentless, vindictive and cruel war. Her councils are undisturbed by the turmoils of passion and violence; and that hydra, party spirit, is no longer seen to rear its baneful head among us. The fiscal operations of our government are prosperous, and between every department there prevails a perfect cordiality. The reign of reason and of justice, and of intellectual power, is again acknowledged and restored. The agriculturist is in the full enjoyment of the abundant fruits of his toil; the mechanic is rapidly increasing in wealth by his labor and industry; the merchant reaps the advantage of a widely extended and almost unlimited commerce, and receives the just reward of his enterprise. Every condition of society is in the perfect enjoyment of every immunity that appertains to it. Our national character having been exposed during the late war to the severest trials, and having stood the test, has justly inspired the people with an increased confidence, esteem and affection for their government, and has excited and commands the admiration and respect of foreign nations. How delightful is the state of things to the heart of the philanthropic legislator, contrasted with the dreary scene which our country exhibited to his view, during the war from which we have but just emerged. Whilst we are thus individually, and as a nation permitted to repose in undisturbed tranquility under our own "vine and fig tree, and there are none to make us afraid," protected by the wisdom of these institutions which are bottomed on equal rights, maintaining our religious and civil liberties, insuring the invaluable privilege of self-government; the only legitimate government on earth; are we not bound to bow

with humility and reverence to that God who bountifully sustains us in the enjoyment of those inestimable blessings, and to testify our gratitude to him by the practice of every virtue, and of every christian charity which distinguishes a peculiar people?

The first subject that naturally suggests itself to the mind of an enlightened legislature as of primary importance, is that which relates to the personal security and the sovereignty of that community which has entrusted them, as representatives, with the management of public concerns. As the militia, which is composed of the great mass of our citizens, constitutes the natural defence of a free state; it is upon them a reliance must always be placed, for the attainment of those great objects. It is unnecessary to go into tedious details upon the defects of our militia laws, which are obviously known and felt to be expensive, harassing, and perfectly delusive as to the objects of subordination and discipline. Our revolution and the late war seem to have demonstrated to the world the vital importance of this species of military character, and how rash it may be relied upon when properly directed. The present legislature will therefore be disposed to give the subject the consideration due to it; nor will they, I hope, permit this period of tranquility, so favorable to temperate discussion and deliberation, to pass away, without devising and maturing some system which will be better calculated to inspire individual and public confidence, and to insure a perfect protection to the state from every danger that it may hereafter be exposed to, either from invasion, insurrection, or usurpation—or any other unfortunate vicissitude.

Every exertion has been made by the executive, through the adjutant, quarter-master and commissary-general of ordnance, to have the arms and accoutrements, the military stores, camp equipage, &c. belonging to the state so disposed of as to be preserved from damage. I fear, however, from the difficulty and impossibility, under the law, of fixing upon the responsible persons to whom arms have been distributed, in consequence of deaths, resignations and removals, that a very considerable loss to the state must accrue. The completion of the arsenal in Lexington will hereafter partially guard against a continuance of the evil.

From the present strength of the public guard, being, as I conceive, inefficient for any military purpose whatever, even for the purpose of properly guarding the public edifices, and public property in this city, I submit to the legislature the propriety of discontinuing the establishment.

The executive, in conformity to the law of the last session, appointed five persons who constituted a board of directors to superintend and manage the affairs of the penitentiary. I regret to say, that there was a difficulty in procuring the services of such gentlemen as were selected for the execution of the law. I am led to believe that their regard for the institution, and a sense of necessity which the case imposed, alone induced the acceptance of the appointment. Patriotism may sometimes be found to supply every object of public concern; but it is questionable whether it is sufficient stimulus, at all times, to command public service.

By a report of the superintendent of the armory, which I shall hereafter have the honor of submitting, the legislature will have it more completely in their power to judge of the operations and present state of that institution.

The board of public works, ardently disposed to cherish that spirit of internal improvement which



has been so happily diffused through every section of the state, have occupied the talents of their public engineer upon those objects which they deemed of primary importance to the public interest.—His surveys, plats and reports, of all the objects that have engaged his attention, shall in due time be submitted for the inspection and consideration of the legislature. This policy, which has for its object the promotion of individual wealth and industry, and which cannot fail to elevate the character of the state abroad—which, if perseveringly prosecuted, will enable us to make a proud comparison of our efforts with those of our sister states, cannot but command an important share of your deliberations.

The executive as soon as it was in their power, proceeded to execute the law, (as far as it depended on them) "for arranging the counties into districts, for the election of senators, and for equalizing the land tax."—Reports have been received from not more than half the counties in the state, announcing the completion of the assessment. Whenever the whole of the assistant assessors shall have reported the assessment completed, the provisions of the law will be promptly executed.

Under a law of the last session, entitled "An act to repeal in part an act, entitled an act to provide an accurate chart of each county, and general map of the territory of this commonwealth," the executive proceeded to define the work which would be required, and had it published in the news papers of the state, with a view to receive proposals from such as might be disposed to contract with them for its execution. Proposals have been received from a few persons, but no contract has yet been entered into in relation to the subject. The surveys heretofore contracted for are progressing.

I had hoped, that it would have been certainly in my power to have informed the legislature that our claims on the general government were finally adjusted and closed by payment. Although large sums have been received during the summer from the general government, yet I am informed by Mr. Chew, the commissioner for adjusting the claims, that on account of the informality of returns and vouchers, and from the press of business from other states of a similar nature upon the offices at the city of Washington, considerable sums remain suspended. He further informs me that every exertion is making on his part to bring the accounts speedily to a close, and that he is aided, as far as it is in their power, by the clerks and officers concerned.

It is with great mortification that I am compelled to suggest my fears that the mode proposed for the erection of a monument to the memory of general George Washington, by voluntary subscription, will not succeed. The executive appointed two or more persons, the most distinguished and influential in each county in the state, to receive donations, in hopes that their weight of character and exertions would excite those around to pay that tribute which is so justly due to the memory of a man who is the acknowledged saviour of his country, and the purest patriot and brightest ornament that ever adorned human nature.

The lamented death of Griffin Stith, esq. one of the judges of the general court, occasioned a vacancy during the recess of the legislature, which the executive filled by the appointment of Richard E. Parker, "to be approved or displaced by both houses."

I have to communicate to the legislature the

death of brigadier-general Francis M. Boykin, which occasions a vacancy in the eighth brigade of Virginia militia; this vacancy will be filled during the present session, by an appointment from the general assembly.

The resignation of Nathaniel H. Claiborne, esq. long a member of the privy council, occasions the necessity of filling that vacancy.

A few days hence I shall have the honor of submitting to the legislature, some other matters that have been received by this department, which I deem it my duty to communicate.

*Fellow citizens of the senate,  
and of the house of delegates:*

Upon a review of our past and present condition, we must acknowledge that no period has ever been afforded so peculiarly auspicious for the promotion and advancement of those great and important objects, that so intimately concern perpetuation of government, our present and future happiness, as well as all our dearest interests.

In this rising republic, every man is born with equal claims to the highest offices in the gift of the government. Virtue and talents alone can insure public patronage; and, united, may aspire to the most distinguished employments. You have it in your power, by laying a broad foundation for the rearing of genius and the cultivation of the human mind, to raise to yourselves an everlasting monument, an imperishable fame. You have the right, and your constituents have afforded you the means, through a proper use of the literary fund, of emancipating the human mind from the gloomy bondage of ignorance.

They look to you, and you are accountable to them at least for the performance of this all-important and sacred duty. Remember, that we owe our present happy form of government, our liberties, both civil and religious, to the talents and genius and virtue of our predecessors. They have solemnly warned us that these blessings can only be perpetuated through the means by which they were attained. Cease to cultivate the mind and heart, and your liberties are lost forever. Then, pardon me, for endeavoring so fervently to impress upon you that you owe to the rising generation and to posterity, as legislators, no obligation so solemn and so sacred as that which relates to their education and the attainment of knowledge. In vain shall we transmit them the blessings of a free government, which have cost our forefathers so much blood and treasure to establish and preserve, if we do not inspire them with the capacity of enjoying it, through the means of liberal and patriotic feelings and expanded minds. Give then to all, rich and poor, equally, the means of instruction, and your legislative labors will be blessed and perpetuated, and your country rewarded in the honest, liberal, independent and faithful discharge of your duty.

JAMES P. PRESTON.

## Legislature of North-Carolina.

### GOVERNOR'S MESSAGE.

*To the honorable the general assembly of the state of North-Carolina.*

GENTLEMEN—To meet you at a period like the present, when our country, prosperous in her foreign and domestic relations, her citizens sacrificing their party differences at the shrine of patriotism, and the earth, as to fill up the measure of our happiness, has compensated with the richest abundance the labors bestowed upon it—is a circumstance peculiarly well calculated to afford cause of congratulation.

tulation, and to call forth the warmest expressions of gratitude to the great Author of all these blessings.

The rapid progress we have made as a nation, in the improvements tending to ameliorate the condition of man, seems to point to the high destiny reserved for the United States, and it behoves us as a constituent member of the union, not to be backward in exertions calculated to give us a respectable stand with our sister states in this advancement.

The rank which each state has in the union; is in a great measure estimated by her commercial importance. Situated as North Carolina is, voiding her exports through the two adjoining states, she has not that consequence in the commercial world, to which her population and productiveness so eminently entitle her. To raise her to her proper station, claims the united efforts of every North Carolinian.

A report upon the subject of opening an outlet to the ocean will probably be laid before you at this session. If it be practicable, the advantages arising from it to the state would seem not worthy of a competition with any reasonable expense. A spirit of internal improvement has of late gone abroad, which if properly cherished, may be productive of the most beneficial effects; and I am not aware that the surplus funds of the treasury can be better applied, than in aiding individual enterprise, in undertaking to advance the happiness and convenience of our citizens, and to give the state a rank among her sister states commensurate with her population and extent of territory.

To enlighten the public mind in a free government, has ever been held the surest mode of perpetuating the blessings of the government; in proportion as each individual in a community is informed, just in that portion is he calculated to appreciate the benefits derived from that community. To devise a plan by which instruction may be extensively diffused, occupied some portion of the attention of the last legislature, and as the subject may be again submitted for your consideration, it may not be unseasonable for me thus to invite your attention to it in a particular manner.

Upon the two former occasions, when I had the honor to address you, I took the liberty of soliciting your attention to the judiciary, and you may judge of the importance attached to the subject in my mind, from my again bringing it before you. It will be readily admitted, that next to the legislative, this is the next most important branch of the government, and upon its proper organization a great deal depends. The accumulating duties of the present circuit judges would seem to demand, that their attention should exclusively be devoted to the duties of their circuit; and whether the supreme court, whose decisions are to determine what is the law of the land, and are to be handed down as precedents for the guidance of future generations, should not be composed of men, who could devote their time and attention exclusively to the business of that court, seems to me well worthy of consideration. A curtailment of the circuits also, is with deference recommended.

A complete revision of the criminal code of our state has frequent occupied the attention of the legislature, and may possibly be brought before you this session. Should it not, there is one part of it which appears to me to require amendment; I allude to the punishment of horse stealing. I am fully sensible of the delicacy with which subjects of this sort should be touched; but feel myself treading upon safe ground, when I take the position, that

no punishment should be inflicted in direct opposition to public sentiment. That which most men will unite promptly in pronouncing wrong, must certainly be wrong. And though the law as it now stands has been in force for some years, this circumstance is not to my mind conclusive evidence, that public sentiment is in its favor. It is to be remembered that the public attention has for some years back, been drawn to a complete change of our criminal code, and this law may have been permitted to exist in expectation of this change. For my part I have been led to the conclusion, that public opinion is in opposition to the present mode of punishment, from the circumstance, that not a conviction has taken place in this state, since I have been in office, but a petition has been presented for a pardon, signed, in every instance coming at this time within my recollection, by all the jury, and a long list of others of the most respectable kind, soliciting a pardon solely upon the ground of the severity of the punishment. And I have in every instance yielded to the prayer of the petition, not from the belief that the power of pardoning carried with it a dispensing power, but from a firm conviction that public sentiment was in hostility to the present law, and that every officer is bound, no matter by what tenure he may hold his office, to pay respect to that sentiment.

A well organized and well trained militia is no doubt the surest safeguard in a free country, and deserves all the encomiums which have upon various occasions been lavished upon that species of force. But the great difficulty in this as well as many other states seems to exist in obtaining a force of this description thus well organized and trained. Without meaning any disparagement to the courage or patriotism of the militia of this state, the fact is too evident to be denied that they are in a deplorable state as regards discipline. To give to this great mass of moral and physical force, the efficiency which it merits and is capable of receiving, it is indispensable that they should be instructed and practised in the rule by which they are to be governed.—Towards an accomplishment of this important work, the expediency of instituting a system, which shall, in the first instance, call into the field at the public expense, and for longer periods than at present, certain portions of the commissioned and non-commissioned officers, is recommended for your consideration. The instruction and discipline thus acquired, would gradually diffuse through the entire body of the militia that practical knowledge and promptitude for active service, which are the great ends to be pursued.

In conformity with a resolution of the last general assembly, I enquired of the commanding officers of the counties to which arms had been distributed by the act of 1812, relative to the situation of the arms. The result of that enquiry may be seen upon an examination of the packet marked (A) containing the reports of the officers. The act of 1812 makes it the duty of the governor to distribute the arms which may thereafter be received from the general government, to certain counties named in the act. I declined complying with the requisites of this act as to the fifteen hundred and eighty stand received in 1816, until the sentiments of the legislature should be expressed upon the reception of the report of the state of the arms already distributed. These arms still await your disposition at the United States' store houses in Wilmington and Newbern.

Information has been received that the Ordnance department of the United States is prepared to de-



liver the proportion of arms and equipments to which this state is entitled by an act of congress. An offer has been made to deliver in artillery a proportion of the value of what may be found due. There being no authority to assent to this proposal, the subject is submitted to your consideration.

I lost no time in transmitting to Mrs. Blakely the resolution of the last session relative to the maintenance of her child. Mrs. Blakely has accepted the offer made by the legislature, and has drawn upon the treasurer for six hundred dollars for its support for five years, accompanied with a request, that should this sum be thought large, the legislature would greatly add to the obligations she is already under, if a sum could be named for which she might draw for semi-annually. That part of the resolution directing the sword voted capt. Blakely by a former legislature, to be purchased and presented to Mrs. Blakely, has not been carried into effect, and it is submitted if some other present, for instance a set of tea plate, would not be a more suitable present, the child being a female. Mrs. Blakely's letters upon this subject are submitted in the file (B.)

In compliance with the resolution authorising and requesting the governor to order a court martial for the trial of general Roberts, an order was issued for the court to assemble at the court house in Newbern on the 16th of June. General Roberts was arrested but permitted to go at large. He was notified of the time and place of meeting of the court and served with a copy of the charges and specifications. The court assembled at the time and place appointed, and general Roberts not making his appearance, the court declined trying him on the original charges and specifications, but cashiered him for breach of arrest in not making his appearance, and without notice of the charges. Upon the proceedings being submitted for my approbation, they were disapproved upon the ground that a man could not be tried in his absence without notice.—I then directed the adjutant general to issue an order to the commanding officer of the county of Carteret, to order out a detachment of militia if necessary to arrest general Roberts and keep him in close confinement until the court could be assembled; and a court was accordingly ordered to assemble again at the court house in Newbern on the 13th October. This latter proceeding was founded upon the following clause in Macomb upon Martial Law. p. 54.

"Although the martial law make no mention of any difference in the manner of the arrest in order to trial, a difference is established by the custom of the army, according to the degree or measure of the crime. An officer accused of a capital crime, or any offence of which the penalty is so severe as to excite a natural temptation to escape from justice, ought to be detained in a state of confinement as secure as the closest civil imprisonment. If the offence be of a lighter nature, the presumption is, that the officer whose character is thus impeached, must be solicitous to obtain a judicial investigation of his conduct, and he is therefore generally allowed to walk about within certain limits without his sword, on his word of honor, to await the issue of a trial, or his enlargement by proper authority.—The degree and measure of the arrest must, however, be entirely at the discretion of the commanding officer, who will in all cases regulate his conduct by the particular circumstances, and by the dictates of propriety and humanity." Upon this latter part of the clause, believing the degree and measure of the arrest to be solely at the discretion

of the commanding officer, and as general Roberts had not evinced any wish to have a judicial investigation of his conduct, and had further evinced that his honor was not to be relied on, for making his appearance, I conceived myself authorised to order him into close confinement. From this close confinement the judge who rode the circuit thought proper to release him, and feeling no disposition to have the farce of assembling a court martial acted without any compulsory power to compel the attendance of gen. Roberts, an order was issued by my direction to prevent the assemblage of the court a second time. This statement is made with a view to obtain a legislative provision, to compel the attendance of officers on court martial, if the decision of the judge be correct.

It is much to be lamented that a cause of difference should exist between two states, having such strong inducements to union as North Carolina and Tennessee.

The memorial which was presented to the last session of congress, having been as I have been informed, postponed in consequence of the pressure of business, it is most respectfully submitted, whether the bringing the subject again to the view of congress by another memorial (lest the one already presented should be permitted to remain another session among the unfinished business of the last,) treating with due respect the feelings of our sister state, but at the same time, supporting with dignity and firmness the rights of N. Carolina, would be deemed superfluous or intrusive.

A letter is herewith submitted from George Graham, esq. acting secretary of war, containing information that the commissioners appointed to treat with the Cherokee Indians, have signed a treaty by which that nation have relinquished their claim to a tract of country including the whole of the land claimed by them within the limits of the state of N. Carolina, and that this treaty would be submitted to the senate at their next session.

The claim of North Carolina against the U. States for monies advanced by the state, in payment of militia called into the service of the United States, remains unsettled. The war department has been from time to time furnished with the documents called for. By a letter received a few days since from the 3d auditor, I am informed that upon an estimate being furnished of the probable amount of the outstanding claims, a further sum will be advanced to the executive of the state to meet the payment of them; and that a final adjustment will be made upon the completion of the payments, and the transmission of the additional documents.

On this last occasion of addressing you, I cannot omit the fit opportunity of presenting to you, and through you to your predecessors, my sincere thanks for the repeated instances of confidence reposed in me. The indulgence with which my conduct while in office has been viewed by my friends, will always be remembered with gratitude. In administering the affairs of the state, I have no doubt committed many errors. It is the province of humanity. But I can with confidence affirm, that they have been errors of the understanding and not of inclination.

That your deliberations will be directed to the interest and prosperity of the state, your constituents have a sure guarantee in the circumstance of your being selected from them, from your attachment to and knowledge of their interest.

With the highest consideration and respect, I have the honor to be, your obedient servant,

WILLIAM MILLER.

## CONGRESS.

SENATE.

*Dec. 8.*—Mr. *Sanford* submitted the following motion for consideration; which lies one day of course—

*Resolved*, That the committee of finance enquire what alterations or amendments may be required in the present system of collecting the duties charged on the value of merchandize imported into the United States; and what further legal provisions are necessary in order to secure the equal and certain collection of those duties.

Mr. *Barbour* gave notice that he should, on tomorrow, ask leave to bring in a resolution proposing to the several states an amendment to the constitution of the United States on the subject of internal improvements.

*Dec. 9.*—No material business was done to day, except the following:

Mr. *Barbour*, of Virginia, in pursuance of notice yesterday given, introduced the following resolution for an amendment to the Constitution of the United States, in relation to internal improvements.

*Resolved, &c.* That the following amendment to the constitution of the United States, be proposed to the legislatures of the several states, which, when ratified by the legislatures of three fourths of the states, shall be valid to all intents and purposes, as a part of the said constitution: "Congress shall have power to pass laws appropriating money for constructing roads and canals, and improving the navigation of water courses. *Provided, however*, that no road or canal, shall be conducted in any state, nor the navigation of its waters improved, without the consent of such state. *And provided, also*, that whenever congress shall appropriate money to these objects, the amount thereof shall be distributed among the several states, in the ratio of representation which each state shall have in the most numerous branch of the national legislature. But the portion of any state, with its own consent, may be applied to the purpose aforesaid, in any other state."

The resolution lies on the table for consideration.

[It was read a second time the next day, and referred to a committee consisting of Messrs. *Barbour*, *King*, *Lacock*, *Macon* and *Eppes*.]

On balloting for a Chaplain on the part of the senate, the Rev. Mr. *Hawley*, Pastor of St. John's church in Washington, was duly elected.

*Dec. 10.*—Mr. *Morrow*, of Ohio, submitted the following motion for consideration;

*Resolved*, That the President of the United States be requested to communicate to the Senate such information as he may possess relating to the progress made in surveying the several tracts of military bounty lands appropriated by Congress, in the state of Indiana, and the Missouri territory, for the late army of the United States, and the time at which such surveys will probably be completed.

Mr. *Sanford*, of N. Y. submitted the following motion:

*Resolved*, That the secretary of the treasury be directed to lay before the senate information of the progress which has been made in the settlement of public accounts, under the "act to provide for the prompt settlement of public accounts," and that he also state what further legal provision, may be, in his opinion, necessary to ensure their speedy settlement.

These motions lie on the table one day, of course.

*December 11.*—All the forms being passed through, Messrs. *Walter Leak* and *Thos. H. Williams* took their seats as senators from the new state of Mississippi.

The senate resumed the consideration of the motion of the 10th instant, for information relating to the prompt settlement of public accounts, and agreed thereto.

The standing committees of the senate were then appointed by ballot—a list of which shall be given hereafter.

HOUSE OF REPRESENTATIVES.

*Wednesday, Dec 3.*—On motion of Mr. *Taylor*, of New York, the house resolved itself into a committee of the whole on the state of the union, Mr. *Smith*, of Md. being called to the chair.

The president's message was the subject of consideration.

Mr. *Taylor*, moved a series of resolutions, embracing the following references of various parts of the message:

*Resolved*, That so much of the message of the president of the United States, as relates to the subject of foreign affairs, and to our commercial intercourse with British colonial ports, be referred to a select committee.

That so much as relates to military affairs; so much as relates to an improvement in the organization and discipline of the militia; so much as relates to naval affairs; so much as relates to the improvement of the indian tribes in the arts of civilized life; so much as relates to roads, canals, and seminaries of learning; so much as relates to the illicit introduction of slaves from *Amelia* island into the United States; so much as relates to the public buildings, and the erection of new edifices for the accommodation of the heads of departments and the attorney general; so much as relates to the surviving officers and soldiers of the revolutionary army; be severally referred to select committees, with leave to report by bill or otherwise.

That so much as relates to manufactures, be referred to the committee of commerce and manufactures; so much as relates to the subject of revenue, and a repeal of the internal taxes, be referred to the committee of ways and means; so much as relates to purchases of lands from the Indian tribes, to the committee on public lands.

The first resolution having been read for consideration, Mr. *Clay* (the speaker) moved to amend the same by adding to the end thereof the following words:

"And that the said committee be instructed to enquire whether any, and if any, what provisions of law are necessary to ensure, to the American colonies of Spain, a just observance of the duties incident to the neutral relation in which the United States stand, in the existing war between them and Spain."

Mr. *Clay* said, that his presenting at so early a period of the session, this subject to the consideration of the house, was in consequence of certain proceedings which he had seen represented in the public prints as having taken place before certain of our courts of justice. Two or three cases bearing on this subject had come to his knowledge, which he wished to state to the house. The first had occurred at Philadelphia, before the circuit court of the United States held in that city. The circumstances of the case, for which however he did not pretend to vouch, having received them through the channel already indicated, were these: if they were incorrectly stated, he was happy that a gen-



tleman had taken his seat this morning from that city, who would be able to correct him: that nine or ten British disbanded officers had formed in Europe the resolution to unite themselves with the Spanish patriots in the contest existing between them and Spain; that to carry into effect this intention, they had sailed from Europe, and in their transit to South America had touched at the port of Philadelphia; that, during their residence in Philadelphia, wearing perhaps the arms and habiliments of military men, making no disguise of their intention to participate in the struggle, they took passage in a vessel bound to some port in South America; that, a knowledge of this fact having come to the ears of the public authorities, or, perhaps at the instigation of some agent of the Spanish government, a prosecution was commenced against these officers, who, from their inability to procure bail, were confined in prison. If, said Mr. C. the circumstances attending this transaction be correctly stated, it becomes an imperious duty in the house to institute the enquiry contemplated by the amendment which I have proposed. That this was an extraordinary case was demonstrated by the fact of the general sensation which it had excited on the subject, in the place where it had occurred. Filled as that respectable and populous city is with men who differ widely on political topics and entertaining various views of public affairs, but one sentiment, Mr. C. said, prevailed on this subject, which was favorable to the persons thus arraigned. With regard to the conduct of the court on this occasion, he would say nothing: The respect which, whilst he had a seat on this floor, he should always shew to every department of the government; the respect he entertained for the honorable judge who had presided, forbade him from pronouncing the decision of that court to have been unwarranted by law. But he felt himself perfectly sustained in saying, that if the proceeding was warranted by the existing law, it was the imperious duty of congress to alter the law in this respect. For, what, he asked, was the neutral obligation which one nation owed to another engaged in war? The essence of it is this: that the belligerent means of the neutral shall not be employed in the war in favor of either of the parties. That is the whole of the obligation of a third party in a war between two others; it certainly does not require of one nation to restrain the belligerent means of other nations. If those nations choose to permit their means to be employed in behalf of either party, it is their business to look to it, and not ours. Let the conduct of the persons prosecuted be regarded in its most unfavorable light: let it be considered as the passage of troops through our country and there was nothing in our neutral obligations forbidding it. The passage of troops through a neutral country according to his impressions, was a question depending on the particular interest, quiet or repose of the country traversed, and might be granted or refused at its discretion, without in any degree affecting the obligations of the neutral to either of the parties engaged in the controversy. But surely, Mr. C. said, this was not a case of the passage of troops; the persons apprehended not being in sufficient number, nor organized or equipped in such a manner as, under any construction, to constitute a military corps. On this case he would detain the house no longer, he said; for he was satisfied they could not but agree with him, if the law justified the proceeding that had taken place, that law ought to be immediately amended. Other cases had occurred in which it appeared to him it became the congress to inter-

pose its authority. Persons sailing under the flag of the provinces had been arraigned in our courts, and tried for piracy; in one case, after having been arraigned, tried, and acquitted of piracy, the same individuals, on the instigation of a Spanish officer or agent, had been again arraigned for the same offence. The gentlemen from Massachusetts would correct him if he was wrong, for the case had occurred in the town of Boston. We admit the flag of these colonies into our ports, said Mr. C. we profess to be neutral; but if our laws pronounce, that, the moment the property and persons under that flag enter our ports, they shall be seized, the one claimed by the Spanish minister or consul as the property of Spain, and the other prosecuted as pirates, that law ought to be altered if we mean to perform our neutral professions. I have brought the subject before this house thus promptly, said Mr. C. because I trust that *in this house* the cause will find justice; that, however treated elsewhere, on this floor will be found a guardian interest attending to our performance of the just obligations of neutrality. Hitherto, he said, whatever might have been our intentions, our acts had been all on the other side. From the proclamation of 1815, issued to terminate an expedition supposed to be organizing in Louisiana, an expedition existing only in the mind of chevalier de Onis, down to the late act—whether the measure was a proper one or not he did not say; his confidence in the executive led him to suppose it was adopted on sufficient grounds—down to the order for suppressing, as it was called, the establishments at Amelia island and Galveztown—all the acts of the government had been on one side: they all bore against the colonies, against the case in which the patriots of South America were arduously engaged. It became us, he said, to look to the other side, honestly intending neutrality, as he believed we did. Let us recollect the condition of the patriots; no minister here to spur on our government, as was said in an interesting and it appeared to him a very candid work recently published in this country respecting the progress of the South American revolution—no minister here to be rewarded by noble honors in consequence of the influence he is supposed to possess with the American government. No: their unfortunate case, Mr. C. said, was what ours had been in the years 1778 and 1779—their ministers, like our Franklins and Jays at that day, were skulking about Europe, imploring inexorable legitimacy for one kind look—some aid to terminate a war afflicting to humanity. Nay, their situation was worse than ours: for we had one great and magnanimous ally to recognize us, but no nation had stepped forward to acknowledge any of these provinces.—Such disparity between the parties, Mr. C. said, demanded a just attention to the interests of the party which was unrepresented: and if the facts which he had mentioned, and others which had come to his knowledge, were correct, they loudly demanded the interposition of congress. He trusted the house would give the subject their attention, and shew that here, in this place, the obligations of neutrality would be strictly regarded in respect to Spanish America.

Mr. Sergeant rose, in consequence of the gentleman having appealed to him, not to enter into any discussion of the question presented by the amendment, but to speak of the facts which were within his knowledge. The statement made by the Speaker was substantially correct: it was also correct that the circumstance had occasioned considerable sensation among all parties in the city of Phi-

Philadelphia. Mr. S. recapitulated the principle facts, adding, that the vessel in which these persons embarked was laden with munitions of war. As respected the views and intentions of the persons apprehended, Mr. S. said, he believed they had neither any intention nor any idea of violating the laws of the United States, and that their conduct had been perfectly decorous and correct. The court had thought they had offended against the act of congress of the last session; or were so far at least of that opinion, that they thought it necessary to detain them. The bail demanded was not high; but they were not able to procure it, and were therefore committed to gaol. It was because of the correct department of these persons, that the sentiment in their favor had been so general—but no complaint was made of the court, for which the same respect was entertained with which the Speaker himself had regarded it. He had mentioned these facts only, that the house might, when the time came for acting on it, be aware of the construction put on the existing law, so far as any had been given.

The amendment moved by Mr. Clay, to the first resolution was agreed to without opposition.

The committee of the whole rose and reported their adoption of the several resolutions moved by Mr. Taylor, with the amendment, which the house agreed to *nem. con.* and the committees were ordered to be appointed accordingly.

And the house adjourned.

*Thursday, Dec. 4.*—Three other members appeared, viz. from Virginia, Mr. Johnson; from Maryland, Mr. Bayly; and from Pennsylvania, Mr. Bullwinn.

The following committees were announced, having been appointed by the Speaker, in pursuance of the order of yesterday:

*Committee of Ways and Means*—Messrs. Lowndes, Smith of Md. Burwell, Pitkin, Abbott, Sergeant and Trimble.

*Of Elections*—Messrs. Taylor, Tyler, Merrill, Shaw, Boss, Whitman and Strong.

*Of Commerce and Manufactures*—Messrs. Newton, Seybert, Moseley, Irving, M. Lane, Crawford and Kinsey.

*Of Claims*—Messrs. Williams of N. C. Rich, Bateman, McCoy, Huntingdon, Schuyler and Walker of Ky.

*Of the District of Columbia*—Messrs. Herbert, Miller, Peter, Boden, Strother, Claiborne and Cobb.

*On the Public Lands*—Messrs. Robertson of Lou. Anderson of Ky. Mercer, Campbell, Hendricks, Terry and Marr.

*On the Post Office and Post Roads*—Messrs. Ingham, Blount, Barber of Ohio, Townsend, Nelson of Mass. Colston and Terrell.

*On Pensions and Revolutionary Claims*—Messrs. Rhea, Wilkin, Ruggles, W. P. Maclay, Sherwood, Ellicott and Owen.

*On Public Expenditure*—Messrs. Desha, Anderson of Pa. Garnett, Cushman, Culbreth, Hunter and Holmes of Con.

*On the Judiciary*—Messrs. Nelson of Va. Hopkinson, Spencer, Edwards, Beecher, Livermore and Hale.

*On Accounts*—Messrs. Little, Bennett and Allen, of Mass.

*Of Revised and unfinished business*—Messrs. Savage, Whiteside and Westerlo.

*On Private Land Claims*—Messrs. Herrick, Hiestter, Pindall, Hogg and Tompkins.

Committees of investigation into expenditures, &c.

*For the Department of State*—Messrs. Forsyth Hasbrouck and Scudder.

*For the Treasury*—Messrs. Lowndes, Allen of Va. and Marchand.

*For the Department of War*—Messrs. Johnson, of Ky. Tucker, of S. C. and Herkimer.

*For the Navy Department*—Messrs. Pleasants, Storrs and Sampson.

*For the General Post Office*—Messrs. Ingham, Hubbard and Huntingdon.

*For the Public Buildings*—Messrs. Tucker, of Va. Drake and Orr.

*On so much of the President's Message as relates to Foreign Affairs*—Messrs. Forsyth, Holmes, of Mass. Barbour, of Va. Robertson, of Lou. Porter, Orr and Goodwyn.

*On Military Affairs*—Messrs. Johnson, of Ky. Bloomfield, Reed, T. M. Nelson, Nesbitt, Forney and Gage.

*On the Militia*. Messrs. Harrison, Smyth of Va. Quarles, Williams of Con. Jones, Linn and Morton.

*On Naval Affairs*—Messrs. Pleasants, Silsbee, Wendover, Parrot, Ringgold, Savage and Schuyler.

*On Indian Affairs*—Messrs. Southward, Williams, of N. Y. Murray, Slocumb, Butler, Richards and Tarr.

*On Internal Improvement*—Messrs. Tucker, of Va. Talmadge, Ingham, Storrs, Claggett, Robertson of Ky. and Lewis.

*Respecting Amelia Island*—Messrs. Middleton, Smith, Upham, Sawyer, Ball, Mumford and Cook.

*On the Public Buildings*—Messrs. Parris, Bassett Bellinger, Taylor, Forsyth, Crafts and Folger.

*Respecting the surviving Revolutionary Patriots*—Messrs. Bloomfield, Reed, Stuart, Rhea, Smith of Md. Wallace and Hall.

A number of petitions were presented and referred.

On motion of Mr. Comstock, Resolved that the committee on Military Affairs be instructed to enquire into the expediency of making provision by law for the commutation into money of the military bounty lands granted by congress.

The Speaker laid before the house the constitution adopted for the new state of Mississippi.

The resolution for the admission of the state of Mississippi into the Union, was received from the senate, twice read, and referred to a committee of the whole.

*Friday, December 5, Mr. Ballard Smith*, of Virginia, appeared and took his seat.

Mr. Robertson of Lou. offered the following resolution for consideration:

*Resolved*, That the president of the United States be requested to lay before the house of representatives such information as he may possess and think proper to communicate, relative to the independence and political condition of the provinces of Spanish America.

The resolution having been read—

Mr. Robertson said, that he supposed there would be no objection to the adoption of the resolution which he had just submitted to the consideration of the house. He found, from the late message of the president, that the attention of the house, as well as of the nation, had been, in a general way, directed to the situation of the provinces of Spanish America. The president had observed too, and very truly that the citizens of the United States sympathized in the events which affected their neighbors. Mr. R. said, that, as far back as the year 1811, this subject had excited considerable interest; that a committee had been raised; the declaration of independence and the con



stitution of Venezuela, with other information, laid before it by the then president, and a report on them submitted to the house. The report, among other things, expressed much good will towards the Venezuelans, and an intention to acknowledge their independence whenever that independence should be achieved. From that time till the present, silence had been observed in regard to the affairs of that part of the continent. The reason was obvious: we were soon after engaged in war with England, and since the peace our own pressing concerns had occupied our attention.

The president has spoken, sir, of the interest and the sympathy we feel in the affairs of our southern neighbors. Perhaps it may be said with truth, that no subject excites throughout the civilized world a stronger interest than the contest in which the provinces of Spanish America are engaged. Every wind that blows wafts to our shores the schemes and speculations of European statesmen and politicians; from the frozen regions of the north to the milder climes of the peninsula, it elicits remark and commands attention. Even Alexander, he who indites epistles about peace and bible societies, while he whets the sword of battle and prepares the weapons of destruction, he, it is said, is about to furnish his Cossacks to add to the horrors of, as it is already called, the war of death. The thunders of the pope too, the head of the christian church, began to be heard, and no doubt we shall soon see his anathemas giving up the people of South America, body and soul, to the punishments due here and hereafter to the crimes of rebellion and republicanism. If, then, to governments across the Atlantic, the situation of this people be thus interesting, surely it is not a matter of surprise that the citizens of the United States should with some solicitude turn their attention towards them. Every republican in the United States must lament their disasters and exult in their triumphs: they do but follow the example we have set them; we owe our glory and our fame to resistance to arbitrary power, and the people of Spanish America, and all others growing under oppression must owe their elevation and worth of character to the same circumstance. They do but follow in our footsteps; it is in vain to deny or disguise the fact; it is known throughout the world—whatever of injury despotism or priestcraft have sustained, whether from the revolution of France, or that which now, I hope, flourishes in our hemisphere, is laid to the account of our glorious revolution, and the excellent principles of our constitution.

It is to be regretted, Mr. Speaker, that our acquaintance with the people of Spanish America is not more particular and intimate than it is: we entertain but one sentiment about them—our feelings are all in unison; yet we differ and dispute on a variety of points which it is desirable should be no longer suffered to remain in doubt. Mexico, Peru, Chili, Buenos Ayres, Venezuela, N. Grenada, are they independent? Are they struggling for independence, or have they yielded to their European tyrant? Have they made known their situation to the executive department? Have they demanded to be recognized as independent sovereignties? Do they govern themselves? Elect their agents, legislature, executive and judiciary? Lay and collect taxes, raise and support armies and navies? It is possible that these facts are in the possession of the president; it is very well known that there have been agents, men of high respectability, sent publicly from the governments of Venezuela, New Grenada, Buenos Ayres and Mexico, to this country, and, for any thing

I know to the contrary, from other provinces. It is probable that they have not remained silent, but whatever they may have said has not been made known to this house, or to this nation. As our government is essentially popular, I wish information to be given to the people. I wish for information, that our judgments may sanction sentiments our hearts so warmly approve. I do not mean, Mr. Speaker, to commit myself in regard to my future course—it must, to a certain extent, depend upon circumstances. This house will act as circumstances may require; but for myself I have no hesitation to say, that, if it shall appear that the provinces of Spanish America, or any of them, are really independent, no earthly consideration shall prevent me, in my public character, from acknowledging them as sovereign states.

Mr. Forsyth said, he was too well acquainted with the temper of the people of the United States on this subject, to oppose any motion for enquiring into it; such was not his object; but he knew from experience, that some enquiries were proper and some dangerous. In this case, he thought that all which could be known ought to be known; but he suggested to the mover of the resolution, whether it was not too broad in its call on the executive, and whether it ought not to contain the usual qualification of excepting such information as the president might deem the communication of incompatible with the public interest. Mr. F. presumed the president had communicated all that he knew, or all that he wished congress to know on the subject; and as it was usual in requesting information of the executive, to ask for such only as the public interest would, in his opinion, permit to be disclosed, he proposed so to modify this motion, in which shape only could he consent to vote for it.

Mr. Robertson signified his ready assent to Mr. Forsyth's proposition.

The resolution passed *nem. con.* as modified, and a committee of two was appointed to wait upon the president with it.

On motion of Mr. Seybert,  
*Resolved,* That a committee be appointed to enquire into the expediency of revising and amending certain acts concerning the mint establishment of the United States, and that they have leave to report by bill.

On motion of Mr. Southard,  
The house then proceeded to the appointment of a chaplain for congress on the part of this house, and the reverend Messrs. Balch, Cone, Laurie, Allison, Cumming, Addison and Brown were put in nomination. Two ballottings took place without an election: on the third, Mr. Allison received 84 votes, and was duly elected.

The speaker laid before the house a letter from the secretary of the treasury accompanied by printed copies for the use of the house, of a statement of the receipts and expenditures of government for the year 1816; and

The house adjourned to Monday next.  
*Monday Dec. 8.*—The following members appeared, and took their seats, viz. From South Carolina, Mr. Earle; from Massachusetts, Mr. Mason; from Virginia, Mr. Austin and Mr. Floyd; from Ohio, Mr. Hitchcock.

Mr. Scott, delegate from the Missouri territory, and Mr. Pope, delegate from the Illinois, also appeared and took their seats.

#### *Military Bounty Lands.*

Mr. Johnson (of Kentucky) reported a bill authorising a commutation of soldiers' bounty lands,

[The first section of this bill provides that the soldiers of the late and present army shall be allowed to commute their land patents for claims for money, at the rate of one dollar and forty cents per acre, to be paid in four annual instalments, by the pension agents appointed in the several states; provided that there be in all cases a complete relinquishment of all claims on said lands by the commutators to the United States. The second section of the bill makes the appropriation necessary to carry the first into effect.]

The bill was twice read and committed.

*Amelia Island and Spanish patriots*

Mr. *Rhea* offered for consideration the following resolution:

*Resolved*, That the president be requested to lay before the house of representatives any information he may possess, and think proper to communicate, relative to the proceedings of certain persons who took possession of Amelia Island, at the mouth of the St. Mary's river, near the boundary of the state of Georgia, in the summer of the present year, and made an establishment there; and also any information he hath, and may think proper to communicate, relative to an establishment made, at an earlier period, by persons of the same description, in the Gulf of Mexico, at a place called Galvezton, within the limits of the United States, as we contend, under the cession of Louisiana; together with the reasons inducing him to issue orders to suppress the said establishments.

Mr. *Rhea* said that the establishments referred to in the resolution he had just offered, had already excited much attention throughout the country, which would be still more attracted to that by the order given to suppress them. His object in offering this motion was to obtain such information as might satisfy the minds of the American people on the expediency of that measure.

Mr. *Forsyth* moved to strike out the last clause of the proposed resolution. It would be an extraordinary course for the house to ask for the reasons of the measure in question, when they were distinctly and satisfactorily avowed in the message of the president. To call upon him, after that exposition, to explain the reasons for his conduct, would be to cast a severe reflection on the executive, as implying dissatisfaction at the reasons already given. For his own part, Mr. *F.* said, the conduct of the executive appeared to him to have been perfectly correct; but he had no objection to any information desired, if asked for unconnected with the clause he had excepted to.

This resolution produced a considerable debate, but rather of a desultory character. Mr. *Nelson*, of Virginia, was in favor of the motion, and expressed his confidence that the measures adopted by the executive for suppressing these establishments, would be fully supported if these documents were exhibited. The time had passed, in his opinion, in which they could be considered as sanctioned by the patriots—"men embarked in the glorious and magnanimous struggle for freedom and the rights of men, can never stoop to the condition of buccaneers, banditti and pirates." Mr. *N.* seemed particularly to point at the remarks of Mr. *Clay*, made on the preceding Tuesday, (see his speech) and vindicated the conduct of the executive in respect to those establishments. Mr. *Holmes*, of Massachusetts, moved that the resolution should lie on the table, under a belief that the resolution offered the other day would embrace the information desired. Mr. *Robertson*, of Louisiana, coincided with Mr. *H.* Mr. *Miller*, of South Carolina, was opposed to

the postponement. If that motion should not prevail, he should vote for the amendment proposed by Mr. *Forsyth*, because the facts on which it was founded would certainly disclose the reasons of the measure. The Speaker had the other day intimated, on the floor of this house, his opinion that every act of the government, from the proclamation against the expedition said to be fitting out at New Orleans in 1815, to the present day, had been hostile to the Spanish patriots: Now, Mr. *M.* said, he looked upon the information called for by the resolution as necessary to repel the reproach, from so high a source, thus thrown on the government. He therefore hoped the resolve would be suffered to pass. Mr. *Johnson*, of Kentucky, said he had not understood the Speaker, in debate the other day, to have intimated that every act of the government had been hostile to the patriot cause; but that they had leaned to one side of the question; had borne inore against the patriots than against Spain. And, if our acts had any operation at all, who could deny, Mr. *J.* asked, that what the Speaker had said, was the fact? Was not the proclamation of 1815 of that nature? It was issued in consequence of representations of the Spanish minister. Being issued at his instance, if it had any bearing at all, must it not have had a leaning against the Spanish patriots? With regard to the seizure of Amelia Island, if that measure had any operation at all in regard to the two parties, must it not be against the patriots? Theirs, he said, was a cause which he would not now advocate: but the sentiment avowed by the Speaker was his sentiment—one which he would avow in this house and every where—that whenever our acts had had a tendency to one side or the other it was to the injury of the patriots. Not that the Speaker meant to say, any more than himself, that our government intended hostility to that cause: for, Mr. *J.* said, he understood him to have unequivocally said, he had no doubt it would appear that the reasons of the executive for the measure in question had been sufficient to justify it. Mr. *J.* was in favor of laying the resolution on the table, until it was ascertained whether the resolution was or was not necessary, in addition to that passed the other day. Mr. *Harrison*, of Ohio, opposed the motion to lay the resolution on the table—he coincided in the view taken the other day by the Speaker, that every act of this government in relation to the contest between Spain and her colonies had borne hard on the latter; and he therefore desired further information on the subject embraced by the resolution.

Mr. *Holmes* said, he regarded the information sought by the resolution as exceedingly important. The fact of the suppression of the establishments at those places so often referred to, attracted the attention of the nation—and he was, therefore, in favor of the earliest official information on the subject, that the house might understand on what grounds the executive of the United States had undertaken to suppress these establishments. Mr. *H.* was, however, of opinion that this resolution was unnecessary, being embraced in the general call made, a few days ago, for information on the political state of the Spanish provinces, of which East Florida, embracing Amelia Island, was one; and the same reasoning would apply to Galvezton, situated on territory equally claimed by Spain and the United States. If, however, the information now desired should not be received, Mr. *H.* said, he should be one of the first to vote for it, considering it highly important. The intention to seize on these establishments, had struck him with surprise, he



said, when first informed of the fact; but he had no doubt the reasons for the measure would prove satisfactory to all. He would go with any gentleman, at any time, into an enquiry into the conduct of the executive; but he thought the gentlemen were going too fast now, to call specifically for information which it was probable might reach the house before this second call could reach the president. He, therefore, hoped it would be laid on the table.

The question to lay the resolution on the table was then taken:

For the motion,	75
Against it,	81

So the motion was lost.

Mr. *Rhea* having accepted Mr. Forsyth's proposed amendment, as part of his own motion—

The main question was taken on the resolution, and decided in the affirmative, without a division; and a committee ordered to be appointed to wait on the president therewith.

The bill for the admission of the state of Mississippi into the union (the constitution having been read through) was agreed to in committee of the whole, and read the third time and passed.

*Tuesday, Dec. 9.* The usual number of petitions were presented and referred; among which was one by Mr. *M Coy*, of Virginia, from an honest couple in his district, who represent that they have been united in wedlock's happy bonds for seven and twenty years, in which time they have added to our population twenty children, nineteen of whom are living, and whom they have maintained by the product of their manual labor. Conceiving themselves entitled to the favor of congress on that score, they pray for a donation of land to make their declining years more easy to them. The petition was referred to the committee of public lands.

A petition was also presented from C. Hammond contesting the election of Mr. *Herrick*, of Ohio, a member of this house, on the ground of his having, at the time of his election, and until a few days before he took his seat here, held the office of attorney of the United States for the district of Ohio. This petition was read and referred to the committee of elections.

Mr. *Lowndes*, from the committee of ways and means, reported a bill to abolish the internal duties. [The repeal to take place from and after the 31st day of the present month.] The bill was twice read and committed.

Mr. *Seybert*, from a select committee, reported a bill supplementary to the act concerning the mint. [The object of the bill is to continue the mint at Philadelphia.] The bill was twice read.

#### *Military Establishments.*

Mr. *Johnson*, of Kentucky, with a view to ascertain the sense of the House on certain points, that the labors of the military committee should not be unnecessarily troublesome to the House, and laborious to themselves, submitted the following resolutions to the consideration of the House.

1. *Resolved*, That it is expedient to provide by law for the widows and orphans of the soldiers of the regular army who were killed in battle, or died in service during the late war with Great Britain.

2. That it is expedient to provide by law for the disbanded and discharged officers of the army of the United States, who served in the late war with Great Britain, donations in land, viz. to each major general 1,280 acres; to each brigadier general 1,120; to each colonel or lieutenant colonel 960 acres; to each major 800 acres, to each captain 640 acres; to each subaltern 480 acres.

3. That it is expedient to establish by law three

additional military academies; one in the vicinity of Fort Dearborn, in the state of South Carolina; one in the vicinity of Newport, in the state of Kentucky; one in the vicinity of Harper's Ferry, in the state of Virginia: one third of the cadets to be sons of officers and soldiers of the late army, who died in the service of the United States during the late war.

4. That it is expedient to organize by law a corps of invalids, to be composed of one thousand men.

5. That it is expedient to make provision by law for the repeal of so much of the act of July 6, 1812, as authorizes additional pay and emolument to brevet rank in the army of the United States.

6. That the military peace establishment of the United States shall consist hereafter of eight thousand men, including the corps of invalids. Provided that the corps of engineers, the general staff and ordnance department shall be retained as at present established: Provided also, that no part of the army shall be disbanded in consequence of said reductions, but the same shall be effected by permitting vacancies, as they occur, to remain.

7. That it is expedient to provide by law for an additional national armory, to be located on the western waters.

8. That it is expedient to provide for an additional ration to each commissioned officer in the army of the United States.

9. That the committee on military affairs be instructed to report bills embracing those objects.

Mr. *Johnson* accompanied the introduction of these resolutions with a number of remarks appropriate to them individually, and as a whole—[which we cannot find room for in the present number of the REGISTER.]

The several resolutions were received, and referred to a committee of the whole house for consideration.

On motion of Mr. *Tucker*, of Virginia,

*Resolved*, That the president of the United States be requested to cause to be laid before the house of representatives information of what roads have been made, or are in progress, under the executive authority of the United States; the states and territories through which they pass or are intended to pass; the periods when they were ordered to be made, and how far they have been executed.

Mr. *Spencer*, of New York, offered a resolution which had for its object to ascertain the number of warrants issued for military bounty lands to soldiers in the late war, and the probable quantity of land that will be necessary to satisfy claims for bounty lands under the several laws of congress.

Mr. *Walker*, of North Carolina, submitted a resolution to entitle minors who served in the late war to bounty lands, or a commutation thereof.

Mr. *Whitman*, of Massachusetts, offered for consideration the following resolution:

*Resolved*, That the committee of commerce and manufactures be instructed to enquire into the expediency of providing by law for the apprehending and securing foreign seamen deserting from foreign vessels while in the ports of the United States, contrary to their engagements to serve on board such vessels.

On motion of Mr. *M Coy* of Virginia,

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of repealing the law laying a duty on imported salt, granting a bounty on pickled fish exported, and allowing a bounty to vessels employed in the fisheries.

Mr. *Claiborne* of Tennessee, moved the adoption of the following resolution:

*Resolved*, That the committee on the judiciary be

insisted to enquire whether any, and, if any what alterations and amendments are necessary to be made in the judiciary.

Mr. C. stated some of his reasons for offering this resolution,—which was agreed to.

*Wednesday, Dec. 10.*—Mr. *Newton*, of Virginia, from the committee of commerce and manufactures, reported a bill to remit the duties on a painting presented to the Pennsylvania hospital; which was twice read.

Mr. *Forsyth*, of Georgia, offered for consideration the following resolution, to obtain a decision on a question raised by a memorial yesterday presented, contesting the election of a member from Ohio, and which Mr. F. considered of great importance:

*Resolved*, That the committee of elections be instructed to inquire and report what persons, elected to serve in the house of representatives, have accepted or held offices under the government of the United States since the 4th day of March, 1817, and how far their right to a seat in this house is affected by it.

The adoption of this resolution was warmly opposed by Mr. *Taylor*, of New York, and Mr. *Johnson*, of Kentucky; and was also opposed by Mr. *Seybert*, of Pennsylvania, Mr. *Livermore*, of New-Hampshire, and Mr. *W. P. Maclay*, of Penn. and was supported by Mr. *Forsyth*.

The question on the resolution was taken, when there appeared

In favor of the resolution	85
Against it	85

The house being equally divided, the Speaker, assigning as his reason his desire to have the constitutional question fully investigated, voted in favor of the motion; which was therefore adopted.

The speaker laid before the house a letter from Richard Bland Lee, esq. commissioner of claims, &c. transmitting a statement of facts, as directed by the act of last session, in several cases of claims for indemnity of losses of property during the war, from the state of Maryland; which were referred to the committee of claims.

*Repeal of the internal duties.*

The house resolved itself into a committee of the whole on the bill to abolish the internal duties, Mr. *Desha* being called to the chair.

The report of the committee of ways and means, which accompanied the bill, is in the following words:

*Report of the committee of ways and means, accompanying a bill to abolish the internal duties.*

The committee of ways and means, to whom has been referred so much of the president's message as respects revenue, report—

That they have supposed that they should best comply with the intentions of the house, by directing their first attention to the repeal of the internal duties, which occupied its deliberations during the latter part of its last session, and has been since recommended by the president. From the report of the secretary of the treasury, it appears that the clear revenue which will have accrued during the year 1817, will be about twenty-four millions and a half of dollars, while the ordinary annual expenditure, (including the provisions for the extinguishment of the public debt) is estimated at less than twenty one millions and a half. While the committee do not consider the importations of the three last years as furnishing a certain criterion for those of future years, they believe, that, without a diminution of our exports, which is not to be anticipated, or a very considerable reduction in their value, the

estimate of a revenue under the present laws, of \$24 525 000 as made by the secretary of the treasury, may be safely relied on for many succeeding years. No doubt can be entertained, under the circumstances of the United States, as to the propriety of reducing a revenue so far exceeding their ordinary expenses, and the committee recommend a general repeal of the internal duties. This will leave, according to the estimates of the secretary, a revenue of about twenty-two millions, exceeding the ordinary expenditure by something more than half a million.

Some difficulties will always be found in determining the period at which the collection of a tax shall cease. The consideration, however, of the large proportion of the internal duties which will become payable in January, induces the committee to recommend that all internal duties should terminate with the year 1817.

The entire amount which will have accrued to the government on account of the internal duties, exclusive of the direct tax, from the first of January, 1814, to the thirty-first December, 1817, may be estimated at more than seventeen millions, and the receipts for the same time, at upwards of fifteen millions.

The following statement will show the receipts of each of the three first years, with an estimate of those of the fourth year.

	<i>Accruing duties.</i>	<i>Duties received.</i>
1814 . . .	3,262,197 12	1,910,995 01
1815 . . .	6,242,503 55	4,976,529 86
1816 . . .	4,633,799 34	5,281,111 98
1817 . . .	3,002,000 00	3,000,000 00

Total,	17,140,500 01	15,168,636 85
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*Expenses of collection on sums received.*

1814 . . . .	148,991 78 or 7 8-10 per cent.
1815 . . . .	279,277 67 or 5 6-10
1816 . . . .	253,440 42 or 4 8-10
1817 . . . .	180,000 00 or 6 per cent.

Total,	861,709 87 or 5 7-10
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The charges of collection upon this revenue have certainly been higher than those upon the impost. These have, however, been very different at different times. Mr. Gallatin estimated them, in 1800, at something less than 6 per cent. on monies collected from the people. Mr. Dallas, in one of his reports, supposes them, including fees, to be about 5 per cent. and they have been still lower in the three last years. This difference in the expense of collecting internal and foreign duties, will not appear extraordinary, when we remember how few are the domestic products, which are subject to duty, and of foreign, which are exempt from it; how long and regularly the impost has been acquiring maturity and improvement, and how frequent have been the changes, and how short the duration of our system of internal revenue.

In abandoning that portion of our taxes which is considered as the most inconvenient, neither congress nor the nation will form so exaggerated a notion of these inconveniences, as to deter them from again applying to the same resource, when the necessities of the state shall require it. It is one of the duties of congress to provide, when it can do so, that the revenue shall be collected from sources which may comport with public convenience; but it is a higher duty to provide, from whatever sources the constitution may have opened to its operation, such a revenue as shall not permit the fate of a war, and the most important interests of the nation, to depend on precarious and often ex-



travagant loans. The government can have no reasonable fear but that the circumstances which make internal taxes necessary, will find in the people a disposition promptly to pay them. The committee believe that in any future emergency, which shall require a resort to these taxes, the house of representatives will, unhesitatingly, perform their peculiar duty, by instituting them on a scale suited to the occasion.

The bill having been read through—

Mr. *Lowndes*, the chairman of the committee of ways and means, made a few remarks of the same bearing as the reasoning of the above report. He took occasion also to say, that it was due to candor and to himself to add, that he should have individually thought it better, instead of a total repeal, to have made a modification of the duties, so as to reduce their amount and lighten their burthen, but still to leave part of the system in operation. Believing, however, that the expectation of the total repeal was such as to render vain any attempt to discriminate, or to modify, he had concurred on the course adopted by the committee of recommending a total repeal, in preference to retaining the whole.

Mr. *Williams*, of North Carolina was in favor of the entire repeal. Mr. *Tallmadge*, of New York, moved to amend the bill so as to except *sales at auction*, and signed his reasons to support it. Mr. *Storrs*, of N. York, also supported, and Messrs *Lowndes*, *Whitman*, *Smith*, of Md. and *Clay* [speaker] opposed it; and it was negatived by a large majority.

Mr. *Little*, of Md. proposed a resolution to relieve distillers who had received licenses, that were prevented by the events of the late war from working their distilleries, and stated a case of hardship. It was thought that the proper course in such cases would be by an application to congress, and Mr. *L's* motion was negatived.

The question being put on reporting the bill to the house, some debate arose on a proposition for more time to consider it—but the committee seemed satisfied that the resources of government were amply sufficient without any of the internal taxes, and rose and reported it to the house without amendment, by which it was ordered to a third reading to-morrow.

Thursday, Dec. 11. On motion of Mr. *Parris*, of Massachusetts.

Resolved, that the committee on naval affairs be instructed to enquire into the expediency of altering the rank and emoluments of surgeons in the navy of the United States.

On motion of Mr. *Hobbes*, of Massachusetts.

Resolved, That the committee on roads and canals, enquire into the expediency of providing by law for constructing a navigable canal to unite the waters of Lake Michigan with the waters of those of the Mississippi.

That they also enquire into the expediency of providing for constructing a navigable canal to unite the waters of the Tennessee with those of the Tombigbee.

That they also enquire into the expediency of providing for improving the navigation of the Tennessee.

After several resolutions being offered which shall be noticed in their course, and which we have not time at present to detail, the engrossed bill for the repeal of the internal duties was read the third time,—and on the question "shall the bill pass?" a considerable debate arose, or rather, many remarks were made by several members. However—the

question on the passage of the bill was then determined by Yeas and Nays, as follows:

YEAS—Messrs. Abbot, Adams, Allen, Mass. Allen, Vt. Anderson, Pen. Anderson, Ken. Austin, Bail, Barbour, Va. Barber, Ohio, Bassett, Bate-man, Bayley, Beecher, Bellinger, Bennett, Bloomfield, Blount, Boden, Boss, Burwell, Butler, Campbell, Clagett, Claiborne, Cobb, Colston, Comstock, Cook, Crafts, Crawford, Cruger, Culbreth, Cushman, Darlington, Desha, Drake, Earle, Edwards, Ellicott, Floyd, Folger, Forney, Forsyth, Gage, Garnett, Goodwyn, Hale, Hall, N. C. Harrison, Hasbrouck, Hendricks, Herbert, Herkimer, Herrick, Heister, Hitchcock, Hogg, Holmes, Mass. Holmes, Con. Hubbard, Hunter, Huntingdon, Ingham, Irving, N. Y. Johnson, Virg. Johnson, Ken. Jones, Kinsey, Kirtland, Lawyer, Lewis, Linn, Little, Livermore, Lowndes, McLane, W. Maclay, W. P. Maclay, Marchand, M'Coy, Marr, Mason, Mas. Mercer, Merrill, Miller, Moore, Morton, Mosely, Mumford, Murray, H. Nelson, T. M. Nelson, Nesbitt, New, Newton, Orr, Owen, Palmer, Parris, Parrott, Patterson, Pawling, Peter, Pindall, Pitkin, Pleasants, Quarles, Reed, Rhea, Rich, Richards, Ringgold, Robertson, Ken. Robertson, Lou. Ruggles, Sampson, Savage, Sawyer, Scudder, Sergeant, Settle, Seybert, Shaw, Sherwood, Slocumb, S. Smith, Bal. Smith, Alex. Smyth, J. S. Smith, Southard, Spangler, Speed, Spencer, Strong, Strother, Stuart, Tallmadge, Tarr, Taylor, Terrill, Perry, Tompkins, Townsend, Trimble, Tucker, Va. Tucker, S. C. Tyler, Upham, Walker, N. C. Walker, Ken. Wallace, Wendover, Westerlo, Whiteside, Whitman, Williams, Con. Williams, N. C. Wilkin, Wilson, Pa.—161.

NAYS—Messrs. Baldwin, Hopkinson, Middleton, Jer. Nelson, Stors—5.

So the bill was passed, and sent to the senate for concurrence.

The bill for continuing the mint establishment at Philadelphia, passed, thro' a committee of the whole, Mr. *Pitkin* in the chair, the bill having been called up by Mr. *Seybert*. The bill was ordered to be engrossed for a third reading, without opposition.

And the house adjourned.

## CHRONICLE.

The respect which has been necessary for us to pay to a very industrious congress, and other needful attentions to home matters, has prevented a notice of foreign affairs. However, nothing of importance has reached us from abroad.

By a recent decision of the legislature of Tennessee, the seat of government of that state is to be removed from Knoxville to Murfreesborough.

*Charles Bullfinch*, of Massachusetts, has been appointed architect of the capitol of the United States vice Mr. Latrobe, resigned.

*West point*.—The cadets absent from this academy are ordered to report for duty, and join before 1st of March—else they will be dismissed the service.

*Seminole Indians*. Gen. *Gaines* has made a further requisition of 500 men from Georgia, to be held in readiness to act against the Seminole Indians. The whole detachment is to be commanded by brig. gen. *Glascok*. In a letter to the governor of Georgia, gen. *Gaines* states that his hopes of terminating the disputes with these indians without a resort to force, have been disappointed. They report their strength at 2700 warriors; the number is thought to be much over rated; but they seem determined to make a stand. The chief seats of this people are in Florida.

# NILES' WEEKLY REGISTER.

NEW SERIES. No. 17—Vol. I.] BALTIMORE, DECEMBER 20 1817. [No. 17—Vol. XIII WHOLE No. 32

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A supplement of eight pages accompanies the present number of the REGISTER, and together presents a great variety and no small quantity of matter—in part suited to almost every taste: yet, many things that we would have inserted are still lying over—among these are EXEMPLARY TABLES, shewing the names of the banks, in the state of Maryland, the date of their institution, amount of capital and capital actually paid in, the places of their location, and the names of their presidents and cashiers—and a table containing a list of the newspapers published in the said state, with the names of the editors, the places where located, size of the sheet on which they are printed, political character, and when published. The object of those tables, it will be recollected, is to obtain a complete list of all the banks and of all the newspapers in the United States—in which the editor expects the assistance of his brother editors in the other states.

North-Carolina appears to have many able and enlightened citizens. We have a report, from Mr. Fancy (of the last congress) to the legislature of that state, on the judiciary—and another on education, by Mr. A. D. Murphy, making a pamphlet of 22 pages—in which those important subjects are extensively and very ably investigated and examined. We shall take much pleasure in laying those articles before our readers the first opportunity.

"Old things become new."—An article is just now extensively circulating in the newspapers respecting the cultivation of sugar in Georgia. That article was originally published in the WEEKLY REGISTER on the 19th of February 1816, from facts communicated to the editor by a member of congress—and the remarks thereon, from the *St. Christopher's Gazette*, were also inserted in this paper on the 31st Aug. of the same year. See WEEKLY REGISTER vol. IX. p. 405—and vol. XI. p. 7. We notice these things lest any might think us neglectful of a matter of so much importance; the credit for the original not being given as it should have been, in any case.

## President's Message.

Every one of the quill-driving family of editors seems to feel it his right and duty to offer some remarks on the annual messages of the president of the United States to congress on opening the session;—and, as a man may "as well be out of the world as out of the fashion," we, also, shall briefly notice the late very plain and very interesting communication of Mr. Monroe.

This message has received almost unqualified approbation,—and its frankness and precision are highly commended, by men of all parties. There never was a better time, however, for a good president to make an agreeable message. We have peace and plenty—an overflowing treasury has prompted a re-

commendation of a reduction of the taxes, and the national credit is so high as to interrupt the operations of the commissioners of the sinking fund in paying off the public debt; party, too, has lost its fervor—never since the political divisions of the people first began were there so few points to elicit passion as at the present calm and happy period. There seems to be only one subject that can reasonably be expected to furnish grounds for an audent difference of opinion, or difference of principle. We mean in regard to the revolutionists of "Spanish America"—and of these, also, the president speaks in a manner that is applauded by many, though it is censured by a few.

The message commences by noticing our "profitable and extensive commerce"—It has been found fault with for this—as stating that which is not built upon fact. It is very certain that our commerce is not flourishing; a very considerable part of our legitimate trade is in the hands of foreigners; many of our ships are laid up; many are but partially employed, and the business of ship-building has almost ceased in many of our ports. But the president had regard to this commerce "as augmenting our revenue," and in that respect it may be called extensive and prosperous. Even in this, however, we are of the opinion, and we have reasons for it, that our commerce has not been nearly as "profitable" as it ought to have been; and we did hope that the president would have recommended a close revision of all the laws affecting goods paying *ad valorem* duties. Mr. Stanford's motion, in senate, on the 8th inst. may supply this omission—but it is a matter of great importance; many times more so than that which relates to the *internal taxes*.—We are extensively swindled through British agents and goods shipped "to order," and must enlarge the number of articles paying *specific* duties, or adopt a system by which those paying *according to value* shall be inspected and valued for the purpose of assessing the taxes that they ought to pay. Though I have not the best opinion in the world of "*counting-house morality*," still it would be as uncharitable as it would be unjust to insinuate, that the body of our regular merchants and traders have any part or participation in the smugglings complained of. Nay, they are deeply interested in detecting and punishing the authors of them, and will cheerfully submit to any reasonable regulations adopted to defend the honest trader, and enable him to come into the market with his goods upon a fair com-



petition with others—by which, also, the government might collect several additional millions of dollars *per annum*, and the manufacturer truly receive the defence and protection which the new tariff held up to encourage him. In opposition to the baneful effects that flow and increase upon us from these demoralizing practices, there would be some little satisfaction in reflecting that the profit of *perjury*, direct or actual, remained to our citizens!—but even *that* is denied us—it goes to England, to support her manufacturers at the cost of our own, to the depression of our revenue, and the disorganization and disadvantage of the concerns of our merchants.

These frauds on the revenue are committed in many ways—sometimes by direct perjury, and at others, by “whipping the devil round the stump,” as old judge *Bassett* was fond of saying in like cases. One fellow swears through thick and thin—what’s a “custom-house oath?”—but another, more conscientious, swears to a lie in the words of truth. A friend of mine who purchased his goods immediately of the manufacturer in England, was spontaneously furnished with *two* invoices—one, as the Englishman said, to pass through the custom-house with—the other as the real one; and this he added, was his *common practice*, shewing him, at the same time, a memorandum book to prove the truth of his assertion. Others manage in this way—to the actual cost of the raw material they add the actual monies paid to the workmen, and call the amount the *original cost* of the manufactured article. So it may be—but it is not so in the spirit and meaning of the law. However, a little volume would hardly narrate the different manners in which the desired effect may be produced; and frauds of this sort, *we know*, are winked at and suffered to pass through the British custom-houses. It is the morality of that trading nation that forgery, perjury and fraud are lawful, *provided only*, they are intended to affect a *foreign* nation. Witness, the forgeries by the government of American continental money and French assignats, and in the open countenance more lately given to the manufacture and use of American shipping papers, at London, &c. The fact is, that the honest trader, as well as the manufacturer, cannot be defended, nor the public revenue be made to produce what it ought to do, by, perhaps, 20 or 25 cent. unless we do as other nations do—-that is, cause packages of goods to be frequently and very strictly examined, by intelligent and respectable persons, well paid for such services.

To proceed with the message. We pass over it with entire satisfaction and much profit, until we arrive at that part which relates to the suppression of the establishments at *Galveztown* and *Amelia* island; and here we pause for the purpose of offering our thanks to

the president for those proceedings; though, indeed, they appear to bear against the patriots, in the success of whose efforts we are most truly and sincerely interested. We are not familiar with the proceedings that have taken place at *Galveztown*, but those at *Amelia* are known to every body. Whatever may have been the original design of *McGregor* and those who first dispossessed the Spaniards of the island, it is very certain that it now is only a depot for privateers of the worst description, and for smuggling of the most obnoxious character. I know a man who has boasted that he had \$25,000 in one of the southern banks, the product of certain *slaves* captured and sent to *Amelia*, and there disposed of to citizens of the United States, who introduced them at their own risk into our country. Many have been thus brought in already, and if *Amelia* had remained in the possession of those who latterly commanded there, many *prize* cargoes of slaves would have been made off the harbor in a few months,—just as some little boats, with two or three men and unarmed, captured some large vessels laden with British goods, off the eastern coast, in the late war. As a war measure against Spain, we should heartily rejoice to see *every one* of her ships captured by the patriots—nay, I do not know that I would refuse the latter with their prizes (except of slaves) the perfect freedom of our ports. I am almost willing to make an immediate acknowledgment of some of the provinces as free and independent states—yet cannot bring myself to respect the motives or approve of the conduct of the strange mixture of men that recently ruled at *Amelia*: But we shall, probably, soon see the reasons *in extenso* on which the president acted, and then we can judge more clearly on this subject.

The public lands are more and more becoming an interesting item in the nation’s wealth and revenue. A most able and most amiable man, Mr. Meigs, as commissioner, is especially charged with their management and care; and we feel satisfied that that vast fund will not be squandered by any act of his. But in some cases there is reason to fear that congress has been extensively imposed upon—and that benefits designed for the use of many, and for national purposes, have been monopolized to create princely fortunes for a few crafty individuals. And as to those lands, congress would do well to recollect the constant saying of the old German who accumulated a large estate by purchasing and holding vacant lots in *Baltimore*—“that Got Almighty was always making new people’s; but did not make any new lands.” In the wealth of individuals, it is true, is the resources of nations, and the lands should be freely and liberally disposed of in all cases in which *actual settlements* are expected; but monopolies should be guarded

against with all possible care. The profit on the rise of the value of our lands ought to belong to the nation, or to those individuals by whose settlement and improvement of the country such rise may be caused—not to speculators. The president's attention to this subject merits the thanks of his countrymen.

There is one thing, however, that some have thought might as well have been omitted—a declaration by the president of his intention to put his veto upon any bill passed for *internal improvements*. "It is not contained," he says, "among the specified powers of the constitution"—where is the *specified power* to authorize the establishment of a *bank*? The one must be as lawful as the other, and events may shew that the straining of the constitution about the *bank*, will be more productive of injury than the digging of canals or making of roads can possibly be. But the resolution introduced by Mr. *Tucker*, on the 15th instant, will cause the subject to be discussed at large by the representatives of the people—and we rejoice to see such an expression of what we certainly believe to be an honest difference of opinion.

The other points of the message appear only to require to be read to be approved—each subject is fully and plainly elucidated. The recommendation about our manufactories we should have been glad to have seen enforced more strongly than it is. They are of *immense* interest—many of them are exceedingly depressed, through the smuggling already mentioned, and by other *deceptions* and *frauds* of foreigners, especially in respect to those of *iron*, the most important, perhaps, of them all. The iron manufacture is one of those things that immediately belongs to our independence as a nation: IT MUST BE PROTECTED. There are many of its items that we may refuse to receive from abroad, without raising the home-manufacture above its fair and *honest* value, compared with the inferior foreign product; and in every case of this sort the foreign article should be *absolutely prohibited*.—Self interest requires this of congress—who will also soon become sensible of the necessity of *really* supporting our manufacturers generally. The ideas of many as to *competition* in respect to them, are delusive and untenable. If the commerce of the world we are free, and we could send our products to other countries on the payment of duties such as we ourselves impose on the products of those countries, there might be some ground for the objections that are made to the encouragement of domestic manufactures. But this is not the case—and, in this twisting world, we must sometimes do to others as they do unto us. The strictest morality does not require that we should extend an advantage to any one that refuses the like advantage to us.

The president's observations about the public buildings at the seat of government are

pleasing. The city of Washington is rapidly improving; it must become a place of considerable importance. Its population is already large; but the city shews to much disadvantage from the scattered position of its buildings, forming several smart towns, as it were. The plan of the city requires that many vacant spaces should be left—these may beautify it and conduce to its healthiness, but will always subject it to serious inconveniences for the transaction of business, and retard the growth of its population in the useful classes of society. The public buildings, we hope, will be completed as soon as possible; congress is very badly accommodated at present; the house of representatives is jammed into a room not half large enough to permit the members to sit, and pass and repass, at ease—the "national library" is essentially lost to them—being distant almost a mile and a half from their hall and in the *third* story of the building occupied by the General Post office, &c.—The repairs and fitting up of those great piles, the two wings of the capitol, are going on rapidly; the "president's house," now occupied by Mr. Monroe, though still unfinished, is in a much better state than it was before its Gothic destruction, and the other public offices that were burnt have been rebuilt or repaired, with considerable improvements. Events shew, the waste of money excepted, that the burning of this city by the Goths, to destroy it, has done much for its improvement. They consigned themselves to the execration and infamy of ages without producing any effect, except to rouse a feeling they would have depressed, and to beautify the city of Washington that they would have destroyed, because of its "*rebel*" name.

The repeal of the internal taxes was expected—they are vexatious and produce a less sum to the revenue than the *examination* of a few hundreds of packages of British goods, per annum, entering for duty, would do. If we should want their proceeds, the people will cheerfully pay them again.

The message, in the whole, shews a sound intelligence faithfully devoted to the best interests of the republic and will do much to rivet Mr. Monroe to the affection of his fellow citizens, and exalt his character, with that of his country, abroad.

### Compensation of Congress.

The house of representatives, it appears have refused to consider a motion made by Mr. *Bassett*, to fix the compensation of the members, until further provided by law, as it was in 1813—i. e. at six dollars per day. At present there is no law on the subject, and it is probable that a higher *per diem* will be fixed upon.

The late famous compensation law was never objected to an account of its *manner* than



for the amount of compensation which it allowed.--Every reflecting man believed that *that* was insufficient to command the talents of any gentlemen who had business of his own to attend to--and to induce him to leave his family to transact the affairs of the nation. It could not have been an object to one in a hundred of those of the people who were fitted to the performance of the interesting duties of a member of congress. A respectable *mechanic* would not leave his workshop for *it*, much less would an extensive merchant or manufacturer or practising attorney, &c. quit his employment for it. If such went to congress, it was not the expected compensation that led them there.-- They were influenced by other considerations --those of patriotism, or of ambition, or by desires to gain a public character that might be of use to them thereafter. If a man lives at Washington as a gentleman should do--if he receives his friends there as he would do at his own house, and incurs his proportion of the numerous extra expenditures to which his situation renders him liable, a very small part of the 1500 dollars per annum heretofore allowed would be left for the support of his wife and family at home--though his business there might go to ruin from his absence.

It is thought that *ten* dollars per day may be fixed upon as the amount of compensation that will be voted for. The sum is a reasonable one --the least that we can do is to support a man and his family, in moderation, for his public services. *Cheap* legislators should be as carefully avoided as cheap school-masters. But their compensation ought never to be so great as to make it an object worth contending for,

### Finances of Maryland.

Having several times published the annual detailed account of the finances of Maryland, and the character of the items now being as heretofore, the following summary may be sufficient for every general purpose.

Debts due to the state on bonds installed, &c.	67,900 41
Deduct debts deemed invalid	12,378 70
	<u>55,521 71</u>
Debt due on bonds not installed	276,252 69
Deduct debts deemed invalid	246,505 68
	<u>29,747 01</u>
Due from supervisors, &c.	18,478 74
	<u>48,225 75</u>
<i>The state's capital.</i>	
In United States exchanged 6 per cent. stock of 1812	133,717 83
Funded 3 per cent. stock	335,104 74
Sundry loans, balances, &c.	85,268 72
Stock in the Potomac company	120,444 44
— in sundry banks	516,100 00
— in the turnpike roads	15,000 00
— in the union manufacturing company	10,000 00
	<u>1,215,635 73</u>

Balance in the treasury, Nov. 1, 1816	57,515 15
Amount received to Nov. 1, 1817	151,144 77
	<u>208,659 90</u>
Expenditures for the year ending Nov. 1, 1817	170,530 34
	<u>58,129 55</u>
Deduct the appropriations due to the 1st Nov. 1817, and then remaining unpaid	55,343 28
Journal of accounts for present year	35,000, 00
	<u>90,343 28</u>
	32,213 72
The probable receipts for the ensuing year amount to	96,564 18
	<u>44,350 46</u>
Probable demand on the treasury.	100,776 84
Journal of accounts, 1818	35,000, 00
	<u>135,776 84</u>
	Deficient
	<u>91,426 38</u>

### Finances of Pennsylvania.

To the speaker and members of the house of representatives,

Gentlemen—The annual treasury account was closed on Saturday, the 29th of November last; and no receipts or payments have since been made at this office. From the impression that it will occasion a shorter suspension of the business of the treasury, and that it will be more convenient to my successor in office, as well as to myself, to retire from the station now, than at any future period, I do hereby resign the office of state treasurer. It has been ascertained by the auditor general, that the balance in the treasury is \$191,862 56

Which I am ready to deliver to my successor, as soon as he is appointed, in the following manner, *viz.*

1. A check from the treasurer of the U. S. on the bank of the U. S. received on Saturday last, for \$30,000 00
2. A credit in favor of the commonwealth on the books of the bank of Pennsylvania, after deducting a check, payable to the order of Jas. Hanna, for \$15<sup>00</sup>, dated Dec. 21, 1816, and which was not presented at the bank on the 29th ultimo, 128,993 27
3. Ditto, in the Philadelphia bank, 18,335 46
4. Ditto, in the Farmer's and Mechanic's bank, 4,619 40
5. Ditto, in the office of discount and deposit at Lancaster, 2,331 45
6. Vouchers for advances made on account, 2,698 89
7. In notes on Phil'a banks, 1,425 00
8. In do. on the bank of Montgomery county, 1,110 00
9. In ditto, on different chartered country banks of Pennsylvania, 2,085 00

10. In ditto, on the Harrisburg bank, 105 00  
 11. In specie, 159 09  
 ----- 191,862 56

I have the honor to be, gentlemen, very respectfully,  
 your obedient servant,  
 WM. FINDLAY.  
 Treasury office, Dec. 2, 1817.

**Documents**

ACCOMPANYING THE REPORT OF THE SECRETARY OF THE TREASURY.

Treasury department, Register's office, December 5, 1817.

(A) Net revenue exhibited in the statement accompanying the report of the secretary of the treasury of the 16th of December, 1816. Statement marked A.  
 Deduct bounties and allowances,  
 Duties which accrued in 1814, included in the statement of 1815.

YEARS	Duties on			Debentures issued.	Bounties and allowances	Gross revenue.	Expenses on collection	Net revenue
	Merchandise.	Tonnage, &c	Passports, &c					
1815	37,831,145 52	614,025 59	16,006 00	1,650,671 91	1,811 74	36,708 693 46	403,462 62	(A) 36,303,231 44
1816	32,673,610 76	471,764 99	11,800 00	4,787,583 47	84,976 89	28,987,616 39	714,840 65	27,569,769 71

Statement exhibiting the amount of duties which accrued on Merchandise, Tonnage, Passports and Debentures issued on the exportation of Foreign Merchandise, and of expenses on collection during the years 1815 and 1816.

Net revenue for 1815, 36,303,231 44  
 Net revenue for 1816, 27,569,769 71  
 ----- 340,567 33  
 ----- 36,643,598 77

(B.) Statement of the accruing internal duties, during the year 1816, with the computed expenses of collection.  
 Amount of accruing duties \$4,633,799  
 Computed expenses of collection 237,665 75

Net revenue \$4,396,133 25

(C.) Statement respecting the direct tax imposed March 3, 1816.

Amount of direct tax imposed on the respective states \$3,000,000  
 Add amount of direct tax imposed on the district of Columbia 9,999 20  
 ----- 3,009,999 20

Computed expenses of collection, with the deductions made to assuming states, for the prompt payment of their quotas, viz: on \$781,133 73 assumed by the states of New York, South Carolina, Georgia and Ohio, on which a deduction of 15 per centum was allowed, 117,110 05

On 2,223,865 47 collected or to be collected by the collectors 107,545 95  
 ----- 224,656

\$3,009,999 20 Net revenue. \$2,785,343 20  
 SAMUEL H. SMITH,  
 Commissioner of the revenue.  
 Revenue office, December 1, 1817.

(D.) Statement of lands sold in the states of Ohio and Indiana, and in the territory of Illinois, from the 1st October 1816, to the 30th Sept 1817; shewing also the amount of receipts from individuals and payments made by receivers, during the same time, with the balance due both on the 1st of October 1816, and on the 1st October 1817.

Offices.	Lands sold after deducting lands reverted.	
	Acres 100 hs	Dolls. Cents.
Marietta . . . . .	24,049 62	52,461 30
Zanesville . . . . .	105,393 48	212,331 08
Stubenville . . . . .	54,565 89	123,195 86
Canton . . . . .	86,063 65	405,231 48
Chillicothe . . . . .	72,048 35	148,310 70
Cincinnati . . . . .	256,711 97	525,979 34
J. ffersonville . . . . .	261,142 96	522,285 92
Vincennes . . . . .	325,361 37	601,362 60
Shawneetown . . . . .	67,683 99	134,197 98
Kaskaskia . . . . .	78,567 54	157,015 09
Edwardsville . . . . .	104,073 69	208,416 94
	1,414,952 49	3,090,863 29

The total balance due from individuals and by or in the hands of receivers, was as follows—  
 In October 1816 4,511,202 85  
 ----- 1817 5,806,337 67

Total sales of lands from the opening of the offices to October 1816, 7,054,689 07 14,950,784 68  
 Amount sold since as stated above 1,414,952 49 3,090,863 29  
 ----- 8,469,641 56 18,051,653 97

JOSIAH MEIGS, commissioner.  
 General land office, 28th Nov. 1817.





Unredeemed amount of funded debt and temporary loans, 1st January, 1717,	115 307,805 48
Additions from 1st Jan. 18 7. to 1st Oct. 1817,	98,930 00
Seven per cent. stock	98,385 43
Six per cent. treasury note stock	1,097,315 43
	<hr/>
	116,905,120 91

Deduct,	
Reimbursement of old 6 per cent and deferred stocks from 1st Jan. to 30th Sept. 1817	891,434 64
Amount of the several species of stock purchased per statement	14,606,203 33
Add difference between nominal amount of 3 per cent. stock at 65 per cent.	942,582 48
	<hr/>
	15,548,790 86

Temporary loans paid off to the Bank of the U. States	500,000 00
Cumberland Bank, Maine	50,000 00
	<hr/>
	550,000 00

Wredeemed amount, 1st October, 1817, Dls. 99,911,945 41  
 Treasury Department,  
 Register's Office, November 28th, 1817.  
 JOSEPH NOURSE.

(5)

*A statement of the stock purchased and redeemed, between the 1st January, 1817, and the 30th September following.*

Amount of stock redeemed as per statement (A) herewith, the 3 per cent. at 65, Dls. 14,606,203 33

Amount of stock redeemed, including the three per cent. at nominal 15,548,790 86

Estimated reimbursement of the old six per cent and deferred stocks in the three 1st quarters of 1817 894,434

Temporary loans paid off to the Cumberland Bank	50,000
Bank of the United States	500,000
	<hr/>
	550,000

Amount from 1st Jan. 1817, to 30th Sept. following 16,993,274 86

To the end of the 4th quarter of 1817, for reimbursement of old 6 per cent. and deferred stocks per estimate, 709,513 70

Purchases of stock since the 1st Oct. as per statement herewith, 333,235 16

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Dls. 18,036,023 72

Treasury Department,  
 Register's Office, November 28th, 1817.  
 JOSEPH NOURSE.

(6)

*A statement, shewing the additions made to the debt by the funding of Treasury Notes, between the 1st of January, 1817, and the 1st of October following.*

Seven per cent. stock,	Dls. 98,930 00
Treasury Note stock	998,385 43

Treasury Department,  
 Register's Office, 28th November, 1817.  
 JOSEPH NOURSE.

(7)

*The Register begs leave to present the following statement, in relation to the Mississippi stock: certificates subject to a correction, on a comparison with the commissioners of the Yazoo claims.*

Amount of awards to the Upper Mississippi Company	Dls. 350,000 00
Do. to the Tennessee Company	531,428 05
Do. to the Georgia Mississippi Company	1,499,054 96
Do. to the Georgia Company	1,887,029 75
Do. to persons claiming under citizen's rights	100,922 15
	<hr/>
	4,78,434 91
Amount of certificates issued from the Treasury,	4,249,114 02

Remain to be issued, subject to correction (a) 2,232 99

(a) Excepting a claim of the State of Georgia for about one hundred thousand dollars, as stated by the secretary of the late board of commissioners.

Treasury Department,  
 Register's Office, 31 December, 1817.  
 JOSEPH NOURSE.

Honorable W. H. CRAWFORD,  
 Secretary of the Treasury.

(8)

*A statement of the several denominations of Treasury Notes issued, showing the amount outstanding on the 30th Sept. 18 7.*

Treasury Notes were issued under the act of Congress, On 30th June, 812, to the amount of	Dls. 5,000,000 00
25th February, 1813,	5,000,000 00
4th March, 1814,	10,000,000 00
26th December, 814,	8,318,400 00
21th Feb. 815, of 100 dollar notes, 4,422,400	
Small Treasury Notes,	3,392,994
	<hr/>
	7,815,391 00

Total amount issued, Dls. 36,133,794 00

Of the above there have been cancelled at the Treasury 26,574,431 00

Small Treasury Notes in the several banks, viz.	
New-Hampshire,	179 00
S. Boston,	3,472 00
Manhatta,	3,554 00
Pennsylvania,	390 00
Columbia,	689,994 00
Branch Bank, Washington,	2,675,811 00
	<hr/>
	3,323,400 00

In the Auditor's Office, in a course of cancellation, for 6 per cent. stock, at Treasury

U. States,	14,192 34
New-Hampshire Loan Office,	61,961 73
Rhode-Island,	18,595 90
New-York,	325,828 58
North-Carolina,	8,756 92
South Carolina,	238,452 23
Georgia,	3,561 83
	<hr/>
	701,312 53

Balances in the several Banks, viz.

State Bank,	
Boston,	10,736 55
City Bank, N. York	571,603 70
C. County,	712 10
Tennessee,	3,603 16
	<hr/>
	586,715 51

Dead Treasury Notes in the several banks, viz.

Br. Bank, Washington,	4,643,745 49
Columbia,	90,746 24
	<hr/>
	4,734,419 13

From which deduct 6,022,519 77

the estimated amount of interest included in the above sum, 422, 519 77

Balance outstanding, viz. 5,600,000 00

Small Treasury Notes,	60,594 00
Other notes, by estimate,	566,369 00
	<hr/>
	635,963 00

As above, Dls. 36,133,794 00  
 Treasury Department,  
 Register's Office, Nov. 27, 1817.  
 JOSEPH NOURSE.

(B)

*Statement of the stock purchased on account of the Commissioners of the Sinking Fund, subsequently to the 1st Oct. 1817.*

Seven per cent. stock purchased of the Bank of the United States, amount 332,984 60 at 105 51 354,561 89

Old 6 per cent. stock	
nominal amount 400 05 unrd. amt. 31 04 at par	31 04
Deferred do. do. 158 98 do. 72 66	72 66
3 per ct. do. do. 225 94 at 65 146 85	146 85
	<hr/>
	332,336 15

Treasury Department,  
 Register's Office, 28th November, 1817.  
 JOSEPH NOURSE.



(A)  
Statement of stock purchased on account of the commissioners of the sinking fund from the 1st of April, 1817, to September following.

[ABSTRACT.]

Names of agents.	Dollars total.
Jona. Smith, cashier Bank U. S.	99,250
Ditto do.	142,182 90
Richard Smith, do.	71,739 79
J. B. Dandridge, do.	56,967 36
H. R. Pyncheon, do.	903 11
N. Waterman, Jr. do.	4,022 22
Saml. Frothingham, do.	137 6 2 17
Lynde Catlin, do.	230,245 22
John Rice, do.	2 32 35
J. W. McCulloh, do.	828,306 13
	1,562,441 25
Purchased of the Bank of U. States.	13,943,767 13
	14,606,208 38

The stocks purchased were as follows:

Old 6 per cent. specific amount thereof, nominal,	87,069 62
Deferred do	216,794 73
Three per cent at 65	1,759,510 02
	2,054,374 37
Louisiana	631,809
Exchanged 6 per cent.	315,637 73
Old debt	\$3,001,812 10
War loans--	
6 per ct. of 1812.	1,603,997 88
16,000,000 loan,	2,362,790 56
7,500,000	1,662,349 56
10,000,000	1,493,294 02
6,000, 00	1,559,758 16
6 per ct. of 1814	293,507 54
5 per ct. of 1815	2,782,524 23
7 per ct. stock	5 91
Treasury note stock	25,258 42
	11,604,396 28
	\$14,606,208 38

(a) The amount of the 3 per cent. stock, as taken from the returns, viz.

Agents.	cost	26,821 94
Jonathan Smith,	41,218 19	30 12
	Deduct interest	
		26,791 82
Ditto,	56,166 23	36,508 07
Richard Smith,	222 32	141 56
Dandridge,	86,093 75	55,969 97
Pyncheon,	814 41	529 36
Waterman,	3,178 96	2,069 39
Frothingham,	139,358 34	90,582 83
Rice,	232 37	183 86
Catlin,	107,267 53	69,723 89
Bank U. States,	2,233,221 35	1,464,593 94
McCulloh,	5,263 35	3,424 42
	dolls. 2,293,992 50	dolls. 1,750,510 02
	at 65	
	13,465,462 50	
	161,505,550 00	
	175,001,012 50	

Statement of moneys advanced for the redemption of the public debt, by purchases, from the 1st of April to 1st October, 1817.

[ABSTRACT.]

To the agents named in the preceding and to the

bank of the United States. \$14,601,073 36  
Application of the foregoing--as already stated.  
Commissions to agents--included in the advances--J. Smith \$578 89; R. Smith 179 67; J. B. Dandridge 142 41; S. Frothingham 344 42; L. Catlin 576 99; J. W. McCulloh 2050 94; H. R. Pyncheon 2 27; N. Waterman 10 13; J. Rice 6 25;--total \$3,892 97.

Gain on the purchases--  
Amount of stock redeemed, including the three per cent. at 65 per cent. \$14,606,208 38  
Cost, including commissions to agents 14,601,073 36  
\$ 5,135 02

Amount of stock redeemed including the three per ct. as nominal \$15,548,790 86  
Lost as above 14,601,073 36  
\$947,717 50

JOSEPH NOURSE.

Treasury Department, Register's office,  
November 25, 1817.

### Fifteenth Congress.

List of the senators and representatives.

SENATE.

NEW HAMPSHIRE.	VIRGINIA.
David L. Morrill	*James Barbour
†Joseph Storer	†John W. Epps
MASSACHUSETTS.	NORTH CAROLINA.
†Harrison Gray Otis	*Nathaniel Macon
Eli P. Ashmun	*Mountfort Stokes
RHODE ISLAND.	SOUTH CAROLINA.
*William Hunter	*John Gaillard
James Burrill, jun.	William Seith
CONNECTICUT.	GEORGIA.
*David Daggett	*Charles Tait
*Samuel W. Dana	George M. Troup
VERMONT.	KENTUCKY.
*Isaac Tichenor	John J. Crittenden
†James Fisk	*Isham Talbot
NEW YORK.	TENNESSEE.
†Rufus King	*John Williams
*Nathan Sanford	*George W. Campbell
NEW JERSEY.	OHIO.
†James J. Wilson	*Jeremiah Morrow
Mahlon Dickerson	*Benjamin Ruggles
PENNSYLVANIA.	LOUISIANA.
*Abner Loeck	*Elijius Fromentin
*Jonathan Roberts	†Wm. C. Claiborne
DELAWARE.	MISSISSIPPI.
*Overbridge Horsey	Thomas S. Williams
†Nicholas Van Dyke	Walter Leake
MARYLAND.	INDIANA.
*R. H. Goldsborough.	James Noble
*Alexander C. Hanson	Waller Taylor
HOUSE OF REPRESENTATIVES.	
NEW HAMPSHIRE.	†John Wilson
Josiah Butler.	Nathaniel Silsbee
Clifton Claggett	*Solomon Strong
Salma Hale	John Holmes
Arthur Livermore	Joshua Guage
John T. Parrott	Timothy Feller
Nathaniel Upham	Marcus Morton
MASSACHUSETTS.	Henry Shaw
*Jeremiah Nelson	†Ezekiel Whiteman
Walter Folger, jun.	Samuel C. Allen
*Benjamin Adams	*Albion K. Parris

\*Nathaniel Ruggles  
\*Elijah H. Mills  
Zabdiel Sampson  
Benjamin Orr  
\*Jonathan Mason  
*One vacant.*

RHODE ISLAND.

\*John L. Boss  
James B. Mason

CONNECTICUT.

Nathaniel Terry  
Charles Deanison  
Uriel Holmes  
\*Jonathan O. Moseley  
\*Timothy Pitkin  
Samuel B. Sherwood  
Thomas S. Williams

VERMONT.

Heman Allen  
Samuel Crafts  
William Hunter  
Orasmus C. Merrill  
†Charles Rich  
Mark Richards

NEW YORK.

\*Oliver C. Comstock  
Daniel Cruger  
John P. Cushman  
John R. Drake  
Benjamin Ellicott  
Josiah H. H. Hubbard  
John Herkimer  
Thomas H. Hubbard  
\*William Irving  
Dorrance Kirtland  
Thomas Lawyer  
David A. Ogden  
John Parmer.  
James Porter  
\*John Savage  
Phillip J. Schuyler  
Treadwell Scudder  
John C. Spencer  
Henry R. St. rrs  
James Tallmadge  
\*John W. Taylor  
Charles Tompkins  
\*George Townsend  
\*Peter H. Wendover  
Reinsellaer Westerlo  
\*James W. Wilkin  
†Isaac Williams

NEW JERSEY.

\*Ephraim Bateman  
\*Benjamin Bennet  
Joseph Bloomfield  
Charles Kinsey  
John Linn  
\*Henry Southward

PENNSYLVANIA.

†William Anderson  
Henry Baldwin  
Andrew Boden  
\*Isaac Darlington  
\*Joseph Heister  
\*Joseph Hopkinson  
\*Samuel D. Ingham  
\*William Maclay  
\*Wm. P. Maclay  
David Marchand  
Robert Moore  
Alexander Ogle  
Thomas Patterson  
Levi Pawling

\*John Ross  
\*John Sargeant  
†Adam Seybert  
Jacob Spangler  
Christian Tarr  
\*James M. Wallace  
\*John Whiteside  
\*William Wilson  
*One vacant.*

DELAWARE.

Willard Hall  
Louis Melane

MARYLAND.

Thomas Bayley  
Thomas Cuthbreth  
\*John C. Herbert  
\*Peter Little  
\*George Peter  
†Philip Reed  
†Samuel Ringgold  
\*Samuel Smith  
\*Philip Stuart

VIRGINIA.

Archibald Austin  
Wm. Lee Ball  
\*Phillip P. Barbour  
\*Barwell Bassett  
\*William A. Burwell  
Edward Colston  
John Floyd  
Robert S. Garnett  
\*Peterson Goodwyn  
\*James Johnson  
Wm. J. Lewis  
†Wm. McCoy  
Charles F. Mercer  
\*Hugh Nelson  
\*Thomas M. Nelson  
\*Thomas Newton  
James Pindall  
\*James Pleasants  
\*Ballard Smith  
Alexander Smyth  
George F. Srother  
\*H. St. Geo. Tucker  
\*John Tyler

NORTH CAROLINA.

\*Joseph H. Bryan  
\*Weldon N. Edwards  
\*Daniel Forney  
John H. Hall  
George Mumford  
Thomas Settle  
Jesse Slocumb  
J. S. Smith  
James Owen  
†Lemuel Sawyer  
Felix Walker  
\*Lewis Williams  
*One vacant.*

SOUTH CAROLINA.

Joseph Bellinger  
†Elias Earle  
James Erving  
\*Wm. Lowndes  
\*Henry Middleton  
\*Stephen D. Miller  
Wilson Nesbitt  
Sterling Tucker  
*One vacant.*

GEORGIA.

Joel Abbott  
Thomas W. Cobb  
\*Zadock Cook

Joel Crawford  
\*John Forsyth  
William Terrill  
KENTUCKY.  
Rich. C. Anderson  
\*Henry Clay  
\*Joseph Desha  
\*Rich. M. Johnson  
†Anthony New  
Tunstall Quarles  
Geo. C. Robinson  
Thomas Speed  
David Trimble  
David Walker  
TENNESSEE.  
\*William G. Bount  
Thomas Claiborne  
Samuel Higg  
Francis Jones

\*Those having this mark were members of the last (14th) congress.  
†And those marked thus have been members of former congresses.

W. L. Marr  
†John Rhea  
OHIO.

Levi Barber  
Philemon Beecher  
John W. Campbell  
\*Wm. H. Harrison  
†Samuel Herrick  
Peter Hitchcock

LOUISIANA.

\*Thomas B. Robertson

INDIANA.

\*Wm. Hendricks  
MISSISSIPPI.  
†Geo. Poindexter

ILLINOIS TERRITORY.

\*Nathaniel Pope  
MISSOURI TER.  
\*John Scott.

Foreign Articles.

EUROPE—GENERALLY.

*Summary of the late news—London dates of 25th October.* A Russian fleet of ten sail of the line was daily expected to touch at Portsmouth for fresh provisions and water; which it was said by some, but denied by others, had 10,000 troops on board. This affair has excited much speculation, and it is positively stated that Russia has satisfactorily settled all her differences with the Turks; the object of the fleet had not been determined upon by the London editors, and we are quite in the dark about it, though some say it is destined for a Spanish port.

It was rumoured also that Great Britain was about to send a large fleet, provisioned for four months, to the Mediterranean and there is some talk about a probable difference with Spain, because she will not give up some fortresses that she ceded to England by the late treaty. There was a very remarkable and rapid reduction of the price of the British stocks on the 23rd October—"in consequence of the warlike preparations of this country," as the London paper says—they lowered *three per cent.* in two days, and a further depression was expected.

It is positively stated that the army of occupation in France will not be reduced the present year.—Wellington had arrived in London on his private affairs.

We have also several reports about the misunderstanding between Spain and Portugal. Some of them actually say that the former has invaded the latter with three armies, containing in the whole nearly 40,000 men,—but others say there is no truth in these reports, or any probability that these powers will make actual war on one another, and that their disputes will be amicably settled.

ENGLAND, &c.

Grain had so fallen in price in England that no doubt appeared to exist but that the ports would be shut on the 15th of November. American flour 50 to 54s. per bbl

The fever in Ireland had considerably decreased among the poor, was increasing and becoming very fatal among the rich.

The trials for *high treason* at Derby had terminated—some of the poor creatures are to be hung, and some transported—others were discharged.

Americanu stocks in England—6 per cents. 105 1-2. Bank shares £32 15s.

Some, misunderstanding is said to exist between



Great Britain and Turkey respecting the occupancy of the Ionian islands by the former.

Curran, the Irish orator, has paid the great debt of nature.

*Sagacity of a dog.*—It appears, from a late English paper, that a dog was regularly taught to act as a thief—snatching reticules from ladies, &c. and carrying them off to his master.

*Lord Byron's* family estate at Newstead Abbey, consisting of upwards of 3,000 acres, has been sold at auction in London, for 96,500 guineas.

## FRANCE.

Late accounts from Europe states that *Carnot*, the patriotic, the estimable *Carnot*, lived very retired at Magdeburg. It is said he is writing a history of the revolution of France, and its influence on Europe, from 1789 to the restoration of Louis XVIII in 1815. Such a work, from such a pen, would be a valuable addition to the history of world.

The "army of occupation" is composed of the following corps—23,400 Russians, 22,200 British, 12,000 Danes, Saxons and Hanoverians.

It is stated that the *police* of France have the disposal of *forty* millions [of francs] per annum, of which no account is rendered! This is "*restoration*," indeed.

The Democratic Press says—It is stated in late accounts from France, that when the resignation of the Duc de Feltre, was made known to the Duke of Wellington, he protested against the measure, and threatened that if accepted, it would be considered as a measure of hostility to England. The French ministry replied, that as Frenchmen undeterred by menaces, they would pursue such measures as the interests of France dictated, that the resignation of the Duc de Feltre would be received the next morning, and that Guvion St. Cyr would be appointed in his place.

The ministry have also recommended to the king, the adoption of the *TRI-COLOURED FLAG*, as the national colours—a complete act of amnesty to be passed and the emigrants to be permitted to return.—The old veterans are also to be taken into the service in the room of the young men who have been placed in their stations.

These are important indications of the state of public opinion in France, and they are in entire accordance with all the recent and authentic advices which have reached us from that country. We hope to be able to lay before our readers some further particulars of these interesting occurrences.

## ITALY.

*Milan, Sept. 24.*—A new convent of Jesuits has been formed in Piedmont. One of the principal noblemen of the court of Turin, the Marquis Grimaldi, has taken their habit. The government has taken an annual revenue of 24,000 francs from the University of Gono, to give it to this religious order.

## GERMANY.

Jerome Bonaparte has lately purchased the estate of Engersfield, and Madam Murat has bought the lordship of Ort, people and all, for 900,000 florins. Beauharnois lives in great pomp at Munich.

The price of grain has considerably fallen.

The emperor of Austria has lately issued two important decrees—absolutely prohibiting the importation of *iron* manufactures and of *cotton* and *woolen* goods into any part of his states, from foreign places. The English think this is very *unfriendly* in the emperor, though they themselves act so to all nations.

## INDIA.

The British, anxious for more plunder, appear to

have excited many of the native chiefs to resistance, and an extensive war in India was immediately expected—they call the defence of their own country by the natives, *insurrection*, and like *Bonaparte*, who they so much abused for it, they have seized the person of a "legitimate prince" called the Peshwa, and committed him to safe custody. The Mahratta chiefs are supposed to be generally combined against the British, and if they succeed in driving the "*invaders*" into the sea—we shall not be sorry for it. But we fear that no such just result can be expected: the "*bloody usurpers*" are strongly armed, and their intrigues have divided, to destroy the people of India.

## LADROON PIRATES.

The ship *Wabash*, of Baltimore, lying in *Macao Roads*, was boarded in the night by a *Ladroon* boat, with 25 or 30 men, who attacked the crew unexpectedly with long knives, and after killing some and wounding others, succeeded in obtaining possession of the ship which they robbed of specie, opium, &c. to the value of more than \$50,000, with which they made their escape. Efforts were making by our consul at Canton for the recovery of the property, and the punishment of the robbers, in which the Chinese officers were assisting.

## BARBARY POWERS.

The Russian imperial consul at Hamburg on the 30th Sept. officially, communicated to the captains of Russian ships, the important intelligence, "that his majesty the emperor in concert with the allied powers had already resolved on the most effectual measures to put an end to the piracies of the Barbary powers."—[*It is most probable that the fleet expected in England is designed to give effect to this determination*]

Algerine and Tripolitan vessels are said to be committing great depredations in the Mediterranean. We have not heard that any American vessels had yet been molested by them. There is not, perhaps, any flag so much respected in that sea as our's.

## BRITISH AMERICA.

There was a dreadful fire at St. John's, Newfoundland, on the 7th Nov.—200 houses were destroyed; the property lost was valued at £300,000 sterling. The lateness of the season has much added to the distresses produced by this calamity. A "Newfoundland writer" holds out a dreadful prospect to the sufferers.

## SPANISH AMERICA.

The Spanish brig *Santa Christa*, from Lima for Cadiz, laden with \$50,000 in specie, 50 tons of copper, 175 tons of cocoa, 300 bales of cotton, and 16 sacks of Peruvian bark, has been captured by the Patriot privateer *Tupacamoro*, and sent to Buenos Ayres. This is the same privateer that some time ago captured the *Triton*, a rich Spanish Indiaman—her officers and crew is chiefly composed of persons from the United States.

We have details of the late successes of the patriots in the provinces of Venezuela. Bolivar declares that the forces of Morillo, by repeated defeats, &c. are reduced to a mere skeleton, and intimates his intention of immediately attacking him.

The account of the discomfiture of the royal general at Margareta is most honorable to the people of that little island. He was completely beaten; and many of his army of murderers there found a grave.

The cry of liberty is again heard in New Granada, and we trust that the tyrants are by this time expelled from that beautiful country.

In Mexico we have renewed reasons to believe

that Mina is doing well, and that the patriot cause is prosperous, though we are without direct accounts from him. But it appears certain that he has passed through the important cities of *Leon* and *San Luis de Potosi*, and one of two inferences is unavoidable;—either that his force is powerful enough to look down opposition, or that the people second his views. A convoy with five millions of dollars had been due several days at Vera Cruz, and fears were entertained that the patriots had captured it.—*Amen.* Part of the country between those cities is certainly in their possession.

Since the above was written a vessel arrived at Baltimore, from Havana, has brought us a publication, said to be extracted from the "Mexico Gazette extraordinary," giving the following account of the "capture of the traitor Mina." We are indebted to the *Baltimore Patriot* for the translation, but we want something more than a Spanish official account to make us believe a story like this.

*Mexico Gazette extraordinary.*

H. E. the viceroy has just received by an extraordinary courier the following communication:

*Most excellent sir.*—Long live the king. The comt. of Silas under date of the 27th, at 7 o'clock in the evening, writes me as follows:

*Esteemed sir.*—At last we have obtained the fruit of our labors—Mina has been taken alive, and is now entering this place. They also bring the head of Moreno; they have taken the two other Herreras, a Frenchman, and other officers of their infantry. We killed several when we attacked them, which was by surprise. All this has been achieved by senior Orrantia, who left here at 10 o'clock at night with cavalry for el Baradito, near la Hachiqueza; which news, so interesting, I communicate for the satisfaction of your excellency, and of all the good and loving subjects of our sovereign, and I shall consider it very complete if it gets to hand as expeditiously as I wish,

God preserve your excellency many years.

JUAN DE PERGUERA.

To H. E. the viceroy Don Juan Ruiz de Apodaca. *Irapuato, Oct. 28, 1817, 2 A. M.*

His excellency, not wishing to delay one moment the communication of such agreeable intelligence to the faithful vassals of the king our lord, has commanded the immediate insertion of it in an extraordinary Gazette, expecting every moment to receive the particulars of this important event.

*Extraordinary Gazette of the government of Mexico, Friday 31st Oct. 1817.*

WEST INDIES.

We have distressing details of the damages sustained by the late hurricane in the West Indies. The loss of the *planters*, alone, at Martinique is estimated at 35 millions of livres. Barbadoes is the only one of the chain of islands that appears to have escaped much damage—but, 15 vessels were driven on shore, and 5 of them lost.

AMELIA ISLAND.

We are without any interesting particulars from this island, though we have much matter and speculation respecting it. A report is circulated, and with apparent truth, that the "Venezuelian minister" as he is called, after seeing the president's message, forwarded an express to Amelia advising the authorities there of the contemplated hostility, and directing com. Aury to defend the place to the last, unless attacked by a very superior force—in which case he should enter a solemn protest, in the name of the patriot governments, against the proceeding on our part, &c. The Savannah Republican of the 4th inst. intimates that he had made some

preparations to defend the place. But he will hardly attempt to resist:—all was confusion and anxiety at Amelia.

Col Bankhead, with a sufficient number of United States troops, was at Point Petre on the 6th inst. waiting the arrival of certain U. States' vessels, which were instantly expected, to take possession of the island.

On the 19th and 20th of November an election for nine representatives, to form the legislative body of the island was held. Mr. Gaul has 151 votes, the highest number given. On the 27th of the same month Aury issued a proclamation stating the result of the election, and convoking the assembly on 1st day of December.

FLORIDA.

It is again stated that Spain has authorized a sale of the Floridas to the United States for \$6,000,000. This is six million times more than they are worth to Ferdinand, though they will be of great value to us. It is also said, that the British minister has, by order of his government, remonstrated against any purchase of this country being made by us. We hardly suppose this latter report to have any foundation—Great Britain has no business to interfere, and we think will not have the impudence to do it.

CONGRESS.

SENATE.

The following are the standing committees of the senate:

On our Foreign Relations—Messrs. Barbour, Macon, Troup, King, Laock.

On Finance—Messrs. Campbell, Eppes, King, Talbot, Macon.

On Commerce and Manufactures—Messrs. Sanford, Horsey, Morrill, Burrill, Dickerson.

On the Judiciary—Messrs. Crittenden, Burrill, Otis, Smith, Leake.

On Military Affairs—Messrs. Troup, Williams, Ten. Tichenor, Laock, Taylor.

On Naval Affairs—Messrs. Tait, Sanford, Crittenden, Daggett, Williams, Mis.

On the Militia—Messrs. Storer, Noble, Roberts, Macon, Ruggles.

On the Public Lands—Messrs. Morrow, Fisk, Taylor, Williams, Mis. Hunter.

On Claims—Messrs. Roberts, Morrill, Ruggles, Goldsborough, Wilson.

On Pensions—Messrs. Noble, Storer, Laock, Van Dyke, Talbot.

On the Post Office—Messrs. Wilson, Ashmun, Fisk, Ruggles, Stokes.

On the District of Columbia—Messrs. Goldsborough, Daggett, Eppes, Barbour, Stokes.

*December 12.* The president of the senate communicated two memorials of officers of the navy and of the marine corps, then serving in the Mediterranean, remonstrating in strong terms against the treatment received by Captain Heath of the marine corps, from Commodore Perry, and the proceedings thereon, and in one or two other cases.

A motion was made by Mr. Goldsborough, to prefer these memorials to the naval committee, on which question a debate arose, which terminated in a postponement of the subject to Monday.

Mr. Daggett submitted for consideration the following resolution:

*Resolved,* That the committee on the judiciary be instructed to enquire into the expediency of passing a law on the subject of bankruptcies, and, if they judge it expedient, to report a bill for that



purpose; also, that the aforesaid committee enquire into the expediency of further provision by law for the punishment of offences committed in places within the exclusive jurisdiction of the United States; also, into the necessity of further defining piracy, and other offences committed on the high seas, and into any defects existing in the laws of the United States for the punishment of crimes and offences.

Among the petitions presented was one of sundry iron manufacturers, praying that a further duty may be imposed on the importation of certain descriptions of iron.

The senate having decided the mode in which the senators from the new state of Mississippi should draw lots for the classes of senators, the ceremony took place. Mr. *Williams* is to serve for six, Mr. *Leake* for four years from the 4th day of March last.

The bill for the abolition of the internal duties was received from the house of representatives, read twice, and referred to the committee on finance.

The mint bill was also received and read.

Several parts of the president's message were referred to standing committees within whose province they fall.

Mr. *Campbell* gave notice, that on Monday he should ask leave to introduce a bill to authorize the state of Tennessee to issue grants and perfect titles to certain entries and locations of land therein described.

A report was received from the secretary of the treasury, explaining the reasons for not transferring the balances from the state banks to the bank of the United States. Adjourned to Monday.

December 15.—On motion by Mr. *Troup*—Resolved, That the president of the United States be requested to cause to be laid before the senate such information as he may possess, touching the execution of so much of the first article of the late treaty of peace and amity between his Britannic majesty and the United States of America, as relates to the restitution of slaves, and which has not heretofore been communicated.

By Mr. *Barbour*—

Resolved, That the president of the United States be requested to communicate to the senate such information as he may possess, and which the public interest will permit him to disclose, relative to our pending negotiation with Spain.

The senate resumed the consideration of the resolution submitted by Mr. *Daggett*, on the 12th inst. and agreed to it in the following form:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of passing a law on the subject of bankruptcies, or insolvency. Also, that the aforesaid committee enquire into the expediency of further provision by law for the punishment of offences committed in places within the exclusive jurisdiction of the United States. Also, into the necessity of further defining piracy and other offences committed on the high seas, and into any defects existing in the laws of the United States for the punishment of crimes and offences.

Various parts of the president's message were referred to several committees, and other proceedings will be noticed in their progress.

December, 16.—Mr. *Talbot*, of Kentucky, appeared and took his seat.

Mr. *Leake* presented a memorial from the Miss. convention, praying an extension of the limits of the state of Mississippi, for reasons therein stated;

which was referred to Messrs. *Leake*, *Troup* and *Williams*, of Tenn.

The senate resumed the consideration of the motion offered by Mr. *Sunford* on the 8th inst. to direct the committee of finance to enquire what alterations or amendments may be requisite in the present system of collecting the duties charged on the value of merchandise imported into the United States; and what farther legal provisions are necessary in order to secure the equal and certain collection of those duties.

Mr. S. entered into a very minute and extensive examination of the subject embraced by his motion; the evils which prevail in the present system of collecting the duties referred to, and the benefits which would result to the revenue from the adoption of proper legal provisions, &c.

The resolution was agreed to without opposition.

The engrossed bill from the house of representatives, for abolishing the internal duties, was read the third time as amended by the senate and passed, and returned to the house for concurrence in the amendments.

The resolutions offered yesterday by Mr. *Troup*, and by Mr. *Barbour*, respectively, were successively taken up and adopted.

December 17.—No important business was transacted in senate this day.

#### HOUSE OF REPRESENTATIVES.

Friday, Dec. 12.—Mr. *Hopkinson*, of Pennsylvania, from the committee on the judiciary, reported a bill to establish a uniform system of bankruptcy throughout the United States; which was twice read and committed.

Mr. *Taylor*, of New York, at the instance of the committee of elections, introduced the following resolution, under the impression that it proposed a course the most respectful to the house, if not the only manner in which the committee could execute the duty required of them:

Resolved, That the president of the United States be requested to communicate to this house, whether any, and if any, which of the representatives named in the list hereto annexed, have held any office under the United States since the 4th day of March, in the year 1817; designating the office or offices they have respectively held, the time of appointment and acceptance of said offices; whether the same are now held, and; if not, when the same were severally resigned.—[Annexed to the resolution was a list of the names of the members of the 15th congress.]

The resolution was agreed to, and a committee appointed to present the same to the president.

Mr. *Bloomfield*, of New-Jersey, from the committee to whom was referred so much of the president's message as relates to the surviving revolutionary patriots, reported, in part, a bill concerning certain surviving officers and soldiers of the late revolutionary army.

[This bill provides that every commissioned and non-commissioned officer or soldier, who had served in the army during the war which terminated in the treaty of peace with Great Britain in 1783, and reduced to indigence, or by age, sickness, or any other cause, may be unable to procure subsistence by manual labor, shall receive half pay during life, equal to the half of the monthly pay allowed to his grade of service during the revolutionary war—provided that no pension thus allowed to a commissioned officer shall exceed the half pay of a lieutenant colonel.]

This bill was twice read and committed,

The motion submitted by Mr. Bassett, of Va. to amend the rules of the house, was taken up and agreed to. [The question of consideration, which has heretofore been a matter of much contention in the house, in the days of party conflict, is thus expunged from the rules of the house.]

On motion of Mr. Edwards, of North Carolina, the committee on public lands were instructed to enquire what further provisions are necessary in the existing laws, for the more effectual prevention of frauds by the purchasers of the public lands.

On motion of Mr. M Lane, of Del. the committee on so much of the message of the president, as relates to roads and canals, were instructed to enquire into the expediency of authorizing the secretary of the treasury of the United States to subscribe for stock in the company incorporated under the name and style of the Chesapeake and Delaware canal company, or any other company now, or hereafter to be incorporated for similar purpose, to be paid by the appropriation of the public lands, or by any surplus money in the treasury of the United States.

[The rest of the business transacted is not of general importance, or will be noticed in its progress. This remark will generally apply to our accounts of the proceedings in congress.]

Monday, Dec. 15.—Mr. Tucker, of Va. from the committee to whom was referred so much of the message of the president of the United States as relates to the subject of internal improvements, made a long and elaborate report, concluding with the following resolution:

Resolved, That, in order to promote and give security to the internal commerce among the several states; to facilitate the safe and expeditious transportation of the mails by the improvement of post roads with the assent of the respective states; to render more easy and less expensive the means and provisions necessary for the common defence, by the construction of military roads, with the like assent of the respective states; and for such other internal improvements as may be within the constitutional powers of the general government, it is expedient that the sum to be paid to the United States by the 20th section of the act to incorporate the subscribers to the bank of the United States, and the dividends which shall arise from their shares in its capital stock, be constituted as a fund for internal improvement.

The report was read, and referred to a committee of the whole.

[This is really a very important report, and seems intended to try the question in respect to internal improvement, in a manner different from that suggested in the president's message. It is very possible that two thirds of both houses may agree to pass such a law, and thus defeat the pre-determined veto of the president.]

The following message was received from the president of the United States, by Mr. J. J. Monroe, his secretary:

To the house of representatives.

In compliance with the resolution of the house of representatives of the 8th of this month, I transmit, for the information of this house, a report from the secretary of state, with the documents referred to in it, containing all the information of the executive, which it is proper to disclose, relative to certain persons who lately took possession of Amelia Island and Galvezton. JAMES MONROE.

Washington, Dec. 15, 1817.

DEPARTMENT OF STATE, Dec. 13, 1817.

The secretary of state, to whom has been refer-

red the resolution of the house of representatives of the 8th inst. requesting the president to lay before the house any information he may possess, and think proper to communicate, relative to the proceedings of certain persons who took possession of Amelia Island, at the mouth of St. Mary's river, in the summer of the present year, and made an establishment there; and relative to a similar establishment, previously made at Galvezton, has the honor to submit to the president the accompanying papers containing the information received at the respective departments of state, the treasury and the navy upon the subjects embraced in the resolution.

[On this the *National Intelligencer* observes.—The documents respecting affairs at Amelia Island and Galvezton were yesterday transmitted to the house of representatives by the president. Consisting of a voluminous compilation of correspondence from officers of government and others in the neighborhood of those depots, the papers were not read, but ordered to be printed. They shall be laid before our readers as early as practicable. They afford, in a more authentic shape, judging from a hasty glance at them, information of nearly the same character as that already received by the public through the medium of the newspapers.]

Mr. Robertson, of Louisiana, offered the following resolution to the house:

Resolved, That a committee be appointed to enquire into the expediency of providing by law for the exercise of the right of expatriation; and that they have leave to report by bill or otherwise.

Mr. Robertson said, that for a very considerable length of time he had wished this question to be decided by that tribunal to whom the decision of it belonged. He had, some years ago, offered a resolution similar to this, which was then not adopted; whether on account of the war in which we were then engaged, or for what other considerations he had never been able to decide. The question which had arisen during the late war made a decision of it necessary. It would be well recollected, that, among the soldiers of the United States were many individuals, natives of Great Britain, who were taken prisoners of war, and, according to the doctrine of the British government, an odious doctrine, reprobated, he believed, by every other government, were treated as traitors fighting against their government; and that, if this construction had been consummated, our government had menaced severe retaliation. But, with what consistency could the United States take the ground of retaliation, when they themselves had never recognized, in regard to our citizens, what we demanded of Great Britain in regard to her's? So far as proceedings have been had on this point, Mr. B. said he was led to believe this right had been denied to our citizens. He would not dwell on the particulars of the decision on this subject by Judge Ellsworth some years ago, but merely state that Isaac Williams, a citizen of the United States, became a citizen of the French republic, and was thereafter fined and imprisoned, by the decision of our courts, for making war on Great Britain, on the ground, that he could not divest himself of the allegiance he owed the United States. It was certainly proper, Mr. R. said that there should be some decision of the legislature on a question of this nature and magnitude, which at present depended on the opinions of the judiciary; and, as far as acts of congress can regulate judicial opinions, that such directions should be given on this head as he thought were obviously just and necessary. He had thought proper to make these remarks because, al-



though he believed the right to be clear, and that the government would maintain it—as they ought to do, if they possessed the respect which is possessed for the principles of liberty and for civil rights—a decision of the legislature on the subject was more important at this moment, from considerations growing out of the present relations between the United States and foreign nations. By the existing treaty with Spain, a citizen of the United States, holding a commission under any government at war with Spain, whilst we are at peace with her, is considered as a pirate. This extraordinary provision of the treaty must have escaped the attention of that power in our government which makes treaties, or it would have been rejected, as well for its cruelty as because it is an act of legislation to define and punish piracies, and not a power confided to the treaty-making authority. To say nothing more of that, however, Mr. R. observed, that he deemed it necessary to protect the citizens of the United States from punishment, due only to piracy, when found with commissions in their hands from any government at war with Spain. He wished to see our citizens at perfect liberty to become citizens of what nation they chose, on such terms as that nation should prescribe. It would appear, moreover, from what he had said, Mr. R. remarked, that there was not that neutrality in our conduct towards the two parties, in the war between Spain and her colonies, which we all profess. In this respect the parties were certainly not on the same footing; since a citizen of the United States in the employ of Spain against the colonies is not considered as a pirate, but, engaged in the service of the colonies against Spain, he is. He did not know that this fact would have induced him to have brought the question before the house, but for the deep impression he felt of the justice and propriety of adopting the principle, abstracted from the existing state of things. But it was the more necessary to reduce the principle to legislation, because of the situation in which the want of it has placed us in regard to foreign nations.

The motion of Mr. Robertson was adopted without opposition, and without a division.

Mr. Harrison, of Ohio, offered the following resolution:

*Resolved*, That the committee on military affairs be and they are hereby instructed to enquire into the expediency of continuing the pensions which now are or have been heretofore allowed to the widows and orphans of the officers and soldiers who were killed or wounded in service of the late war, for a term of five years beyond the periods when they shall respectively cease under existing laws.

(Mr. H. introduced the preceding resolution by a speech of considerable length, and with handsome effect—it passed without opposition.)

The house then resolved itself into a committee of the whole, Mr. Bassett in the chair, on the bill for the commutation of soldiers' pay.

Mr. Johnson, of Ky. as chairman of the military committee, stated a number of facts bearing on the subject of the bill. The number of men in the service at the close of the war was ascertained to have been 34,000; the number who died in service or were killed in battle was estimated at about 17,000; making in the whole about 50,000 soldiers (and heirs of soldiers) entitled to the bounty in land. For this number eight millions of acres would be required. But it was a number overrated; and he did not believe that 40,000 would come forward to claim the land bounty. Of the whole number of 50,000, he calculated that not more

than half would commute for money, say 25,000; to pay this number the proposed commutation would require five millions of dollars, or 1,250,000, annually, for four years, which mode of payment had been selected, as well with a view to the benefit of the soldiers as to the relief of the treasury. The committee, he said, had no doubt but the annual proceeds from the very land commuted would be sufficient to defray the whole amount; which would remove all objections of a financial nature—and he was not aware of any other. The measure, he hoped, would have the effect of cutting off all speculation, of which there was so much complaint, and by which the soldier was deprived of his rights under the influence of his necessities.

A debate of some length arose on this bill, and particularly on its details, which did not, however, result in any final decision.

Mr. Holmes doubted the policy of the bill, and expressed his fears that the speculator rather than the soldier would receive the benefit of it. Mr. Clay held an opinion directly opposite to that of Mr. H. and supported the bill with much zeal.—He did not, however, entirely approve of the details of the bill; to which he moved amendments, going to exclude any but original grantees from the benefit of the provision, and reducing the commutation to one hundred dollars for every 160 acres, and two hundred dollars for every 320. These amendments, however, he waved for the present, to give place to a motion to strike out the first section of the bill, in order to try the principle of the bill.

A motion was made to strike out the first section of the bill.

After considerable discussion—the committee rose, reported progress, and had leave to sit again.

Adjourned.

Tuesday, December 16.—Mr. Rhea of Tennessee, offered for consideration the following resolution:

*Resolved*, That the committee on pensions and and revolutionary claims be instructed to enquire into the expediency of suspending, for one year so much of the act, entitled “an act making further provisions for the support of the public credit and for the redemption of the public debt,” passed the third day of March, 1795, as bars from settlement or allowance, certificates, commonly called loan office and final settlement certificates, and indents of interest.

After some spirited remarks from Mr. Rhea, the resolution was agreed to without a division.

Mr. Scott, delegate from Missouri, submitted a resolution which had for its object the regulation and leasing of the public lead mines in that territory—and another for leasing the public salines.

Mr. Bassett of Virginia, submitted for consideration the following proposition:

*Resolved*, by the senate and house of representatives of the United States of America, in congress assembled, That the daily compensation of members of the senate and house of representatives, and delegates from territories, shall (until further provided for by law) be the same as in the year 1813.

On the question, “will the house now consider this resolution?” which the speaker, in this instance, thought proper to put, the house decided in the negative.

So the house refused to take Mr. Bassett's motion into consideration.

On motion of Mr. Whitman, of Mass. it was

*Resolved*, That the committee on pensions and revolutionary claims be directed to enquire into the expediency of continuing the pensions granted to invalids of the army who served in the late war,

in case of their decease before the expiration of the term of five years from the time of granting the same, to the widow or children of such deceased invalid, if any he has left or shall leave, to the end of the said term.

Mr. *Wendover* submitted for consideration the following resolution:

*Resolved*, That a committee be appointed to enquire into the expediency of altering the flag of the United States, and that they have leave to report by bill or otherwise.

Mr. *W.* said, in submitting this motion, that he should make but few remarks on this subject, not being a novel one; a bill relative thereto having been reported at the last session, but laid over from the pressure of business deemed of more importance. Had the flag of the United States never have undergone an alteration, he certainly should not, he said, propose to make a further alteration in it. But, having been altered once, he thought it necessary and proper that an alteration should now be made. It was his impression, and he thought it was generally believed, that the flag would be essentially injured by an alteration on the same principle as that which had before been made, of increasing the stripes and the stars. Mr. *W.* stated the incongruity of the flags in general use (except those in the navy) not agreeing with the law, and greatly varying from each other. He instanced the flags flying over the building in which congress sat and that at the navy yard; one of which contained nine stripes, the other eighteen, and neither of them conformable to the law. It was of some importance, he conceived, that the flag of the nation should be designated with precision, and that the practice under the law should be conformed to its requisitions.

The motion was agreed to without opposition.

The house resumed the consideration, in committee of the whole, Mr. *Bassett* in the chair, on the bill for the commutation of soldiers' pay:

The question being on striking out the first section of the bill—

A debate of much length ensued—it resulted in no final decision of the question; before coming to which, the committee rose, reported progress and asked leave to sit again. In the course of the debate, Mr. *Clay* read a long amendment of detail, which he intended to submit, should the motion to strike out the first section of the bill not prevail.

After the committee rose Mr. *Sergeant*, desiring leave to sit again to be refused to the committee, signified his intention, in that event, to move a recommitment of the bill, with instructions to the committee to report a bill authorizing commutation of the land bounty for a pension during life.

This suggestion was overruled for the present, by the house granting leave to the committee to sit again.

And the house adjourned.

*Wednesday, Dec. 17.*—Mr. *Bryan*, of North Carolina, appeared and took his seat.

The *Speaker* laid before the House the following communication from the Treasury Department, which was ordered to be printed, with the accompanying documents:

Treasury Department, December 17th, 1817.

SIR—I have the honor to transmit herewith for the information of the House of Representatives, an estimate of the appropriations for the service of the year 1818, amounting to \$10,925,191 62, viz:

For the Civil List	1,070,708 02
Miscellaneous Expenses,	490 368 51
Intercourse with foreign nations,	487,566 64

The Military Establishment, including arrearages, and Indian Department,	6,265,132 23
The naval establishment, including the Marine Corps,	2,611,376 26
	\$10,925,191 62

The funds out of which the appropriations for the year 1818 may be discharged, are the following:

1. The sum of \$6,000,000, annually reserved by the act of the 4th August, 1790, out of the Duties and Customs, towards the expenses of government.
2. The proceeds of the Stamp Duties, and the duty on Sugar refined within the United States.
3. The surplus which may remain of the Customs and Internal Duties, after satisfying the pledge for which they are pledged and appropriated.
4. Any other unappropriated money which may come into the Treasury during the year 1818.

I have the honor to be, very respectfully, sir, your most obedient servant,

WM. H. CRAWFORD.

The Hon. the Speaker

of the House of Representatives.

The *Speaker* also presented to the House a report from the Department of State on the petition of sundry inhabitants of the District of Detroit, in the Territory of Michigan, respecting losses incurred during the invasion of 1812, by the British, which was referred to a select committee, and ordered to be printed:

On motion of Mr. *Holmes*, of Mass.

*Resolved*, That a committee be appointed to enquire into the expediency of providing by law for the pay of the members of the senate and house of representatives and the deputies from the territories of the United States—and that the said committee have leave to report by bill or otherwise,

Mr. *Livermore* proposed that this resolution should be referred to a committee of twenty members, one from each state. But he withdrew it, and the usual number was ordered to be appointed.

After several other resolutions had been received—The House then again resolved itself into a committee of the whole, Mr. *Bassett* in the chair, on the bill to provide for commuting the bounty lands of the soldiers of the late army—the motion to strike out the first section being still under consideration.

The debate was resumed, and continued to a late hour, in which Messrs: *Ball*, *Colston*, *Livermore*, *Starrs*, *Holmes*, of Ms. and *Beecher*, spoke against the bill, and Messrs. *Anderson*, of Ky. *Baldwin*, *Harrison*, *Clay* and *Johnson*, of Ky. advocated it.

In conclusion, Mr. *Clay* remarked, that as, with the view of trying the principle of the bill, the motion was made to strike out the first section, he had prepared a substitute which he believed would obviate many of the objections which had been urged against it—he suggested to the gentleman (Mr. *Holmes*) who moved to strike out the first section the propriety of withdrawing that motion, so as to give him (Mr. *Clay*) an opportunity of presenting his amendment to the consideration of the committee.

Mr. *Holmes*, desirous of giving the friends of the bill every opportunity of making it acceptable to the house, withdrew his motion to strike out the first section; when:

Mr. *Clay* offered a substitute by way of amendment, embracing various provisions varying in many points from the original bill. The amendment hav-



ing been read, the committee rose, reported progress, and obtained leave to sit again—the house having previously ordered Mr. Clay's amendment to be printed.

The amendments of the senate to the bill to abolish the internal taxes, were taken up and severally agreed to; so that the bill now wants only the approbation of the president to become a law.

*Thursday, Dec. 18.* After receiving and determining on several resolutions, &c. offered, some of which will be noticed in their progress, the house again resolved itself into a committee of the whole on the bill for the commutation of soldiers' pay—

The question was taken on agreeing to the amendment of detail (being a substitute for the bill before the committee) proposed by Mr. Clay; and decided affirmatively, 96 gentlemen rising in its favor.

The amendment of Mr. Clay being then open for amendment, was read over for that purpose.

Mr. *T. M. Nelson*, having moved to fill the blank for the amount of commutation with 160 dollars (or one dollar per acre)—

The question was decided in the negative, by a majority of about 20 votes.

Mr. *Clauborne*, of Tenn. on the principle, that if the bill passed (to which, however, he was altogether opposed) the government ought not to speculate on the soldier, by giving him less than its own price for the same article, moved to fill the blank with 320 dollars, or two dollars per acre. *Negatived*, yeas 25.

Mr. *Cobb*, of Geo. having moved to fill the blank with 120 dollars, (or 75 cents per acre) it was decided in the negative, yeas 48.

Mr. *Harrison*, of Ohio, moved 130, and Mr. *Little*, of Md. 150; both of which were negatived.

Mr. *Clay* then moved to fill the blank with the sum, originally proposed by him, of one hundred dollars, though he confessed he should have preferred one dollar per acre. He was under the impression, however, that the bill had a better chance to pass in this shape than with a higher sum, and it would yet produce much good.

On this question the house divided thus:

For the motion,	75
Against it,	78

A second count being called, the vote stood thus:

For the motion,	84
Against it,	67

The amount of commutation was therefore decided to stand at one hundred dollars for one hundred and sixty acres.

The committee proceeded in the consideration of the bill, and made thereto a variety of amendments, on which much desultory debate took place, little interesting, it is presumed, to the general reader, and which is therefore not noted.

The question being stated, "Shall the committee rise and report the bill?"

Mr. *Whitman*, of Mass. assigned the reasons which would induce him to oppose the bill.

On motion of Mr. *Spencer*, of New-York, the committee rose, reported progress, and obtained leave to sit again.

And the house adjourned at 4 o'clock.

Yesterday (Friday evening) a friend in congress furnished us with a copy of—"a report in part of the committee of the house of representatives of the United States, on so much of the president's message as relates to roads, canals and seminaries of learning." It is truly an "important docu-

ment"—but it occupies about *eleven* 8vo pages, and must, reluctantly, be laid over for our next—the resolution attached to it is inserted in the preceding matter.

## CHRONICLE.

Gen. *Gaines*, having arrived at the Flint river, sent a friendly message to the Indian chief on the opposite side, which he would not listen to. A small detachment under maj. *Twiggs* then crossed, the indians fired upon them, and the fire was returned. The indians left four killed on the field and fled—we suffered no loss. The official letter from gen. *Gaines* is in type, but we cannot squeeze it in; an industrious congress occupying more space than we expected. But this letter with other neglected matter shall be preserved.

The *Savannah Republican*, of the 9th inst. gives a report that *Wadburne* has arrived at Pensacola from New Providence with an expedition fitted out at that place; that he is accompanied by *MacGregor*, and has enlisted a considerable number of indians and blacks in his service. We hope it may be the fortune of gen. *Guines* to catch the wretch that has cost us the lives of hundreds of women and children, that he may be tried and punished as a murderer, as he deserves. We cannot believe that he has any authority from the British government for his proceedings since the peace; and whether he has or has not, his infamous career should be stopped.

*M. J. Christopher Van de Venter*, of the army, has been appointed chief clerk, in the department of war, vice Mr. *John Graham*, resigned.

The legislature of *Vermont*, in granting a bank at *Windsor*, have exacted of the stockholders a bonus of 1000 dollars for the first year, and 1500 dollars for every subsequent year.

The rev. Dr. *Ambrose Mareschal* has been consecrated Roman catholic arch-bishop of Baltimore. Bishop *Caeverous*, of Boston, and bishop *Conally*, of New York, performed the ceremony on Sunday last.

The city council of *Charleston* have appointed a day of thanksgiving to Almighty God for restoring to that city its ordinary state of health.

The celebrated *Harmony society*, which lately emigrated from *Pennsylvania* to *Indiana*, and are delightfully seated on the *Wabash*, have recently received eighty additional members from *Germany*—1000 are expected.

The U. S. ship *Alert* has arrived at *Washington* city from *Norfolk*.

Gen. *Ripley* has arrived at *Philadelphia* from *New Orleans*, on his way to the seat of government.

A special session of the circuit court of the United States was opened at *Philadelphia* on the 15th inst. for the trial of the British officers charged with a misdemeanor in violating the neutral relations of the United States, by attempting to pass to *South America* to aid the patriots. The grand jury returned the bills *ignoramus*, and the officers were discharged.

The steam boat *Massachusetts* has departed from *Salem* "on a voyage for *North Carolina* or *Mobile*."

*Constitutional amendment.*—We regret to learn that the amendment recommended by the legislature of *New-Jersey*, at its session last winter, to the constitution of the United States, providing for districting the several states for the election of representatives to congress, &c. has been rejected in *Rhode-Island* and *Vermont*.

# NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 17—VOLUME I—NEW SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

## Services of Militia.

The militia of a free state is justly regarded as the natural bulwark of the civil and religious rights of its people—as the best and safest defence against sudden invasion from abroad, and as the only faithful barrier to domestic encroachment. The *armed citizen* cannot easily be made a slave: a sense of the duty that he owes to the law and to his country in the time of its need, teaches him obedience, and he yields himself up to those whose province it is to command him, for the time being—but he still reasons upon the fitness of the things required of him,—and, when his period of service is ended, carries the result of that reasoning, together with his experience in the business of a soldier, into the mass of the people and adds them to the common stock of intelligence and force. And, perhaps, the restraints that he suffered in his *military* character may also cause him more dearly to estimate the rights that belong to him as a *citizen*: because he is sensible that as a government gains power the people must suffer restraint. Rome did not lose her liberty until the jealousy of her rulers deprived the people of the use of arms: faction and the spirit of party, it is true, often caused the government to assume a shape as hateful as that of an absolute monarchy could easily do: but yet the body of the population—that portion which had no active participation in the feuds of those factions, retained a very considerable portion of their natural rights until the line was clearly and determinately drawn between the *soldier* and the *citizen*; and the former, in a mere menacery animal, lost the habits of thinking and acting as a *MAN*: then came the declension and fall of that once most powerful nation.

But, with all its important and imposing character, the embodying of a militia force, the only force that can be tolerated with safety by a free people, in times of peace (except to a very limited extent) is terribly destructive of human life—*much more so than occurs in regular armies*. It is the great misfortune attending it, that by the time when the *citizen* has learnt how to live as a *soldier*, and has been made efficient through discipline, that his duties are at an end; and others continually succeed him who require the same course of instruction and of experience that he did,—in obtaining which so many of his comrades *uselessly* perished. In the summer of 1813, the Baltimore brigade, (by detachments of a regiment at a time, for a week's service) for a few weeks, did duty at *Fort McHenry*—in the

immediate vicinity of their homes and where they, of course, possessed every possible accommodation. In this light service, as some may esteem it, we lost quite as many men as were killed (on our side) in the battles of *Bladensburg* and at *North-Point*,—by diseases generated from the new condition in which our citizens were placed. Yet the regular soldiers at the fort were healthy;\* either because they had learnt how to live, or were compelled to live according to certain rules which military men know must be observed to prevent disease and death in the service. The ever-to-be-lamented *Pike* disciplined the 15th regiment to every thing—he began by teaching his raw officers and men how to make their fire—then how to cook their victuals, how to *drink*, how to *sleep*, &c.—nothing was too minute or apparently too trifling to be unworthy of the attention of that inestimable *soldier*. What was the consequence? His regiment was healthy and robust, and his men were very soon prepared for any service that might be required of them. Disease, that mowed down the ranks of other regiments, found a barrier in the *discipline* of his. And, further, this fact soon occurred—that while other troops which received the same quantity and quality of provisions as were distributed to the 15th regiment, were in a state approaching starvation, his men had an abundance—and a variety that was astonishing. Initiated into the art of cooking their victuals, they soon had bread and meat to spare, which they sold or bartered for vegetables, and additionally obtained some of the little luxuries of the table. All this resulted because *Pike* was himself a *soldier*; brought up in camps, and every way skilled in the duties and requirements of the profession of arms. The want of such knowledge, industry and attention in others—with the continually embodying and discharging of the militia (ever furnishing fresh victims) probably cost us more men, in the late war, than have been killed in battle, or who have died in consequence of wounds received therein, in *all* the affairs that have taken place in the country that now forms the United States, from its first discovery until this time, in which white people were on either side engaged. It is fearful to calculate the loss at certain posts where the militia were assembled.

The fact is, that we were wretchedly ignorant of almost every thing that belonged to a

\*The like of this happened every where. When the militia were dying by scores, the regulars were healthy.



state of war, (except in naval affairs) when the late war began. The experience of the revolution was essentially lost. A few of the veterans of other years remained; better fitted, however, in general, to command the respect and homage of the present generation for their invaluable services than again to command armies—and we had all things to begin *de novo*. For a considerable time we were distressed with a series of blunders, mistakes and misfortunes, legislative, executive and military; and the destruction of men and waste of character and property was excessive. But, by degrees, every department learnt its duty, being instructed in the dear school of experience as to what the nature of their respective services required of them; and peace very agreeably revisited us when we were best prepared for war.

Though so generally deficient, except in courage and patriotism, there was no department of the service, perhaps, that we were so badly provided for (in the beginning) as that of the general staff, and especially as to the medical part of it. When that was fully organized and in complete operation, there was instantly a great decrease in the number of deaths. May congress have wisdom to preserve a staff sufficient for an army much larger than that we now have, or expect to support in time of peace—may they not suffer a misplaced economy to deprive us of the benefit of talents so dearly purchased! Our country, I hope, is destined to enjoy a long peace; but the cost of being prepared for a state of war is of no comparison with the waste that a want of it will occasion, should our repose be unhappily disturbed. The fire-side proverb, which every old woman in the country feels the force of—

"A stick in time  
"saves nine"

as well applies to the business of nations as to the darning of stockings.

These remarks grew out of an observance of a notice from "the general agent for paying militia pensions," at York, in Canada, inserted in the Kingston Gazette, of the 25th of November last. He publishes a list of the names of the widows and of the orphan children whose husbands or fathers "were killed in action or by any casualty or accident while on duty, or have died of wounds received in action, or from disease contracted on actual service, during the late war with the United States of America." [The pension to the widows or children of such persons (privates) is £20 currency, or \$80.] The list of widows has 107 names—of whose husbands only 21 were killed in battle or died of wounds received in action: the list of orphan children has 58 names—of whose fathers 7 were in like man-

ner killed or deceased\*—the rest died of *disease*, except a few by "casualty or accident." Thus it appears, that *one sixth*, only, of those who died in the service of Great Britain, at a particular point where the most fighting was done, and by far the most severe engagements took place, and which was a continual scene of fighting, died in action or of wounds received therein: though they had all the advantages to be derived from experienced officers, military and medical. What, then, was our loss at the many *numerously* defended posts that were not attacked, or hardly attacked at all? I venture the assertion, from a consideration of the few facts that have reached me, that for every man we lost by *battle* in the war, we lost at least—by *disease*. I had the blank filled up; but have drawn my pen across the dreadful number.

Since we may again have war, though no prospect of it presents itself at this time, let us cherish and retain a sufficient portion of those who have "learnt the trade." Every dollar expended for their support, though apparently useless, will be worth a thousand to us if the state of things shall require their services in the field. This is a simple calculation of dollars and cents. *Human life and human misery is not taken into the account!*

After the preceding was prepared for the press (for it was written for the last number of the REGISTER) we have had the pleasure to observe that col. R. M. Johnson has been attentive of this subject, in his resolutions offered on the 9th inst. in the house of representatives, to obtain the sense of the members in regard to several important subjects respecting military affairs—See last No. p. 254. The resolution referred to provides, that though the peace-establishment may be reduced, no reduction shall be made in the general-staff, in the corps of engineers or in the ordnance department. Col. Johnson has often deserved the thanks of his countrymen, and for *this* equally merits them. To us it is pleasant to find that our wishes have been anticipated by his experience and talents and numerous opportunities of maturing a correct judgment on the subject. We hate "places and pensions and sinecures"—and would not have any officer without an office; but endeavor to contrive business for an office that the officer desired to be retained might not only hold the knowledge acquired for the use of his country, but methodize and improve it for the public advantage. It is by such that we must expect to be faithfully and frugally served.

\*Of those 28 persons killed—10 were killed (or died in consequence of wounds) at Chippewa; 3 at Fort Erie; 3 at York; 3 at Fort George; 2 at Queens-town; 2 at the River Raisin; 2 at Fort Erie; 2 in the action on lake Erie; and 1 at Lundy's Lane.

## Legislature of Pennsylvania.

## GOVERNOR'S MESSAGE.

To the senate and house of representatives of the Commonwealth of Pennsylvania.

FELLOW-CITIZENS:—At this auspicious moment, when our country has reached the goal of her wishes and obtained the object for which she has twice contended and so nobly struggled; with a national government possessing all the powers adequate to the purposes of general sovereignty, and competent to the energy absolutely necessary to the management and direction of the general weal; supporting the confederate union, and the national faith and honor with foreign governments; securing domestic tranquility and paying the strictest attention to the sacred rules of justice and equity by a faithful observance of all public engagements; to know that the foundation of our national policy is laid in the pure and immutable principles of private morality; when with proud recollection we can view the eminent height we have attained from the operation of our laws and institutions; to know my native state to be attached to a government which practically has exemplified those invaluable attributes which secure to it our constancy and devotion and commands the respect of the world; and to know Pennsylvania to be eminently distinguished for her public and private virtues:—I say, at this auspicious moment, with this knowledge and the rational pleasing anticipations of future lasting happiness for our beloved country, to retire from the arduous duties of office, is to me the highest gratification; and with sincere and lively gratitude to Almighty God, our great protector, and with most hearty congratulations, I felicitate you, gentlemen, and our constituents, on our present happiness and glorious prospects.

But as we know that all governments have degenerated, and that abuse of power is ever consequent to degeneracy; therefore, whilst we happily know that reason, rather than habit, is the governing principle with our citizens, and whilst we yet have fair claims to superior political purity, let us, by promoting virtue and knowledge guard against all violent political convulsions and those revolutions that arise from necessity, which when real, supersede all law and level all distinctions; let us in the discharge of official and private duty, ever recollect that more is not possessed than a right to perform lawful actions; that we cannot be vested with authority to command what is contrary to the cardinal virtue, justice; nor with the right to proscribe our fellow-citizens for an honest diversity of opinion on questions of policy.—Thus, if founded on that decree of heaven which willed man free, and in those immutable rights deducible from it, our laws will ever foster the inclination which the Pennsylvanian naturally feels to be obedient; and, clothed with the venerable habit of ancestral sanction, they will descend to and command the love and veneration of the latest posterity.

Regarding the impartial administration of justice of primary importance, the legislature has recently in various laws been attempting to secure it from every danger. The extension of peremptory challenges on the trial of causes civil and criminal, the permanent provision for the decision of those causes in which the president of a court may have been of counsel, or may be personally interested, have been found of beneficial tendency. Extending the right of challenge yet farther, enacting that where counties are interested, the cause may under proper regulations be tried in a contiguous county,

would afford additional security and keep pure the streams of justice; and perhaps thus might be obviated the temptation to fraud and perjuries, some times practised to give jurisdiction to the federal courts, and forcing our citizens, at intolerable expense, from the most remote quarters of the state to those tribunals.

The knowledge of truth being essential to just decisions, greater facility and certainty than is now had, would appear necessary in the adduction of testimony. Doubts are entertained whether there be any legal mode of obtaining depositions by commission or rules of court, in cases which arose in the county courts and are pending in the supreme court of error, although it may be all-important in preparing for the contingency of a new trial. This might be remedied by enacting that rules or commissions might issue, and that the testimony thus procured shall be as admissible upon any subsequent trial, as if the cause were pending for trial where the rule or commission is issued.

Whether attachments to compel the attendance of witnesses may run to any part of the state—whether a tender of expenses should be proved before they issue—whether depositions should not be taken in criminal as well as civil cases, might also be proper questions for statutory regulation.

Considering the usage of non-suits at bar as affording an unfair advantage to plaintiffs, it was restricted by an act of the legislature. The exposition however of this law by our courts does not prohibit the plaintiff from taking a non-suit after a full trial, unless the jury have deliberated, or received the charge of the court; thus the plaintiff when fairly defeated may retire in safety and renew the attack at pleasure, while the defendant is disabled from avoiding the destructive effect of a verdict. This inequality works injustice, and requires further interposition.

More than twenty-five years have elapsed since the adoption of any general system of practice by our courts.—So great have since been the changes in our laws and so important have been the judicial decisions, that it is wonderful a subject so operative in the speedy administration of justice has obtained no consideration. To obtain uniformity, I would recommend statutory provision.

Amongst the vices that in a great measure go unpunished in Pennsylvania, is the conveying away by deed, estates with fraudulent views, and the acquisition of property without any intention of paying therefor. To guard against the frequency of the first, I would suggest the authorising of our courts of justice, where circumstances are sufficiently strong to raise a probable presumption of fraud, to throw the burden of proof of consideration for the estate granted, upon the grantee. And as to the latter description of immoralities, I cannot, on moral principles, distinguish between him who with fair appearances has got into credit on purpose to rob, and him who borrows my horse for a day with the intention never to return him, and who if detected after the fraud is punished as a felon.

Anxious to see perfected in Pennsylvania what has for a century engaged the attention of the philanthropists of the old world, I would once more invite your attention to the subject of criminal jurisprudence generally.—The report of the attorney general made some years since at the instance of the government, and recent essays by members of the general assembly eminently qualified for the task, will I trust so far have matured that interesting subject, as that, from your



hands, our constituents may confidently anticipate a system more perfectly guarding against outrage the person and property of the good citizen; graduating the scale of crimes and punishments by the rules of right reason, when at the same time it shall secure to the accused a speedy impartial trial, and be altogether congenial with the benevolent spirit of the age.

In the annual communications of the executive to the general assembly, a standing theme has been afforded by the all-important subject of education. Much has been said, nothing effectual has been done, and the situation of it is still such as to be much regretted. To expatiate upon the utility of a general diffusion of knowledge, would be as idle as the means of effecting it appear to be embarrassing. The fact however is palpable, that science and intellectual improvement are far behind the progress of wealth and population. Another year has confirmed me in the opinion expressed to the last legislature, that much good could be attained through superior instructors. Believing that these may be acquired in a very simple manner, I presume again to recommend that some mode be prescribed by law for ascertaining the qualifications of those who offer to instruct youth. That such as are approved, and who at the expiration of the period for which they may have engaged to teach, produce a favorable report of the conduct and progress of the school, by a committee to be for that purpose appointed in each county, shall receive out of the state treasury a small salary in addition to individual subscription. This I hesitate not to say would be the means of banishing ignorance and negligence from presiding over the education of children, and prevent that deplorably useless consumption of time, that exhibition of idleness and demoralizing habits, so commonly prevalent at our country schools.

In the same communication I submitted also a plan for rendering more energetic and efficient our militia force. Impressed with the great importance of this subject, yet, having nothing new to offer I beg leave to refer the legislature to that communication; likewise to a reiteration of a wish that seduction be punished as a criminal offence. That regulations be made corrective of abuses under our insolvent laws, and under the law relative to mortgages; amendments of the law generally called the hundred dollar act: an interposition on behalf of the unfortunate and unprotected wife and children of the confirmed drunkard; and the useless multiplication of oaths and the irreverence with which they are administered—These subjects, because of the multiplicity of (perhaps) more important business, were then passed over; but deeming them of some importance to the community, I recommend them to your consideration.

The accompanying documents upon the subject will shew that the thanks of the commonwealth to captain Charles Stewart of the navy, for his distinguished bravery and skill in the engagement between the United States frigate Constitution and the British ships of war Cyane and Levant, were presented to that gallant officer by general William Duncan, as directed by a resolution of the last legislature, together with an appropriate sword, ordered by the same resolution as an additional token of approbation by his fellow citizens of Pennsylvania.

The obstacles to a presentation of medals to commodore Perry and his brave associates, mentioned in my first communication to the last legisla-

ture, have been obviated. The dies have been sunk by an approved artist, and the medals would before this time have been presented if the striking of them had not been prevented in consequence of the imperfection of the machinery in the United States mint, which alone was of power adequate to the execution of them. But I have assurance that this obstacle will in a short time be also surmounted.

The legislature of Louisiana, duly appreciating the liberal donation by our last general assembly towards the endowment of an hospital erecting at New Orleans, have passed a law containing the provisions prescribed in the act of this state; a copy whereof and other documents, together with a plan of the building, and copies of a correspondence on the subject, is herewith laid before you.

A considerable number of muskets and a large quantity of camp equipments and some ordnance, have been collected and are now safely deposited in the arsenal at this place, as directed by law. A small appropriation may be necessary to furnish the requisite tools and furniture for the work shops, to enable the armorer to put and keep in repair such of the arms as were injured during the late war. The adjutant general will in due time report generally upon the state of our militia, and upon the military property belonging to the state. I add as well an extract of a letter to the executive from William Clark, the contractor for erecting the arsenal at Meadville, giving an account of the progress of that building, and asking an additional appropriation, as an extract of a letter from the principal of the ordnance department, proposing to deliver, if the state should prefer it, artillery and equipments, in lieu of a part of the small arms to which we are entitled, under the act of congress for arming the whole militia of the United States.

Under a law of the last legislature, Robert Brook and Charles Trezjulyney, gentlemen of science and acknowledged practical skill, were appointed on the twenty-eighth day of May last to view and examine the route of the contemplated canal to connect the waters of the Seneca lake with the Tioga river. These commissioners proceeded to execute the trust, but not yet having returned, more cannot be said upon this interesting subject, than that their report as soon as received shall be laid before the legislature. A correspondence with the governor of New York is now submitted.

Nothing has yet resulted for submission to the legislature, from the commission constituted by law in conjunction with the state of New Jersey, for adjusting the controversy that has arisen between that state and Pennsylvania, in consequence of obstructions to the navigation in the Delaware, said to have been created under a law of New Jersey.

From applications made to the land office for patents, it has been discovered, that the late John Nicolson, deceased, is interested in large bodies of lands which remained concealed from the commissioners, who procured for the state by compromise and sale of such part of his estate as became known to them, payment on account of her lien upon his estate. That commission having ceased and the accounts of the commissioners having closed, there is not vested in any one, authority to benefit the state by the discovery. In order to secure payment of a large debt yet due the commonwealth, I recommend the enactment of a law on similar principles with the one under which the late commissioners acted.

The accompanying financial report by the auditor general, notwithstanding the laudable appropriation and liberal expenditure of public treasure in aid of roads, bridges and other public improvements, presents an unexpended balance in the treasury on the 1st day of Nov. last of \$160,199 09.—A small sum is found to have been expended in providing more materials for the intended state capitol. Possessing ample means, the adoption of a plan for the building seems to be the only obstacle to an immediate prosecution of this highly desirable and necessary work. This unexpended balance and the anticipated increase of funds, will allow free scope for the enlarged views entertained by our constituents for the improvement of the state.

Having discharged as well the constitutional injunction as those duties assigned by law, and recommended what in my judgment would promote the public weal; it remains for me to add, that it has even given me the purest pleasure to co-operate with the general assembly in such measures as were calculated to perpetuate the happiness of our constituents: that in the discharge of the executive functions, I was ever solicitous to collect my duty from a just appreciation of every circumstance by which it might be affected. I heard with attention, and endeavored to decide with integrity. I had a wish, it is true, to regard the public voice, and I confess myself to have been ambitious to conciliate and enjoy the public confidence. But I could never abandon the superior claims of self-approbation and conscious rectitude. Satisfied on these points, (and ever aware that in the performance of executive duties by a mere practical man, it is difficult if not impossible to avoid error) I have ever acted without in the least regarding what the world might say about it; and those that know me best can bear witness, that I have borne with patience the consequences which to me, have casually resulted from them. For the errors I may have committed, I am consoled with the reflection that perhaps no important good was ever altogether free from alloy, and that my fellow-citizens will, I trust, charitably find a palliation in the motive which at any time may have misled me.

The confidence and support which I have experienced from my fellow citizens, for the greater portion of an active life, has impressed my mind with deep and lasting gratitude. A consciousness of having with diligence and fidelity endeavoured to discharge the duties which a partial public has on various occasions assigned me, and of the liberality which has been evinced towards me by a succession of Legislatures during an arduous administration, heightens the satisfaction I have in surrendering it to an able successor. And whilst I bid you, and my fellow-citizens generally, an affectionate farewell, I implore for my country the blessings of all wise and superintending Providence.

SIMON SNYDER.

Harrisburg, 5th December, 1817.

## Legislature of South Carolina.

### GOVERNOR'S MESSAGE.

On the 25th ult. his excellency the governor made the following communication to both branches of the legislature of South Carolina by the secretary of state.

*Mr. Speaker and gentlemen of the house of representatives.*

We have again met, for the purpose of taking into consideration the affairs of the state, and to

also such measures as our best judgment may dictate, and as the public good may require.

Although we have to deplore the afflictive dispensations of Providence, in visiting us, during the last season, with more than our usual portion of sickness, which has deprived us of some of our best friends and most distinguished citizens, yet we have great cause of gratitude to heaven and of congratulation to each other, in being blessed with a return of health and an abundant harvest of those products which are of primary importance, in procuring the comforts and securing the felicities of life. To answer the expectations of our constituents, it is highly necessary that confidence and unanimity should prevail in your deliberations, and that all party feelings and local jealousies should be merged in a generous love of country and an attachment to our republican institutions.

I have the honor to lay before the legislature, resolutions marked A. of the legislature of the state of Connecticut, New-Jersey, North-Carolina, and Kentucky, recommending certain amendments to the constitution of the United States, for your consideration.

By an act of your last session, it was made my duty to appoint commissioners to survey and lay out the lands which were purchased by the state of South Carolina, from the Cherokee Indians, into such tracts as were prescribed by law—I have the pleasure to inform you that this work has been completed, and that I will, at an early day, lay before the legislature such documents as will give every information, and I hope satisfaction, upon this subject.

I was also directed by your resolution to employ surveyors to survey and make maps of the respective judicial districts throughout the state, for the purpose of procuring an accurate general map of the state. To carry into effect the intention of the legislature, I have spared no exertion, on my part, and have visited every district, hoping that by this means I would be able, the more readily, to employ the persons best qualified to perform this important service. In this object I hope I have generally succeeded; but may have employed some, from necessity, who may not perform their engagements well. This however will be their own loss, as it is only upon the full and faithful performance of their contracts, that they are to expect payment. This decision must, necessarily, rest with the members of the legislature, before appropriations are made for paying the contracts which I have entered into, in obedience to their resolution. There are yet, a few of the districts for which I have not been able to employ surveyors. I flatter myself, that I will have the pleasure to lay before you, during your present session, some of the maps, for your inspection and approbation.

In December last, you passed an act prohibiting, under the severest penalties, the introduction into this state, any slave, from any other state or territory, to remain here, under any circumstances whatever. As the agricultural prosperity of this state, depends so much upon persons of this description, it is believed that the general interest loudly calls for some alteration or modification of this law. As the law now is, persons, who wish to become residents among us, are prevented from bringing with them their slaves, to whom they are attached, not only because they are instruments of wealth and comfort, but often because they have descended to them from revered and respectable ancestors.—Our own citizens, under the existing



statute, are unable to bring into the state slaves which they may be entitled to, by marriage, inheritance or devise, are obliged either to sacrifice them and leave their lands uncultivated, or remove with their character, usefulness, enterprize and wealth, to add to the respectability and resources of some other state or territory.

That there should be, in any commercial nation a precise value fixed by law to any article of commerce or traffic, which is to remain without alteration, while the value of every thing else is changed by circumstances, is certainly extraordinary, as it is clearly impolitic and unjust. Of this character is the law regulating the rate of interest which is to be taken for the use of money. From the great profits arising from capital, well employed, in agriculture, commerce or trade, there will be but few money lenders, and the unfortunate and necessitous will be induced, too often, to comply with terms which are intended to insure against the hazard and infamy of detection. It is believed that laws appointing the rate of interest, for the use of money, increase the evil which they are intended to remedy, and that therefore they demand the attention of the legislature.

That the truth cannot be given in evidence, in prosecutions for libel, as the law now is, would seem to be a violation of the fundamental principles of justice, as there can be no good reason why the truth, in most cases, should not be sufficient justification, whether written or spoken. It must, however, be admitted that there are many cases where the truth ought not to be published, as it could not tend to any good and could only proceed from a wanton desire to stigmatise and injure; but in prosecutions for the publication of all public documents, or any publication touching the character and conduct of any in public confidence or trust, or who do, in our popular government, aspire to public office, the truth should be allowed in justification, as this is necessary for the information of the people, from whom all power does and ought to emanate.

By the law providing for the establishment of free schools, throughout this state, the provisions for the education of children are not sufficiently precise, and as it was anticipated, abuses have crept in which demand the interference of the legislature. It is desirable that this law, which affords such strong evidence of the liberality and philanthropy of the state, should be made as perfect as possible.

That the poor should be liberally provided for, by law, will not be questioned by any one; but it is of great importance that the line of distinction, between the indolent and dissipated and the poor, should be strongly marked. In some districts, the provision made for the poor, has within a few years augmented threefold, without any visible increase in the number of those who are real objects of charity. This circumstance must arise either from some defect in the law or from the mal-administration of it. A revision of our poor laws, is earnestly recommended, and it is believed that much alteration will be found necessary.

To facilitate intercourse between the remotest parts of the state and with our sister states, and to lessen the inconvenience and expense to the farmer and planter, in transporting to market the rewards of their industry, it is desirable that the roads in most parts of the state should be more attended to. The face of our country is very favorable to the improvement of our roads, and nothing but the most

culpable neglect can account for their present bad condition. The principal causes of our bad roads, are the great and unnecessary multiplication in some districts, of roads which have been made, by the commissioners, public roads: the want of sufficient responsibility in the commissioners in some districts, there not being a sufficient number of them to attend to their duties, and too often their total ignorance of their duties and powers. I would recommend that a law be passed embracing such provisions as may be thought proper, upon the subject, and that all former laws, relating to roads, be repealed.

I regret to state that the public buildings, viz. court houses and jails, are very much neglected, and that the officers under whose care they certainly are, in some districts, have been guilty of the most shameful dereliction of duty in leaving them open to every exposure. This subject demands some attention for the credit and interest of the state.

It is highly important, that every proper restriction should be imposed upon habits and vices, which are calculated to destroy that virtue upon which our republican institutions must ultimately depend. The legislature has done much by its munificent endowment of a college, and its provisions for free schools, for the education of our youth; but without good morals they will not be useful citizens. Every legal impediment which can be thrown in the way, to prevent bad habits in youth, would be something in favor of virtue. I would beg leave to suggest the propriety of passing some law to prevent the habitual drunkard from exhibiting in public, the odious vice of drunkenness, and by its frequency rendering it less detestable, and to restrain him from wasting his property and thereby bringing his family, for whom he is bound to provide by the strongest obligations, to want and wretchedness.—As auxiliary to this end I would recommend that all accounts or contracts, for ardent spirits, by retail, should not be recoverable by law.

There being a number of the copies of Brevard's Digests of our statutes now remaining subject to the distribution of the legislature, I would recommend that those copies be presented to each state, one for the use of each branch of the legislature, and one for its executive. It is also recommended that three copies of our laws, passed at each session of the legislature, be transmitted to the executive of each state for the same purposes, and that an interchange of laws be requested.

I am happy to state that the good effects of the liberality of the legislature, in furnishing the officers of the militia with books of instruction, are beginning to be seen, by their gradual and progressive improvement. It is, however, thought advisable, that the law, appointing brigade encampments of the officers, from the serious inconvenience, expense and difficulties occasioned thereby, be repealed.

The interests of agriculture, which are of primary importance in every country, and particularly to the citizens of this state, whose great staple commodities make so considerable a part of our national exports, demand that much should be done by a liberal and enlightened legislature, for the internal improvement of our country; in improving our roads, opening canals, and making our rivers navigable. The most liberal appropriations for these purposes, if judiciously applied, would be lending upon usury, only to receive the most ample and grateful returns. The present time is the most con-

spicious for such undertakings, as there is in the treasury a large sum unappropriated, which could be applied to no object more useful or advantageous to the state. It is confidently hoped that this subject will receive that attention which its importance merits; and that the legislature will do something which will be considered the commencement of a general system for internal improvements.

*Very respectfully, &c.*

ANDREW PICKENS.

## Legislature of Ohio.

### GOVERNOR'S MESSAGE.

*Gentlemen of the senate, and house of representatives,*

No extraordinary occurrence has taken place since the last session of the legislature. We have a continuation of peace on all our borders, with a time of general health throughout the state. The earth has been uncommonly fruitful the last season, and besides supplying our own wants, will leave a large surplus for exportation.

It is both our duty and interest to submit with cheerfulness under the dispensations of Almighty God, in troubles and affliction;—but when we are made the special objects of his favor and kindness—when to the enjoyment of the very best and most free government on earth, are added the blessings of health, peace and plenty, our most sincere thanks; our most grateful acknowledgements are due to the bountiful giver of every good gift.

Whilst in the enjoyment of these extraordinary blessings we should not forget that we are accountable for their abuse, and that it is our duty to use all the means in our power to perpetuate the blessings of a free government to those who may come after us. This is the duty of all, but more especially of those to whom the people delegate the power of government.

With a view to the fulfilment of the duties assigned me, I shall recommend for your consideration such subjects as are deemed more important for the promotion of this great object, as well as the present comfort and convenience of our fellow-citizens.—And first; as I consider it most important, I recommend to your particular attention, the education of the rising generation. Without information and knowledge the blessings of a free government cannot be long continued. The wisest and best men in all ages have agreed on this important point; and so thoroughly convinced of it, and so anxious that it should be attended to were our forefathers, the patriots who, under providence, gave us the fair heritage we enjoy, that in the instrument which contains the fundamental principles of our government; for our admonition they have deciated, that "Religion morality and knowledge being necessary to good government, schools and the means of education shall forever be encouraged."

In conformity with this admirable sentiment we have received from the United States, means to a very considerable extent, which rightly used, would go great lengths towards the general diffusion of knowledge. To bring these means with others if necessary into action, to devise, organize and to put into practice a system of education for the rising generation, which will disperse ignorance and diffuse light and knowledge throughout the state, whilst it would be one among the greatest benefits which could be conferred on posterity, would, I am persuaded, gentlemen, be the most pleasing duty you can perform. The propriety of the measures

proposed and the means of effecting it are subjects which should be examined—of the propriety of the measure, no rational mind friendly to liberty can doubt; and that we possess the means, if earnestly disposed to effect the object, I have as little doubt. It is true it must be a work of time, hence the necessity of commencing it.

The great difficulty of procuring teachers whose moral character and other qualifications fit them to enlighten the minds, and shape the morals of the rising generation, even when suitable compensation can be made, is evident. Indeed it but too often happens that persons of the most profligate morals and the least qualified seek this employment, as a cover for idleness. It cannot be expected that any thing good can proceed from so corrupt a source. In the formation of a superstructure the foundation must be solid, to make it lasting and useful. If we expect of our youth "religion, morality and knowledge," suitable teachers must be employed to produce this effect. With a view to aid in effecting this desirable object, I recommend to the consideration of the general assembly the propriety of establishing at the seat of government a free school, at which shall be taught the different branches of an English education at the expense of the state, to such number of boys, the children of parents unable to educate them, and no others; as the legislature may deem proper. That whenever young men thus educated shall become qualified for that purpose, they shall when proper salaries are furnished them, have the preference of employment in the public schools of the state, and shall be obliged to serve as teachers of schools until they are twenty-one years of age, and afterwards so long as they conduct themselves well, have the preference of employment. The whole to be under such regulations as the legislature may from time to time adopt.

I must call your attention to the laws for making and improving the public highways. This is a subject of great importance to the whole community, and particularly to the agricultural interest. In the same proportion that facilities are given to the farmer to transport his surplus produce to market, are his profits increased. And without such facilities his labor is measurably sunk in the expense of transportation. These are facts so self evident, as to require no reasoning to prove them.

The manner of repairing the roads, in my opinion, is evidently defective. There is no responsibility to the public for the faithful expenditure of monies in labor applied to this object. And so long as the present mode of appointing and paying supervisors continue it appears to me, no better effect will be produced. I again recommend to the consideration of the legislature another mode of appointing them: and, that each supervisor be charged with the repair of a given distance, on the principal roads—that he be furnished with the means—held responsible for its repair, and be paid for his services.

Every community has its general and local interests; and they are so intimately connected, that if the one be neglected, the other will be effected by it. This remark seems to be fully exemplified by the course heretofore adopted by the legislature of Ohio relative to the public roads of the state. Nothing is more evident, than that permanent roads from the river Ohio to the Lake, and from east to west through the state, would be of great importance to the whole state—yet the funds and labor of the state have been applied to local purposes,



and many roads opened which are not only useless but burdensome. If the money and labor thus lost to the community, had been applied to the construction of permanent roads in proper directions, we should now feel the good effects of such an expenditure.

With this view of this important subject, I should not discharge my duty if I did not again recommend most earnestly to your consideration the propriety of changing the manner of appropriating the three per cent. fund and that it, with such other funds as the legislature may deem proper, be applied jointly, with the funds of such individuals as may choose to vest their capital in turnpike roads—in constructing such permanent roads north and south and east and west from the seat of government, as may be deemed proper—and that the profits or tolls arising to the state from such roads, be applied to the same purpose and to no other use whatever.

As far as circumstances will permit, every community should rely on its own resources. To depend on those of others, when by the exercise of economy and industry we have the means of supplying our own wants;—never fails to produce the worst effects. Since the late war the nation has been inundated with the manufactures of foreign countries. If in our intercourse with other nations we could on our part give in exchange such articles as we can grow or manufacture most advantageously, for such others as our comfort and convenience may require;—such a course of exchange would operate beneficially.—But if for the solid products and labor of the country exported, and far beyond it, articles of luxury and superfluity are introduced into the country;—the necessary tendency is to impoverish and weaken it.

In a newly settled country like ours, where agriculture may be carried on to so much advantage, and where labor is so much in demand, it cannot be expected that manufactures can be carried on generally to the same extent and advantage as in other countries long settled and very populous; yet experience proves that manufacturing in many branches is carried on with success and great advantage to the country, and what we do manufacture is better generally than that which we import. Distant as this state is from the seaboard—abounding with the means of producing most of the raw materials out of which a great proportion of the articles which either our convenience or comfort requires, can be manufactured. And when we consider further that whatever is manufactured among ourselves, is free of the expense of duty and transportation, it is our duty at all times, but especially at the present, to examine our own resources and bring them into action and use. With these impressions I consider it my duty, gentlemen to call your attention to this important subject, and to recommend to your consideration the propriety of giving by your own example in the use of the manufactured articles of the state, and by such other means as in your wisdom you may deem expedient, the proper encouragement to manufacturing in the state.

Since the last session of the general assembly commissioners appointed for that purpose by the president of the United States, have, it is said, concluded a treaty with the Indians who claimed the north western corner of the state; by which it is understood that nearly all the lands claimed by them, within the limits of Ohio have been ceded

to the United States. So soon as this treaty is ratified, the jurisdiction of the state will be extended and require legislative provisions; as there is every reason to believe that so soon as this land is brought into market it will be settled with great rapidity.

The constitution of the state has been in operation for fifteen years; and most of its general provisions in favor of equal rights and for the perpetuation of a free government, are such as we, and these who come after us I sincerely hope, will always support. When it was adopted our population did not exceed eighty thousand, and there were only nine counties. The increase of the population since to at least half a million, and the counties to fifty eight, have exceeded all calculation; and experience has clearly proved that some of its provisions, though well calculated for a population less numerous, have become burdensome and indeed cannot be executed, in consequence of our great increase of population. Neither can it be disguised from even a common observer that to support the state government is so expensive for the want of a change of some of the provisions of the constitution, as to make it necessary to continue a rate of taxation, which is not only becoming burdensome to us all, but prevents the representatives of the people from possessing the means of making internal improvements and adopting other regulations for the common benefit of the state.

Believing as I do, that with the extension of jurisdiction and increase of population which will shortly take place, some of the most valuable provisions of the constitution cannot be executed, and that by a change of others a saving of near one half of the present expenses may be made, the government be better administered for the general benefit of the good people of the state, and that the present is the most favorable time for making these changes; I should not discharge the solemn convictions of duty which I feel if I did not recommend to your consideration the propriety of taking the necessary steps authorized by the constitution, to enable our fellow citizens to decide whether in their opinion any alterations in our constitution are necessary.

The fund made subject to my control by the last general assembly, beside paying the ordinary demands upon it and for the articles mentioned in a resolution of the legislature, of the twenty eighth of January 1817, has enabled me to purchase a small but valuable collection of books which are intended as the commencement of a library for the state.—In the performance of this act I was guided by what I conceived the best interest of the state, by placing within the reach of the representatives of the people, such information as will aid them in the discharge of the important duties they are delegated to perform.

The elevated station you occupy, gentlemen, presents to you a wide field for the exercise of the talents, patriotism and industry, which will be found in your honorable body, and I sincerely hope an all wise Providence will direct your deliberations, and that they may result in the adoption of such measures as will promote the best interests of our fellow citizens.

There are other matters of importance which it is my duty to lay before you, which shall form the subject of future communications.

T. WORTHINGTON.

Columbus, Dec. 2d. 1817.

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## Exemplary Tables,

FOR THE PURPOSE OF COLLECTING THE FACTS AND OF FORMING GENERAL TABLES OF ALL THE INCORPORATED BANKS IN THE UNITED STATES, AND OF THE NEWS-PAPERS PUBLISHED THEREIN, WITH A VIEW TO PUBLISH ANNUAL ACCOUNTS OF THE SAME. TO WHICH THE ATTENTION OF EDITORS AND OTHERS IS RESPECTFULLY REQUESTED.

### BANKS IN THE STATE OF MARYLAND—DECEMBER 27, 1817.

NAMES OF BANKS.	When instituted.	Capital.	Amount paid in.	Located at	Presidents.	Cashiers.
Bank of Maryland	1790	500,000	300,000	Baltimore	James Carey	Robert Wilson
Bank of Baltimore	1795	1,200,000	1,122,900	: :	William Wilson	James Cox
Union Bank of Maryland	1804	3,000,000	2,018,350	: :	Henry Payson	R. Higginbotham
Mechanics' Bank of Balt.	1807	1,000,000	625,475	: :	James Mosher	John Brice
Commercial & Farmers' Bank of Baltimore.	1810	1,000,000	483,200	: :	Isaac Burneston	Geo. T. Duabar
Farmers' and Merchants' Bank of Baltimore.	1810	500,000	465,000	: :	Wm. Grahame	John Duer
Franklin Bank of Baltimore	1810	600,000	415,000	: :	Philip Moore	Jas. L. Hawkins
Marine Bank of Baltimore	1810	600,000	235,000	: :	Hez. Waters	Jacob Bier
City Bank of Baltimore	1813	1,500,000	838,760	: :	S. Hollingsworth	James Sterett
United States—branch	1817			: :	J. A. Buchanan	J. W. McColloh
Farmers' Bank of Maryld*	1804	1,000,000	752,745	Annapolis	H. H. Harwood	Jona. Pinkney
Hagerstown Bank	1806	250,000	250,000	Hagerstown	William Heysar	Elie Beatty
Elkton Bank of Maryland	1810	300,000	110,000	Elkton	James Sewell	Phil. Harding
Cumberland Bank of Allegany	1812	200,000	107,975	Cumberland	David Shriver, j.	Mathew Wallace
Farmers' Bank of Somerset and Worcester†	1812	200,000	132,705	Snow-Hill	John C. Handy	J. D. Duffield
Conococheague Bank	1814	250,000	157,500	Williamsport	John Buchanan	Samuel A. Chew
Bank of Caroline	1814	200,000	103,045	Denton	Wm. Hughlett	Thos. Culbreth
Bank of Somerset	1814	200,000	200,000	Princess Ann	L. Dennis	John Hendersen.
Havre de Grace Bank	1815	300,000	134,205	Havre de Grace	M. Pringle	A. J. Thomas
Bank of Westminster	1816	300,000	54,735	Westminster	Jesse Shagluff	John Walsh
Susquehanna bridge and bank company.‡	1814	500,000		Port Deposit	John Archer	S. Clendenin

### REMARKS.

The banks of Maryland are generally in pretty good repute---and the notes of them all, except those of the bank of Somersett, may be passed off at their par value in the common transactions of life at Baltimore, though all do not pay specie, and of course are not received on deposits in the Baltimore banks. Those of Somersett have no fixed value in the money-market. The last time I enquired about them, the brokers would not take them at 35 per cent discount. They are out of circulation; but a change in the president and directors of the bank has been made, and it is thought by some that the notes of the institution will be ultimately paid. For ourselves, however, we will not receive them.

The amount of the banking capital in Maryland, paid in, is \$8,206,595.

\*The Farmers' bank of Maryland has branches at Fredericktown and Easton.

†This bank has a branch at Salisbury.

‡This is more properly a *bridge* than a banking company. Its nominal capital is 500,000 dollars; but we are not informed of the amount paid in, and its notes have on the face of them "redeemable at the office, Baltimore,"—but they seldom are redeemed, and have less value in the money-market than any others issued in Maryland, those of the bank of Somersett excepted. By a supplement, passed on the 19th January, 1815, entitled "a supplement to the act entitled an act to incorporate a company for the purpose of building a bridge over the river Susquehanna, near Rock run," in the third section it is provided, That it shall and may be lawful for the president and directors of the Susquehanna bridge and bank company to use the surplus funds, after building the bridge, &c. as a banking company.



NEWS-PAPERS IN MARYLAND—Dec. 27 1817.

NAMES.	Editors.	Location.	Size of sheet	Political character	When published.
American	Dobbin, Murphy & Bose	Baltimore	Imperial	Republican	Daily
Federal Gazette	William Gwynn	: :	: :	Federal	: :
Federal Republican	Allen, Eyles & Co.	: :	: :	: :	: :
Patriot	Isaac Munroe	: :	: :	Republican	: :
Weekly Register	H. Niles	: :	super-royal	: :	Weekly
Maryland Gazette*	Jonas Green	Annapolis	: :	Federal	: :
Maryland Republican	J. Chandler	: :	: :	Republican	semi-weekly
Examiner	S. Barnes	Fredericktown	: :	: :	Weekly
Herald	J. P. Thompson	: :	: :	Federal	: :
Republican Gazette	Bartgis & Burke	: :	: :	Republican	: :
Star of Federalism	Charles Sower	: :	: :	Federal	: :
Herald	Thomas Grieve	Hagerstown	: :	Republican	: :
Torch Light	----- Stull	: :	: :	Federal	: :
Alleghany Freeman	F. A. Wise	Cumberland	: :	Republican	: :
Alleghany Federalist*	: :	: :	: :	: :	: :
Observer	George Keatinge	Westminster	Medium	Republican	: :
Easton Gazette	A. Graham	Easton	super royal	Federal	: :
Republican Star	T. P. Smith	: :	: :	Republican	: :

\*This is the oldest paper in the state.

†This paper, I have heard, has been recently discontinued.

**Financial Prosperity.**

It is truly gratifying to the American to contrast the situation of the United States and of the several states, with the condition of things that exists in the foreign countries with which we are best acquainted, and to whose "ancient and venerable institutions," (as the kingcraft and priestcraft that abound in them have been ludicrously called) some are accustomed to look for example and comparison. We do not know of any nation in Europe whose receipts are equal to its expenditure; though, in the most of them, the very last mite that the people can spare from the cost of keeping soul and body together is *calculated* and exacted, to support the governing power—and gratify the lusts of drunken, identical princes and strumpet-women of "quality."

How differently are *we* conditioned? The president, in his late message, recommends the abolition of the *internal taxes*, and yet the secretary of the treasury seems doubtful as to the manner in which he may apply a surplus revenue to the best advantage—seeing that there cannot be any regular demand for it, that the public debt is above par, and that the public creditors cannot be compelled to receive their money for several years to come, &c. But it is probable "something may turn up" to relieve us of this burthen!

The messages\* from the governors of the

\*These messages are generally very interesting for their correct reasonings and truly republican simplicity. But on this occasion—on publishing the last message that we ever expect to receive from *Simon Snyder*, the practical patriot chief of the great state of Pennsylvania for the last nine years—we may, perhaps, be permitted to say, that we have

several states to the respective legislatures, evince the same financial prosperity. Money-matters are hardly mentioned in any of them, except to tell the representatives of the people, that there is an abundance—and to recommend that they should appropriate it freely to objects of public utility; roads, bridges and canals and seminaries of learning.

Now, ought these things to pass without grateful remark? Should we not pause and reflect on the causes from whence such blessings flow, and bend the heart before that Being who has suffered those causes to be? It is not the part of a republican to exult in his prosperity over the miseries of others—his liberty tree is for the political healing of nations, and all men are invited to repose under its shade; for it is there that Peace and Plenty have fixed their abode and all the virtues flourish—because *man* supports the dignity that belongs to his creation after God's own image, and respect is tendered only to superior intelligence and goodness: no kissing of the bloated hands of kingly debauchees, or licking of the feet of pampered priests—the sceptre is broken, and the mitre rent; but civil order reigns and holy Religion has her honest votaries. But still, when we see the arts practised by the tools of those oppressors of their brethren, and with astonishment find that there are advocates for their monstrous principles in our happy country—it is right that the republican, standing on the eminence of his own independence, should point the finger of truth to the glorious fruits of Liberty, and contrast them with the  
read it with many mixed and delightful emotions; and beg leave to recommend its perusal to all who love the republic. [See *supp.* last number.]

miseries that follow the train of aristocracy---  
to stimulate the zeal and strengthen the love  
of the friends of his system, whilst he confuses  
and discomfits the enemies of the rights of  
man. And his soul is in harmony, when round  
the festive board he proudly sings---

Here doth *freedom* bless the land—  
Here doth *peace* her boughs expand,  
And *plenty* crown the social board—  
Whilst *love* and *friendship* kindly meet,  
To make our *happiness* complete.  
Nor shall infamous tyrants rear  
The standard of *oppression* here—  
We know no Lord, save him in heaven,  
No power but what consent has given.  
Firm—united—still we'll be,  
Rallying round our liberty—  
As a band of brothers joined,  
Peace, with *safety*, we shall find.

## Internal Improvement.

### IMPORTANT DOCUMENT.

*Report, in part, of the committee of the house of representatives of the United States, on so much of the president's message as relates to roads, canals, and seminaries of learning.*

DECEMBER 15, 1817.

Read and committed to a committee of the whole house on Friday next.

THE committee, to whom were referred so much of the president's message as relates to roads, canals, and seminaries of learning, respectfully report, in part that they have taken into consideration the subject referred to them, and bestowed on it that attention to which, by its importance, it is so eminently entitled. Involving, as it is supposed, a great constitutional question on the one hand, and intimately connected, on the other, with the improvement, the prosperity, the union, and the happiness of the United States, it presents the fairest claims to candid and diligent investigation. Nor is it without additional interest from the division of opinion to which it has heretofore given rise between the executive and legislative branches of the government: a difference, which in the indulgence of the rights of free opinion, will be still found to exist between the sentiments promulgated in the message of the president, and those which will be advanced by your committee in this report; nor do they conceive, that the expression in the message of the president of an opinion unfavorable to the constitutional powers of the general government should be permitted to have any influence on the disposition of congress to legislate on this interesting subject. For, if the constitutional majority of the two houses should differ with the executive department, the opinion of the latter, however respectable, must yield to such an expression of their will. On the other hand, if from deference to an opinion promulgated in an executive communication, congress should refrain from entering upon the consideration of a question involving constitutional doctrine, it might happen, that the opinion of the president would prevent the enactment of a law, even though there should be the constitutional majority of two thirds of both houses in its favor. Thus, by the introduction of such a practice, the presidential veto would acquire a force unknown to the constitution, and the legislative body would be shorn of its powers from a want of confidence in its strength, or from indisposition to exert it. Whilst your committee are

perfectly aware that nothing like this is contemplated by the executive branch of the government, they presume the house of representatives will scrupulously avoid a course, which may be construed into a dereliction of their privileges. They deem it, therefore, not improper to offer some considerations upon the question of the constitutional powers of the general government to pass laws for the improvement and construction of roads and canals, with the consent of the states.

As it is obvious, however, that these several subjects of legislation do not rest upon the same foundations, and that one of these may be within the sphere of the constitutional powers of congress, whilst the others may belong exclusively to the states, it is proposed to treat them separately, and the subject of the improvement and construction of public roads, which appears to your committee most clearly to be reducible to the powers vested in the general government, will be first taken into consideration.

An accurate attention to the real points of difference on this subject will greatly contribute to free the controversy from unimportant and irrelevant considerations. To attain this, we have only to compare what is manifestly admitted on the one hand, with what is claimed and contended for on the other.

The laws of antecedent congresses, approved by successive executive magistrates, and the acts of the executive magistrates themselves, will be resorted to, as affording evidence of what may be regarded as conceded to be within the powers of the general government. The commendable jealousy which they have manifested of all encroachments on state power, and their scrupulous adherence to the most rigid principles of construction, in the interpretation of the constitution, affords a sure guarantee, that more has not been admitted than may fairly be assumed to be within the provisions of that instrument. Taking, then, the acts of both of the legislative and executive branches of the government for our guide, we shall find it clearly admitted that there are *some cases at least*, in which the general government possesses the constitutional privilege of constructing and improving roads through the several states.

Thus, by the act of the 29th of March, 1806 confirmed, amended and enlarged by subsequent acts, a road was directed to be laid out and constructed from Cumberland, in the state of Maryland, to the state of Ohio, upon obtaining the consent of the states through which it should pass. The fund provided for this noble undertaking, was to consist of the proceeds of the sales of certain lands, the property of the United States, in the state of Ohio; so that this act furnishes the double admission, that "roads may be laid out by congress through the several states, with their consent;" and that the expenses of constructing such roads may constitutionally be defrayed out of the funds of the United States. The act was approved by the president in office, in 1806, and other acts confirming, amending and enlarging it, were passed by subsequent legislatures, in the years 1810, 1811, and 1815, and approved by the president, in office, at those periods: nay, more, the three last acts contained appropriations to the amount of 210,000 dollars, payable out of any moneys in the treasury, but reimbursable out of the Ohio fund—a fund which might or might not prove adequate, and which, in point of fact, is believed hitherto to have been insufficient.

Similar to this act in some of its provisions, and



analogous in principle, are the acts of April 21st, 1806, and of the 3d of March, 1817, authorizing roads to be opened from Nashville and Reynoldsburg, in the state of Tennessee, to different points in the Mississippi territory. But these acts go still further than the former, in omitting to require the previous consent of the state of Tennessee, through whose territories a part of the roads was to pass, and in directing the expenses of making them to be defrayed out of the public treasury of the United States, without providing for its reimbursement, in any manner whatsoever.

But let the influence to be derived from these admissions should be deemed to be weakened by the consideration that the collision of opinion on the constitutional question has arisen since the passage of those laws, your committee will beg leave to refer to the date of the last act above-mentioned, and to certain transactions of a date subsequent to the important and well remembered difference of opinion between the executive and legislature, at the last session of congress. Since that period, they have satisfactory information that a road has been directed by the executive of the United States to be improved, at the expense of the general government, and doubtless for military purposes. This road is laid out from Plattsburg, or its vicinity, in the state of New-York, to Sackett's Harbor, in the same state.

It is presumed, that it is to be constructed at the expense of the general government, and it is understood that the previous assent of the state has not been procured.

From this act, therefore, of the executive branch of the government, emanating from that source at a late date, it would seem fair to infer, that the constitution is admitted to have conferred upon the general government a power, *in some cases*, to make roads, and to defray the expense of their construction out of the funds of the United States. And as the power is not denied *in all cases*, your committee will attempt to shew that congress has the power,

1. To lay out, construct, and improve post roads through the several states, with the assent of the respective states. And,

2. To open, construct, and improve military roads, through the several states, with the assent of the respective states.

3. To cut canals through the several states, with their assent, for promoting and giving security to internal commerce, and for the more safe and economical transportation of military stores, &c. in time of war, leaving, in all these cases, the jurisdictional right over the soil in the respective states.

In examining the soundness of these positions, your committee will not find it necessary to resort to what is called a liberal construction of the constitution. They might, indeed, contend, that as the powers here attributed to the United States are not in derogation of state rights, (since they can only be exercised by their assent) there is less reason for adhering to extreme rigor of construction. Where the authority claimed by the general government is oppressive in its character, or dangerous in its tendencies; where it is asserted without deference to state assent, and in derogation of state power: where it is calculated to aggrandize the union, and to depress its members, there may be some reason for holding the representatives of the nation to the "letter of their authority." But where the power sought to be exercised is beneficial in its effects, and only felt in the blessing it

confers: where it is not proposed to act, except with the assent of the party which is to be affected; where the measure is more calculated to increase the opulence and the power of the state, than to aggrandize the union at its expense, it might fairly be contended that a less rigorous construction of the constitution would be justifiable. It is neither unprecedented or improper to construe the same instrument, liberally, where the interests of the contracting parties will be thereby promoted, and to adhere to a greater strictness where injury may arise to either by an interpretation too latitudinous. That the powers in question are neither dangerous in their tendencies, or calculated to prove injurious to the states, would seem fairly inferable from the recommendation to amend the constitution, and from the importance so justly attached to these objects on all hands.

But your committee, nevertheless, do not conceive it necessary to call to their aid the liberal principles of construction which the occasion might justify. They disavow any use of the general phrase in the constitution to provide for the common defence and general welfare, as applicable to the enumeration of powers, or as extending the power of congress beyond the specified powers; and they admit that to support their positions, it must appear that the powers contended for are expressly granted, or that they are both "necessary and proper" for carrying into execution some other express power.

That congress, with the assent of the states, respectively, may construct and improve their post roads, under the power "to establish post offices and post roads," seems to be manifest both from the nature of things, and from analogous constructions of the constitution. It has been contended, indeed, that the word *establish*, in this clause of the instrument, comprehends nothing more than a mere designation of post roads. But if this be true, the important powers conferred on the general government, in relation to the post office, might be rendered in a great measure inefficient and impracticable. In some states a power is vested in the inferior tribunals or county courts, to discontinue roads at their discretion; a post road designated by congress might thus be discontinued, to the great embarrassment of the post office establishment. If the power to *establish* confers only the authority to designate, congress can have no right either to keep a ferry over a deep and rapid river, for the transportation of the mails, or to compel the owners of a ferry to perform that service; and yet our laws contain an act, acquiesced in for more than twenty years, imposing penalties on ferrymen for detaining the mail and on other persons for retarding or obstructing its passage. It would be difficult to discover how this power of imposing penalties can be supported, either as an original or accessory power except upon principles of more liberal construction than those now advanced. There are, therefore, not a few who believe that, under the authority to "*establish*" post roads, congress have express power to lay out, construct, and improve roads for the transportation of the mails.

But, however this may be, the authority which is conferred by the constitution to make all laws which shall be "necessary and proper" for carrying into execution the enumerated powers, is believed to vest in the general government all the means, which are essential to the complete enjoyment of the privilege of "establishing post offices and post roads." Even without this clause of the constitution the same principle would have applied.

to its construction; since, according to common understanding the grant of a power implies a grant of whatever is necessary to its enjoyment.

Taking these principles for our guide, it may be asked if under the narrow rules of construction contended for, the right of transporting the mails would not be held entirely at the will of the states respectively; on the other hand, if the United States have the privilege of establishing post roads, and are under the corresponding obligation of transporting the mails, is it not essential to the performance of this duty and to the enjoyment of this power, that they should have the right (with the assent of the respective states) to throw bridges over deep and rapid streams, to remove embarrassing and dangerous obstructions in the roads which they have the privilege of using, to level mountains which impede the velocity of transportation, and to render passable the morasses which intersect the roads through various parts of the union? Can it be supposed, that the convention, in conferring the power and imposing the duty of transporting the mails, (in its nature a matter of national concern) intended to vest in congress the mere authority to designate the roads over which it should be carried? Can it be denied, that the right to render a road passable is "necessary" to the enjoyment of the privilege of transporting the mails: or can it be denied that such improvement, with the assent of the states, is "proper?" And, if "necessary and proper," is it not justified as an incidental power?

It is indeed from the operation of these words, "necessary and proper," in the clause of the constitution, which grants accessory powers, that the "assent of the respective states" is conceived to be a pre-requisite to the improvement even of post roads. For, however "necessary" such improvement might be, it might be questioned how far an interference with the state jurisdiction over its soil, against its will, might be "proper." Nor is this instance of an imperfect right in the general government without an analogy in the constitution—the power of exercising jurisdiction over forts, magazines, arsenals and dock yards depending upon a previous purchase by the United States, *with the consent of the state.*

Admitting, then, that the constitution, confers only a *right of way*, and that the rights of soil, and jurisdiction remain exclusively with the states respectively, yet there seems no sound objection to the improvement of roads *with their assent.* For if, by the 10th amendment, this right is reserved to the states, it is within the power of the state to grant it, unless the United States are incapable of receiving such a privilege. But by various acts of the government, whose validity has never been questioned, it appears to possess not merely the power of receiving so unimportant a privilege as this, but of acquiring territory *ad libitum.* The acquisition of Louisiana, one of the happiest events of our political history, evinces the power of this government to acquire territory by treaty from foreign nations. The cession of the north west territory by Virginia, shews that, under the strict principles of the old confederation, which had so few features of nationality, the United States were deemed to have the power of acquiring lands even from the states of the confederacy. The Georgia cession, completed about the year 1802, is finally decisive of the practical and undisputed exercise of a power in the general government to receive a cession of territory from any member in the confederacy, under the present constitution. But if the general government have the power to aggrandize

itself by the acquisition of territories, can the inferior privilege be denied them of receiving from a state the right of making or repairing the roads over which they are compelled to transport the mails through the union?

Moreover, it seems to be admitted that the United States have, have since the Georgia cession, a constitutional right to make and repair roads in the ceded territory. If then, by the transfer of the territory, Georgia could give, and the United States receive, the right to make roads within it, it is difficult to imagine a substantial objection to the validity of a grant to make a road, without a transfer of the territory.

2. Your committee conceive that the general government has the power of making and opening *military roads with the assent of the respective states,* with a view to the common defence of the nation.

The power of opening a road during actual hostilities, for the purpose of transporting military stores, and marching troops to points that are menaced, has never yet been called in question. In truth, without such a power the U. States must fall a prey to foreign enemies: so that it seems fair to assume, that, whenever a military road becomes necessary for the national safety, it is in the power of the general government to construct it. Of this necessity, that government can be the only judge; and if the power of *judging* of this necessity be in them, the constitutional power to *act* must of course be conceded. In the exercise of this discretion, a very general sentiment at present prevails in favor of preparations during peace for a state of war. And if the power of judging *when* it is necessary be admitted, the constitutional right to do it at any time must be allowed.

It is not proposed to enter upon the delicate inquiry whether this right can be exercised by the general government, *without the assent of the respective states* through whose territories a road is constructed, in time of peace, with a view to military operations in any future wars. Leaving this question for discussion whenever the occasion may call it forth, your committee are content, in this report, to assert the right to exercise this "necessary" power *with the assent of the states.*

Having taken this cursory view of the principles of the constitution, in relation to the construction of roads by the United States, it may not be unimportant to examine what has been the practice under its provisions. The laws of the union and the acts of the executive branch of the government, though they cannot be relied on to support acknowledged error, may safely be referred to in aid of our inquiries as to the proper construction of the constitution.

Amongst the most conspicuous of the analogies afforded by the acts of congress is the establishment of the Cumberland road already mentioned. This road has been constructed under the authority of the United States, with their funds, and through several of the states, with their assent: It has received the sanction of several distinct representative bodies, and of two presidents of the United States. In short, if precedent alone were wanting, this act would furnish it.

Passing over the road from Nashville to Natchez, and the road from Reynoldsburg to a part of the late territory of Mississippi, directed by an act of the last session of congress, both of which afford precedents no less strong, we come to the military road lately directed by the executive authority to be constructed, from Plattsburgh or its vicinity, to Sackett's Harbor. This road is not to be construct-



ed with any express assent of the state, through which it passes, nor by the authority of congress, but the president has deemed it necessary as a military road, and has ordered it to be made accordingly; a measure, the advantages of which are understood to be so palpable, as to have given great satisfaction in the country where the road is made. Hence, however, the question results, whether the exercise of this power by the president is not an express admission of the right of the general government to open military roads even in time of profound peace, when they are believed to be necessary: and, if the power of judging of this necessity is possessed by the executive, it cannot, it is presumed, be denied to the yet more important organ of the nation's will—the legislature of the union.

3. As to canals. It will not be necessary to recapitulate the arguments already used on the subject of roads, some of which will be found strongly applicable to canals. It may suffice to add, that the power to make canals and roads, for the promotion and safety of internal commerce between the several states, may justly be considered as not less incidental to the regulation of internal commerce, than many of the powers exercised under the authority to regulate foreign commerce are accessory to that power. The embarrassments of the nation during war, from the want of good roads and canals, both in relation to trade and the transportation of cannon and military stores have been too recently and sensibly felt to be forgotten. Vested with the power of making war, the constitution could never have intended the general government should make it under such disadvantages. If there be any part of that instrument which demands a liberal construction, it is that which confers on the federal government the power of making war, and the duty of protecting the union from foreign hostility. With a navy yet insufficient to ensure the safe conveyance, coastwise, of troops, of implements of war and military stores, and destined to contend with an enemy whose command of the sea enables them to assual, in rapid succession, the most distant positions, we have been compelled, from the want of an internal water communication, to encounter the most wasteful extravagance in the transportation of the means of defence. From the same cause, the internal trade between the states has been, during war, trammelled and embarrassed, and even cut off; and the productions of one portion of the community have rotted on their hands, while distant parts of the United States were suffering for the want of them.

It is true that the wants of the union cannot confer power under the constitution; but they may justly be touched upon as affording aid in its construction. They must have been clearly foreseen, and must have been supposed to be provided for. If the power to carry on war implies "the necessary and proper" means of conducting it to a safe and prosperous issue, and if, without the use of these means, the burdens, and the privations and the miseries of war, are to be indefinitely increased, and its issue (always doubtful) rendered yet more precarious and unprosperous, are we not justified in presuming these means to have been contemplated as being vested in the general government? are we not justified in asserting this "necessary" power—the power of constructing roads and canals at least *with the assent of the states*.

If your committee have not erred in attributing to congress a constitutional power to make roads and canals either as an original or accessory power, it

would seem that no doubt could remain of the right of applying our revenues to those purposes. If indeed the power was denied to the general government of constructing roads and canals themselves, a question might still arise, whether it had not power to appropriate part of the revenue "to aid in the construction of roads and canals by the states."

There is perhaps no part of the constitution more unlimited than that which relates to the application of the revenues which are to be raised under its authority. The power is given "to lay and collect taxes, to pay the debts and provide for the common defence and general welfare of the United States;" and though it be readily admitted that as this clause is only intended to designate the objects for which revenue is to be raised, it cannot be construed to extend the specified powers of congress, yet it would be difficult to reconcile either the generality of the expression, or the course of administration under it, with the idea that congress has not a discretionary power over its expenditures, limited only by their application "to the common defence and general welfare."

A few of the very great variety of instances, in which the revenues of the United States have been applied to the objects not falling within the specified powers of congress, or those which may be regarded as incidental to them, will best illustrate this remark.

Thus, it can scarcely be conceived, that, if construed with rigor, the constitution has conferred the power to purchase a library, either specifically, or as a "necessary" incident to legislation. Still less, perhaps, can the pious services of a chaplain, or the purchase of expensive paintings, for ornamenting the hall of session, or various other expenditures of similar character, be considered as "necessary" incidents to the power of making laws.—Yet, to these and to similar objects have the funds of the United States been freely applied, at every successive session of congress, without a question as to the constitutionality of the application.

It would be yet more difficult to reduce under the specific or accessory powers of congress, the liberal donation to the wretched sufferers of Venezuela, or the employment of our revenues in the useful and interesting enterprise to the Pacific.

The bounties allowed for the encouragement of the fisheries form another expenditure, that does not fall under any of the powers granted by the constitution. Nor could it fairly be considered as inferable from the powers granted upon the strict principles sometimes conended for. The same objections would apply to actual bounties, paid to manufacturers for their encouragement and to the indirect encouragement given to them, and which operates as a bounty to one class of the community, and as a *tax* upon the rest. These and a variety of other appropriations can only be justified upon the principle, that the general clause in question has vested in congress a discretionary power to use for the "general welfare" the funds which they are authorised to raise.

Nor is there any danger that such a power will be abused, while the vigor of representative responsibility remains unimpaired. It is on this principle that the framers of the constitution mainly relied for the protection of the public purse. It was a safe reliance. It was manifest that there was no other subject on which representative responsibility would be so great. On the other hand, while this principle was calculated to prevent abuses in the appropriations of public money, it was equally

necessary to give at extensive discretion to the legislative body in the disposition of the revenues; since no human foresight could discern, nor human industry enumerate, the infinite variety of purposes to which the public money might advantageously and legitimately be applied. The attempt would have been to legislate, not to frame a constitution; to foresee and provide specifically for the wants of future generations, not to frame a rule of conduct for the legislative body. Hence proceeds the use of this general phrase in relation to the purposes to which the revenues may be applied; whilst the framers of the instrument, in the clause which concludes the enumeration of powers, scrupulously avoid the use of so comprehensive an expression, and confine themselves to the grant of such incidental power as might be both "necessary and proper" to the exercise of the specified powers.

Nor is it conceived, that this construction of the constitution is calculated to give that unlimited extent to the powers of the federal government, which by some seems to have been apprehended. There is a distinction between the power to appropriate money for a purpose and a power to do the act for which it is appropriated; and if so, the authority to appropriate money "for the general welfare" does not by fair construction extend the specified or incidental powers of government. Thus, in the case under consideration, if the power to make a road or dig a canal is not given, the power of appropriating money cannot confer it, however generally it may be expressed. If there were no other limitation, the rights of the respective states, over their soil and territory, would operate as a restriction.

Whilst this appears to be a safe as well as fair construction of the constitution, it is also that which has been practically given to it since the origin of the government. Of this, the instances already mentioned furnish some evidence, and it is apprehended that, upon the rigid principles of construction, asserted both in regard to the enumeration of powers and the appropriation of revenue, the acts of the federal government, including all its branches, will exhibit a continued series of violations of the constitution, from the first session after its adoption, to the present day.

It would behove us to turn over the statute book and deliberately examine, how, upon these principles, the laws giving bounties to fishermen, encouraging manufactures, establishing trading houses with the Indians, erecting and constructing beacons, piers, and light houses, purchasing libraries, adorning with paintings the chamber of congress, giving charity to suffering foreigners, constructing roads through the different states, and establishing banks, can be reconciled to the provisions of the constitution. If as has been remarked by high authority,\* the constitutional question can be "precluded by repeated recognitions, under varied circumstances of the validity" of the exercise of power by congress, "in acts of the legislative, executive, and judicial branches of the government, accompanied by indications, in different modes, of a concurrence of the general will of the nation," the advocates for these powers in the general government can find little difficulty in supporting the pretension.

From all these considerations, your committee submit as their opinion, that congress has the constitutional power to construct roads and canals through

the several states, with the assent of the states, on such terms as may be agreed on, leaving the jurisdictional rights in the states respectively.—To these and other national improvements, which may be found to be within the constitutional powers of the government, they think it advisable that the interest of the government in the bank of the United States should be appropriated. They forbear to give greater length to this report, by enlarging on the important advantages to be derived from these national improvements. They also forbear at this time to offer the details of any plan upon the subject, presuming it most proper to obtain the sense of the House of Representatives, in the first instance, on the general proposition. For this purpose they respectfully submit the following resolution:

"Resolved, That in order to promote and give security to the internal commerce among the several states; to facilitate the safe and expeditious transportation of the mails, by the improvement of post roads, with the assent of the respective states; to render more easy and less expensive, the means and provisions necessary, for the common defence, by the construction of military roads, with the like assent of the respective states, and for such other internal improvements as may be within the constitutional powers of the general government, it is expedient that the sum to be paid to the United States, by the 20th section of the act to incorporate the subscribers to the bank of the United States and the dividends which shall arise from their shares in its capital stock, be constituted as a fund for internal improvement.

## Galvezton and Amelia.

### OFFICIAL PAPERS.

*Selections from the documents transmitted to the house of representatives of the United States by the president.*

We have been induced, in order to present at one view, and in a more condensed shape, not being able to publish them at large, the substance of the information contained in the presidential message, to make a selection of the papers, and publish such only as particularly cast new light on the subject. No paper is believed to be omitted, however, which is material to a correct view of the subject.

We have arranged them, as their contents naturally suggest, into two heads: 1st of Galvezton; and 2d. of Amelia Island: prefacing the whole with a list of all the papers, extracts, &c. which accompanied the report of the secretary of state. *Nat. Int.*

*Papers communicated with the report from the department of state, of December 13, 1817, to the president.*

Extract of a letter from Natchitoches, Louisiana, to a gentleman in the city of Washington, communicated to the department of state, dated February 4, 1817.

Extracts of two letters from Robert M. Harrison, esq. consul at St. Thomas, to the secretary of state, dated April 20th, and May 30th, 1817.

The secretary of the treasury to the secretary of state, dated November 21, 1817, communicating

Extracts of a letter to him from Beverly Chew, esq. collector of the customs, New-Orleans, dated August 1, 1817.

Letter—same to same, dated August 30, 1817.

Same to same, dated October 17, 1817.

Affidavit of Beverly Chew, dated 6th October, 1817, in relation to libels, before the district court of

\*The message of the president, in 1814, returning the bank bill of that year.



the United States, for Louisiana, *vs.* cargoes of Juana, Eliza, Carmelite, and Diana.

The same *vs.* ninety boxes of sugar.

The same *vs.* sundry goods, &c. &c. part of the schooner Mount Vernon's cargo.

Petition of Beverly Chew to Judge Hall.

Additional testimony, in sundry cases, pending in the United States' district court, Louisiana *vs.* sundry vessels and cargoes from Galvezton.

Extract of a letter from Mr M'Intosh to Mr. Crawford, secretary of the treasury, dated October 30, 1817.

Extract of a letter from Mr. Clark, collector of the customs at St Mary's, dated November 1, 1817.

Extract of a letter from lieutenant commandant B. V. Hoffman, t. captain Charles Morris, dated January 13, 1817.

Extract of a letter from captain Morris to the secretary of the navy, dated frigate Congress, off the Balize, March 4, 1817.

Captain Daniel T. Patterson to the secretary of the navy, dated New-Orleans, August 4, 1817, communicating

Memorial of the merchants of New-Orleans, of 28th July, 1817.

Protest of William B. Cox, late mate of the American brig Charles, at New-Orleans, 25th July, 1817.

Protest of captain Lewis Dequemenil de Morant, at New-Orleans, 28th July, 1817.

Same of Jean Baptiste Revarde, same place and date.

Deposition of Lanusse, owner of the brig Charles of New-Orleans, to Ja. Ble. Revarde, owner of the brig Pomona, and Louis Dequemenil de Morant, owner of the brig Pree love, at New-Orleans, 28th July, 1817.

Translation of a protest of Casimer Rieto, captain of the American brig Carlos, against the privateer Congresso, June 30, 1817.

Extract of a letter from captain Charles Morris, United States' frigate Congress, off the Balize, dated June 10, 1817, to the secretary of the navy.

Extract of a letter from lieutenant commandant John Porter, dated United States' brig Boxer, off the Balize, June 28, 1817, to the secretary of the navy.

Extract of a letter from commodore D. T. Patterson to secretary of navy, dated New-Orleans, July 23, 1817.

Extract of a letter from the deputy collector of the port of New York, to captain Samuel Evans, dated September 8, 1817.

Extract of a letter from captain John H. Elton to secretary of navy dated September 26, 1817, on board United States' brig Saranac, Cumberland sound

Extracts from the same to the same, dated October 10, 1817.

Extract, same to same, dated October 19, 1817.

Extract, same to same, Cumberland Island, November 15, 1817, communicating

Copy of a letter from him to——Aury, commanding at Fernandina, dated United States' brig Saranac, Cumberland Island, November 3, 1817.

Same to the same, dated brig Saranac, Cumberland sound, November 9, 1817.

Four letters from——Aury to captain Elton, dated at Fernandina, November 4th, 9th, 11th, and 12th, 1817.

Extract of a letter from Thomas Waine, esq. purser on board the United States' brig Saranac, dated St. Mary's river, September 27, 1817, to Benjamin Romans, esq. chief clerk, navy department.

A. G. Villeret to captain John H. Elton, dated Fernandina, November 4, 1817.

Register of the proceedings at Galvezton—translation, 15th April, 1817.

#### OF GALVEZTON.

*Extracts of a letter from Beverly Chew, esq. collector at New-Orleans, to Mr. Crawford, secretary of the treasury, dated*

COLLECTOR'S OFFICE,

New-Orleans, August 1, 1817,

"As it is your wish that every attempt to evade the provisions of the existing laws should be communicated to the department, accompanied by suggestions of the measures necessary to repress the evil, I deem it my duty to state, that the most shameful violations of the slave act, as well as our revenue laws continue to be practised, with impunity, by a motley mixture of freebooters and smugglers, at Galvezton, under the Mexican flag; and being, in reality, little else than the re-establishment of the Barrataria band, removed somewhat more out of the reach of justice; and unless the officers of the customs are provided with more effectual means for the enforcement of the laws, the treasury must suffer incalculably. To give you a more correct idea of this establishment, it will be necessary to be a little prolix, which I beg you will excuse. Galvezton is a small island or sand bar, situate in the bay of St. Bernard, on the coast of Texas, about ninety miles west of the Sabine, within the jurisdictional limits claimed by the United States, in virtue of the cession of Louisiana to them, by France. The establishment was recently made there by a commodore Aury, with a few small schooners from Aux Cayes, manned in a great measure, with refugees from Barrataria, and mulattoes. This establishment was reinforced by a few more men from different points of the coast of Louisiana, the most efficient part of them being principally mariners, (Frenchmen or Italians.) who have been hanging loose upon society in and about New-Orleans, in greater or smaller numbers ever since the breaking up the establishment at Barrataria. Colonel Perry commanded one party, of about eighty or ninety men, of this new community, who had been enlisted principally as soldiers within our jurisdiction; and Mr. Herarra, coming with a few followers from New-Orleans, brought up the rear, and then announced the establishment to the world, by a proclamation, attested by a Frenchman by the name of Morin, very recently a bankrupt auctioneer, in New-Orleans, as secretary of state. From this new station, fed and drawing all its resources from New-Orleans, and keeping up a regular intelligence, through a variety of channels, with their friends here, an active system of plunder was commenced on the high seas, chiefly of Spanish property, but often without much concern as to the national character, particularly when money was in question. The captures made by their numerous cruisers, (many owned by citizens of the United States,) were condemned by a pretended court of admiralty there, as prizes, and the cargoes introduced into this state, principally in a clandestine manner. The vessels thus condemned have generally come here under new names, and with the Mexican flag. Some of them have been detained by the United States' naval force, for hovering in our waters, and others have been libelled for restitution, by the Spanish consul, in behalf of the original owners, and though several trials have come on before the honorable the United States' district court for the district of Louisiana, and the

claimants have never been able to produce proof of the government of Galvezton having ever been authorized by the Mexican republic; and restitution has been decreed in several instances. There is no evidence of the establishment having been made or sanctioned by, or connected with, a Mexican republic, if one be now existing, and the presumption of such an actual establishment, under such authority, is strongly repelled by the illegal and piratical character of the establishment, and its ambulatory nature. It is not only of very recent origin, but is clothed with no character of permanency; for it was abandoned about the 5th of April, and transferred to Matagorda, leaving at Galvezton only an advice boat, to advertise such privateers and prizes which might arrive there, of the spot on which they had fixed their new residence. Some days after the abandonment of Galvezton, several privateers arrived there, and among the rest the General Artigas, commanded by one G. Champlin, of New York, with two schooners, her prizes, the Patronila, with one hundred and seventy-four slaves, and the Enrequita, with one hundred and thirteen slaves; and also a Spanish and Portuguese vessel, and the American schooner Evening Post, of New York, Calvin Williams, master, prizes to the —, captain Maurice Nicholas Jolly.

Among the most conspicuous characters who happened to be then at Galvezton, were many of the notorious offenders against our laws, who had so lately been indulged with a remission of the punishment, who so far from gratefully availing themselves of the lenity of the government to return to or commence an orderly and honest life seem to have regarded its indulgence almost as an encouragement to the renewal of their offences. You will readily perceive that I allude to the Barratarians, among whom the Lafittes may be classed foremost, and most actively engaged in the Galvezton trade, and owners of several cruisers under the Mexican flag. Many of our citizens are equally guilty, and are universally known to be owners of the same kind of vessels. A number of these characters being at Galvezton after the abandonment readily saw the advantages that would result in the re-establishment of a government at that place, its situation so immediately in the vicinity of our settlements, being much preferable to Matagorda, their views being entirely confined to introducing their captures into this state; accordingly, a meeting was called on the 15th April, and it was resolved to re-establish the government, and a true copy of their deliberations you have enclosed. I can vouch for the correctness of the copy, having received it from a person of undoubted veracity; and thus without even the semblance of authority from the Mexican republic, they immediately proceeded to condemn vessels and cargoes as good prizes, and to introduce them into this port, and among the rest the cargo of the Evening Post. It was some time before this was known here, great pains having been taken to keep it secret. Since it has been known, I have felt it my duty to report all vessels and cargoes which have arrived here from Galvezton, to the district attorney, who has had them arrested under the Spanish treaty; but owing to the unfortunate absence of the judge, no decision can be had thereon. These steps of the officers of the port have irritated the Barratarian gentlemen and their connexions in a high degree, and representations filled with falsehoods will probably be made against them, particularly on the score of enmity to the patriotic cause. As well might a man be accused of being an enemy to personal liberty, who arrests and con-

fines a robber, as that the officers of the port of New Orleans should be accused of being unfriendly to the revolution in the Spanish provinces, because they have attempted to prevent a lawless establishment at Galvezton from violating the laws. The prizes made by the privateers under the Mexican flag, are to a very large amount of merchandise, such as jewelry, laces, silks, linen, britanias, muslins, seersuckers, calicoes, &c. &c. all of which are re-packed in small bales, of convenient size for transportation on mules, and the greatest part introduced clandestinely. Other articles, such as iron, nails, tallow, leather, glassware, crockery, cordage, beef, &c. are brought here in their prizes.— It is stated, and universally believed, that captain Champlin sold the slaves captured in the Patronila and Enrequita, to the Lafittes, Sauvinet, and other speculators in this place, who have or will resell to the planters; and the facility afforded to smugglers by the innumerable inlets, are too obvious, on a view of the map, to doubt but they either are or will be all introduced into this state, without the possibility of the officers of the revenue being able to prevent or punish them; more especially as a great portion of the population are disposed to countenance them in violating our laws. A few days ago information having been given that one of our citizens had gone to the W with a very considerable sum of specie, to purchase slaves for himself and two other planters, I determined to make an effort to arrest him on his return, and immediately purchased a fine boat on account of the government, (which had been lately captured by a party I had sent on lake Ponchartrain, and condemned for a violation of the slave act) which I have sent under the command of an active, enterprising inspector, with a military guard of twelve men, and am in great hopes of his falling in with and capturing the party. I am persuaded you will approve of my not waiting for instructions, at the risk of seeing the laws violated with impunity, and I cannot but hope that the government will see the necessity of giving instructions to the naval force on this station to prevent the re-establishment of Galvezton, otherwise the bay will no longer be safe for any flag. Since they have been denied shelter in Port au Prince, they have no other asylum than Galvezton. On the part of these pirates we have to contend with, we behold an extended and organized system of enterprize, of ingenuity, of indefatigability, and of audacity, favored by a variety of local advantages, and supported always by force of arms; and unless they be met by corresponding species of resistance, the results of the contest are of very simple calculation.

"You will, I trust, see the necessity of either granting a certain number of revenue cutters, of the description I have mentioned, or that the naval force on this station may be enjoined strictly to prevent these privateers from hovering in our waters, and violating our laws. It is a fact you may rely on, all the cruises of these privateers commence and end at this port; they enter in distress, comply with the formalities of the law, and if they do not augment their force and renew their crews in port, they do it in our waters, and it is not in my power to prevent it.

Mr. Chew, Collector at N. Orleans, to Mr. Crawford,  
Collector's office, New-Orleans,  
August 30th, 1817. 5

Sir—In the communication which I had the honor to make to you, under date first instant, I gave such information respecting the establishment of



Galvezton as I had recollected; since then the dispositions of Messrs. J. Ducoing and V. Garros (ex-judges of admiralty at that place, and now here) have been taken and I here with transmit you copies, which go to substantiate the material fact stated by me, and I make no doubt that you will be satisfied of the correctness of the assertion, that the establishment of Galvezton is nothing more or less than one of privateersmen, without even the shadow of a connexion with a Mexican republic, if such a republic exists, and as such will not, I presume, be countenanced by the government of the United States. It has been reported to me, and from a source deserving credit, that the principal part of the force from Matagorda and Soto de la Marina, had returned to Galvezton, and that two prizes with slaves have recently arrived, one a schooner with a full cargo, said to be 300, (probably exaggerated,) that a contagious fever having made its appearance among the slaves, the privateersmen, apprehensive of its communicating to the other prize, cut the cables, and sent the schooner adrift with the unfortunate beings on board! The other ship, with 400 slaves, was lying there, and they have altogether about six hundred and fifty slaves on hand, all of whom are intended to be introduced in this state.

The United States brig Boxer has sent in two small schooners with 30 slaves on board, captured in our waters, and the deputy collector of the district of Teche writes me he has seized 15, and was in pursuit of a larger number. At this moment I have sent two confidential inspectors to examine three plantations on this river near Baton Rouge, information having been given me, that 100 had been purchased for the three at Galvezton. This activity has occasioned some alarm, and I am informed (and place complete confidence in it) that the privateersmen and others interested have resolved to remove the slaves to the neighborhood of Sabine, build barracks, and keep them there during the winter, or till the purchasers appear, and leave the risk of introducing the slaves to the planters, whose eagerness to procure them will induce them to run every hazard. They imagine, that fixing themselves to the west of the Sabine, they will be without the jurisdiction of the United States; but I trust they will find their mistake only when the whole party will be seized.

In addition to the foregoing, I beg leave to refer you to the documents lately forwarded by commodore Patterson, to the honorable secretary of the navy, with the memorial of some of the most respectable merchants of this place, praying him to furnish convoy to protect their vessels trading with the Spanish ports, from the piratical cruisers who respect no flag when specie is in question.

I have lately sent an inspector of confidence, to examine La Fourche from the Mississippi to the sea, and he reports it as thickly settled for 80 miles from the river; has 8 or 10 feet water, and 6 feet on the bar, at the mouth or entrance in the sea; there is no obstacle whatever to craft entering it from the sea, and ascending to the Mississippi, and trading freely as high up as they please. I mentioned in my last the necessity of appointing an inspector for that place, if you decide not to have revenue cutters on this station. I cannot but repeat that I am firmly persuaded the measure is more necessary for this, than any other district in the United States. Bartholomew Lafon of this place (who acted as secretary to the meeting of 15th April, copy of deliberation forwarded in my last) is mentioned as the governor of the new establishment near the Sabine. Lafitte is now purchasing a

large quantity of provisions, and the first cargo will soon sail, a copy of the manifest will accompany this or soon follow. These persons and a long list of others I could add, if necessary, have no other profession, occupation or mode of livelihood, than privateering and violating our laws, and openly threaten revenge against any officer of the revenue that may molest or impede their pursuits. They are now preparing a memorial to the department, with the double view to misrepresent the conduct of the officers of the port, and to obtain permission to introduce their illegally captured property, under the false pretext that they (the memorialists) have made heavy advances; the truth is, the only advances they allude to, is the equipment and fitting out privateers contrary to our laws. The exports from this place to Galvezton and Matagorda have consisted principally of provisions; a cargo of arms was sent some time in the fall of the last year, which have long since given up as lost, and no return whatever can ever be expected from the Mexican government, from all present appearances. The imports (without taking into consideration the large amount of goods introduced clandestinely) have been very large, as you will observe by the enclosed abstract of duties secured at this office on these importations.

I have felt it my duty to give you this information for your correct understanding the nature of the establishment at Galvezton, and cannot but hope you will be pleased to instruct me explicitly how to act. My conduct has been governed by a sense of duty, and from a conviction of its propriety; if I have erred, I hope it will be ascribed to an honest zeal. I am, &c. &c.

BEV. CHEW.

P. S. The brig, with provisions and lumber for the winter quarters of the slaves, attempted to clear to day; but, owing to the informality of her papers, it is postponed till Monday. I enclose a list of private armed Mexican and Venezuelan vessels now in port.

[Here follows a list of six vessels commissioned by *Aury*, carrying as follows—5 guns, 60 men; 6 guns, 55 men; 6 guns, 40 men, 2 guns, 18 men; 1 gun, 30 men, and a boat of 7 tons with 17 muskets.

Then a list of five vessels, commissioned by *Bolívar*, as follows—5 guns and 114 men; 1 gun and 50 men; one of 3 and 1 of 1 gun, men not mentioned; and one of 3 guns and 60 men, just sailed on a cruise.]

*Mr. Chew to Mr. Crawford.*

Collector's office, New Orleans,

October 17, 1817

SIR—My communications of the first and thirtieth of August last, relative to the establishment at Galvezton, and the numerous cruisers under the Mexican flag, that infest our waters, will, I trust, have reached your hands. I deem it my duty to trouble you once more upon the same subject, and to enclose copies of additional testimony of Mr. John Ducoing, late judge of admiralty, and of Mr. Raymond Espagnol, late secretary of state, which will, I trust, satisfactorily prove my assurances of the piratical nature of the establishment, and justify, in your opinion, the officers of this port, in the steps taken by them to put an end to it; for such, it appears, has been the effect of the measures adopted here. Late advices from that place state, that *Aury* and *Champlin*, with their privateers and prizes, said to be thirteen sail, evacuated the place, and it is believed they have steered their course for *Amelia Island*. Before their departure, they dis-

posed of about three hundred Africans to the agents of some planters on this river; the remainder they have taken with them. The deputy collector of the district of T. che writes me, a large gang of Africans passed near the church of Attacapas on the night of the 14th ultimo, bound for the Mississippi. He heard of it too late to seize them. I have sent a confidential agent to watch the plantations of Joseph Erwin, James Still, and Christopher Adams, it being reported that the latter had been to Galvezton, to purchase slaves for himself and others. I received, a few days ago, a letter from the person called commodore Aury, dated at sea, 31st July last, on board the privateer Mexican Congress (late Calypso, of Baltimore) enclosing a duplicate of a letter, which it appears he had thought proper to write to me on the 28th of the same month, (the original of which has never come to hand.)—In this letter he gives me a kind of official information, that it has been determined to abandon Galvezton, and that he had taken with him the judge of the admiralty, the collector, and all his other constituted authorities, and that, whatever may be done at the place, after that date, will be without his approbation or consent, and any clearances, or other official acts, at that place, illegal. I have no doubt, however, but that a new establishment will be soon made there. The advantages are too great to be voluntarily abandoned by persons who have so long enjoyed the profits. Early in September two vessels, the Carmelite, belonging to B. Lafon, and the Franklin, belonging to J. B. Laforte, (both unregistered vessels, formerly prizes) cleared at this office for Laguna, but really bound to Galvezton, with provisions, and materials for erecting buildings. On their arrival they found the place deserted, and the Franklin has returned to this port with her outward cargo. By her accounts have been received that the Carmelite was lying there, and that Lafitte (who had been pardoned for the crimes committed at Barrataria) and Lafon had arrived there, with about forty other persons, and it is believed intended to form an establishment, and will, no doubt, soon replace the judge, and other authorities, carried off by Aury. Private armed vessels, under the Mexican flag, and one or two under that of Venezuela, continue to frequent this post; and uniformly report in distress. (one case only excepted) make protest, and obtain a certificate from the wardens of the post, that there is necessity to unlade their armament and heave down. They have thus been admitted to an entry, free of any charge, other than the fees to the officers of the customs, under the sixtieth section of the collection law. This course seems to have been adopted by my predecessor, and has been followed by me, in compliance with the instructions from the department of third July, 1815. These armed vessels being admitted, great care has been taken not to permit my violation of the acts of 5th June, 1794, and 3d March last, by augmenting their force, or enlisting American citizens; but, in defiance of every vigilance, on the part of the officers of the customs, they violate the law, not whilst they remain in port, but before they leave our waters. Nothing is easier, when the privateer is completely repaired and ready for sea, than to send both men and guns, if they need them, to Barrataria, or any other convenient place where the privateer repairs to, and takes them on board and sails on a cruise, with an augmented force, to commit hostilities against the persons and property of a nation with whom the United States are at peace.

It is universally reported and believed many of these vessels (under the Mexican flag, and commissioned by Aury) are owned by persons resident here, and enjoying the privileges of American citizens. At the end of the cruise the same farce is played over again; and it may with truth be said, that each cruise commences and ends at this port. Attempts have been made to convict them, but as yet without success. They easily exculpate themselves. Witnesses, on their part, are never difficult to procure, in a place where there are a vast number of people with whom the solemnity of an oath has little weight. This you will believe, when I add, that two witnesses were produced in the United States district court, in the month of May last, who swore that Galvezton was a considerable and well built town, with coffee houses, shops, &c. and that the then constituted authorities, (Durier, Ducoing, Espanol, &c.) had been appointed and commissioned by Aury. The testimony of the two latter, as well as many other persons now here, will fully refute that falsehood.

I hope you will be pleased to give me some instructions relative to the cruizers, that I may act in a way to meet the views of the executive.

I have the honor to be, &c.

(Signed)

BEV. CHEW.

To the hon. William H. Crawford,  
Secretary of the treasury,

*Additional testimony taken in sundry causes depending in the United States district court, for the Louisiana district, on behalf the United States, against sundry vessels and cargoes from Galvezton.*

John Ducoing being duly sworn, the deponent further says, that the establishment at Galvezton was composed, as before stated, by persons of various nations, and that the sole view and object of the persons comprising the said establishment was to capture Spanish vessels and property, without any idea of aiding the revolution in Mexico, or that of any other of the Spanish revolted colonies, as far as this deponent knows and believes. And the deponent says that during the time he exercised the functions of judge at Galvezton, he had no knowledge or belief in the existence of a Mexican republic or other government, independent of the Spanish government.

The deponent further says, that the government established on the 15th day of April had no connexion whatever with any other government, state or people. That Galvezton stands on a small island, or rather a small sand bar, a few miles long and broad, and was a desert when taken possession of by Aury, known by the name of Saake Island, without a port or harbor, and no buildings except a few huts or cabins, probably three or four, made of boards and sails of vessels.

And further this deponent saith not.

JOHN DUCOING.

Sworn and subscribed before me, this 7th day of October, 1817.

(Signed)

R. CLAIRBORNE, clerk.

Mr. Raymond Espanol being duly sworn, says, that on the 16th day of March last, this deponent went from this place to Galvezton, in the province of Texas, in the brig D vorador, for the purpose of disposing of merchandise. Aury was acting as governor. This deponent accepted of no office (or employment) under Aury, nor had he any acquaintance with him; he never took any oath of allegiance to Aury; that on the 15th of April last, Aury and gen. Mina abandoned Galvezton, burned the huts and



cabins there were standing, and left no person authorised by them or otherwise, to form a government. After their departure, to wit, on the 15th of April, 1817, the persons then at Galvezton consisted of about thirty or forty in number, including sailors, &c. six of whom assembled on board of the schooner *Carmelita* (belonging to Mr. Bartholomew Lafon, late of N. Orleans, and engineer in the service of the U. States) to wit: Durier, John Ducoing, Pereneau, said B. Lafon, Rousselin, and this deponent, who formed the new government. The proceedings were drawn up and signed by those present, by which certain persons aforesaid took upon themselves offices, namely

Durier *Governor.*

John Ducoing, *Judge of Admiralty.*

This deponent, *Notary Public and Secretary.*

Pereneau, *Major de Place.*

Rousselin, *Collector.*

At the meeting on the 15th April, there was no paper or document produced, authorising the same, or giving them power to form a government.

The deponent further says, that the sole object and view of the persons comprising the establishment at Galvezton was, as far as he knows and believes, to capture Spanish property under what they called the Mexican flag, but without an idea of aiding the revolution in Mexico, or that of any of the Spanish revolted colonies; and further, that during the time that this deponent acted as notary public and secretary to the new government at Galvezton, he had no knowledge or belief in the existence of a Mexican republic, or any government in Mexico, independent of the Spanish authorities; further, the deponent says, that the new government established at Galvezton on the 15th of April 1817, had no connexion whatever with any other nation, state or people.

That Galvezton stands on a small sand bar, a few miles long and broad, and was a desert when taken possession of by Aury—known by the name of Snake Island; without a port or harbor, and no buildings except three or four cabins built of boards and sails of vessels.

Further, this deponent says, that some time in the month of May last, when some of the merchandise and vessels from Galvezton were libelled by the Spanish consul in behalf of the Spanish owners, application was made to this deponent to appear before the honorable judge Hall, and to prove that the authorities appointed by the meeting at Galvezton, on the 15th of April last, were appointed and commissioned by Aury. This application was explicitly stated to be on behalf of those interested in the Galvezton establishment, particularly of Mr. Bartholomew Lafon and J. Bte. Laporte, the former of whom, it was known, was indebted to this deponent in the sum of ten or twelve hundred dollars; this deponent refused informing the person by whom the application had been made; that if the deponent appeared he would tell the truth, and should prove that the persons forming the government at Galvezton (after 15th April) were not named by Aury. This deponent was not summoned as a witness though it was known he was in the city, and has continued since to reside here. This deponent says that this is the true reason why he was not summoned to appear before the judge at the time when Messrs. Rieux and Pereneau appeared.

RICHARD ESPANOL.

Sworn and subscribed before me, this 7th day of October, 1817.

R. CLAIRBORNE, Clerk.

*Memorial of merchants of New Orleans, to Com. Patterson, of the 28th of July, 1817.*

The memorial of the subscribers, merchants of the city of New Orleans, citizens of the United States, respectfully sets forth:

That your memorialists have extensive dealings with the merchants of La Vera Cruz, Campeachy, and other places in the gulph of Mexico, and usually receive from thence gold and silver, as returns for their adventures, and remittances from their correspondents and debtors there.

That since some part of the Spanish colonies have risen in arms against the royal authorities, vessels carrying the flags of the several new republics of Buenos Ayres, Venezuela and Mexico, pretending to have commissions from the constituted authorities there, to cruise against their enemies, but manned with renegade crews of all nations, have lately commenced the plundering of the vessels of your memorialists, sailing under the flag of the United States, on lawful voyages, and rob them of whatever specie they find on board. The brig *Pomona* and *Freelove*, owned by citizens of the United States resident in this city, have been robbed in this manner; and the brig *Charles*, also of, and owned in this city, by an American citizen, has been deprived of her papers on the high seas, and thereby exposed to be made lawful prize of by any cruiser, when she was fortunately boarded by the U. S. sch. *Firebrand*, commanded by Lieut. Cunningham, who conveyed her to Vera Cruz, her destined port. Proofs of all these nefarious acts are hereunto annexed.

That your memorialists, under these circumstances, impeded in their lawful commerce by marauders and pirates, are prevented from sending their vessels to sea, as they cannot insure them but under premiums which would be ruinous, and labor under the intolerable disappointment of not receiving the expected returns for their property, now in the Spanish dominions, and ready to be shipped to them if it could be done with safety.

That the commerce carried on by your memorialists with the Spanish colonies is extremely advantageous to the United States, inasmuch as it exchanges the productions of this country, and other merchandize, for the precious metals; but their value has now so excited the cupidity of the freebooters of the Gulph, secure, as they believe, from resistance and from punishment, that all this valuable commerce will cease, unless the merchant vessels be protected; and that protection is now solicited from you.

Your memorialists therefore, respectfully intreat that you will give orders to the armed vessels of the United States under your command, to give convoy to the vessels of your memorialists, to and from the Spanish ports in the Gulf of Mexico, on such conditions and under such regulations as you may think fit, and the least inconvenient to yourself and the public service.

(Signed)

*T. & D. Urquhart*  
*Richard Relf*  
*Benjamin Story*  
*J. Longpre*  
*Amory, Callender & Co.*  
*L. D. de Morant*  
*Talbot & Bowers*  
*S. N. Stackhouse*  
*R. L. Rochelle & Shiff*  
*David Oliver*  
*Isaac L. McCoy*

*Pedro Dalhoste y Claveria*  
*Vincente Nolte & Co.*  
*Dutillet & Sagory*  
*Jno. Bte. Labastut*  
*Simon Crecully*  
*L. McIaudon*  
*G. Duaser*  
*Wm. Kemner & Co.*  
*Deburs & Langer*  
*J. Brandeager*  
*Harrod & Ogden*

Wm. Wyer  
M. Fortier & Fils  
Cavalier & Fils  
Paul Lanusse  
New Orleans, 28th July, 1817.

James Johnson  
J. Tricou & Fils  
Dge. Roquette  
John Garnier

Extract of a letter from captain Charles Morris, to the hon. B. W. Crowninshield, secretary of the navy, dated

U. S. frigate Congress  
off Balize, 10 June, 1817.

"As it respects marine operations, when Aury left Galvezton with Mina, it was understood to be his intention not to return there but to establish himself at the Santando, and all the public stores and other buildings were destroyed. The Santando having been found altogether unfit for this purpose, he is returning to Galvezton again.

"A temporary government, with the admiralty judge, &c. were left during his absence, to condemn prizes sent in by the privateers. It is stated that the decisions of the judge are dictated by the captors, who will not unless it appears to suit their convenience, even furnish him any papers on which to form an opinion, or ground his sentence. This is said to have occurred during the late absence of Aury; his return may have some good effect upon the proceedings there, but the general character of the population of the place is such, that I am told that even those persons concerned in the privateers, when they dispose of their goods there, are unwilling to take specie in payment fearful of being plundered, but prefer bills, which can be more easily secured. Most of the goods carried there are introduced into the United States, the more bulky and least valuable regularly through the custom house; the more valuable and the slaves are smuggled in through the numerous inlets to the westward where the people are but too much disposed to render them every possible assistance.

"Several hundred slaves are now at Galvezton, and persons have gone from New-Orleans to purchase them; every exertion will be made to intercept them, but I have little hopes of success."

Extract of a letter from lieutenant commandant John Porter to the hon. B. W. Crowninshield, secretary of the navy, dated

U. S. brig Boxer,  
off the Balize, June 28th, 1817.

"From cape Catouche to La Vera Cruz, the piratical boats are very numerous, and commit their depredations without respect to flag or nation.—Should it meet your approbation, sir, it would afford me infinite pleasure to protect our commerce on that coast."

Extract of a letter from John Kerney, Esq. deputy collector of the port of New-York, to captain Samuel Evans, commandant navy yard, New York, dated

September 8th, 1817.

"A brig, said to be a Venezuelan cruiser, called the "America Free," Farero commander, mounting three carriage guns, and manned with seventy-four men, and small arms in proportion, now lies at the quarantine ground.

It is officially reported to the collector's office of this district, that a number of officers and men landed from said brig at Staten island, and in a fracas that took place yesterday, between them and the inhabitants on shore, they threatened to demolish ~~or burn a house on said island.~~" [The substance of

the documents respecting *Amelia* island being generally known, are postponed until our next paper.—They have the same character as those of Galvezton, though not quite so objectionable.]

## CONGRESS.

SENATE.

December 19.—Mr. Vandyke, from Delaware, appeared and took his seat.

Several motions submitted yesterday were agreed to.

December 22.—Notice of several intended motions were given—among them one by Mr. Dickerson to mend the constitution of the United States as it respects the election of representatives in congress and electors of president and vice president.

The senate has been considerably occupied with executive business.

December 23.—Mr. Smith submitted a resolution for the purpose of ascertaining the amount of duties on imported salt in the years 1815, 1816 and 1817, and also the amount of allowances and drawbacks paid to fishing vessels and on fish exported.

December 24.—The resolution submitted on the 22nd by Mr. Dickerson was read a second time and committed to Messrs. Dickerson, King, Daggett, Mason and Stokes.

The house adjourned to Monday.

HOUSE OF REPRESENTATIVES.

Friday, Dec. 19.—On motion of Mr. Harrison, of Ohio, the following rule was adopted:

The Speaker shall have power to admit persons to seats in the hall, during the sitting of the house, who belong to such legislatures of foreign governments as are in amity with the United States.\*

On motion of Mr. Merrill, of Vt. it was

*Resolved*, That the secretary of war be instructed to furnish a statement shewing the names of the several persons to whom land warrants have issued, and extra pay been allowed, subsequent to the 3d March, 1817, under the act "granting bounty in lands and extra pay, to certain Canadian volunteers," and the act supplementary thereto; together with the names of the agents or attorneys to whom said land warrants were delivered, and the money paid, particularly noting such, if any, as were or are annexed with the public offices—and also to state whether any, and if any what information he may have received, relative to impositions practised on claimants, by persons pretending to be agents authorized by the government.

After other business, of no present importance—The house having, according to the order of the day, again resolved itself into a committee on the bill for the commutation of soldiers' bounty lands, some further discussion on amendments to it took place, in which Messrs. Forsyth, Poindexter, Clay, and Robinson, of Ky, bore part: when

The committee rose, and reported the amendments to the bill; which were ordered to lie on the table, and to be printed for the more easily understanding thereof by the members before called upon to give a final vote on them.

The house having resolved itself into a committee of the whole on the bill concerning the surviving soldiers of the revolutionary war:

[\*This motion was probably occasioned by the presence of Lord Selkirk, a peer of the British realm, in the gallery of the house. The act of courtesy is well.]



Mr. Bloomfield delivered his impressions in respect to the operation and scope of this bill. He made a statement to shew what were his views of the probable number of applicants under this bill, if it should pass; and the annual amount of the expenditure it would occasion. The Jersey brigade, he said, consisted, during the war, of four regiments: there were forty officers to each regiment, making in the whole 160. On the 4th of July last, as he was enabled from personal knowledge to state, there were living but twenty of those officers, being precisely one eighth of the whole number. Taking this fact for his guide, as the proportion of survivors, he said there were in the continental army sixty eight battalions, of whom about 17,000 men were killed or died in service; and at the close of the war, it was a well known fact, the battalions did not average more in each than 250; making in the whole 17,000 men—of whom, say about one tenth (being generally not of as regular habits as the officers) were living; that is 1700. Estimating the proportion of applicants for the pension at one sixth, would make 340. The full pay of the revolution, six and two-thirds dollars per month, to each of these, would amount to 2,235 dollars per month. Of the officers, the whole original number he estimated at 2720; of whom, supposing one eighth to have survived, as in the instance of the Jersey brigade, there were now living about 340. Of this number, he supposed one tenth of the whole would become applicants for pensions—say thirty four; at the full subaltern revolutionary pay of 17 dollars per month. The monthly pension for both officers and soldiers, on this estimate, would be 2,873 dollars, and the annual amount only 34,376—an amount which must daily decrease. But, instead of full pay pension, the bill as it now stood, provided only for half pay. Would this house be satisfied, Mr. B. asked, with giving to these men, borne down with age and service, a pension of three and a third dollars a month during the small remainder of their lives, whilst they had given the soldiers of the late war (no disparagement to them) eight dollars per month? He hoped not; and therefore moved to amend the bill so as that the amount of pension should be for every officer 17 dollars per month, and for every soldier eight.

Mr. Tucker, of Virginia, moved to amend the amendment, so as make the pensions 20 and 8.

This amendment to the amendment was agreed to without objection, after a few observations from Mr. Comstock.

Other amendments were proposed, some of which produced desultory debate—and without taking a question upon them the committee rose, reported progress and had leave to sit again—and the house adjourned.

Monday, December 22.—Mr. Robertson, of Louisiana, from the select committee to whom the subject had been referred, reported a bill providing the manner in which the right of citizenship may be relinquished.

[The bill proposes to provide that when any citizen, by application in writing to the district court of any district of the United States, in open court, and there to be recorded, shall declare that he relinquishes the character of a citizen, and means to depart out of the United States, he shall be thenceforth considered as having exercised the right of expatriation, and as being no longer a citizen of the United States; that such person shall be held as an alien forever after, and shall not resume the rights of citizenship without going through the same process of naturalization as other citizens.]

The bill was twice read and committed. Mr. Johnson, of Kentucky, offered the following resolution:

*Resolved*, That the committee of commerce and manufactures be instructed to enquire into the expediency of providing by law for clothing the army and navy of the United States exclusively in American manufactures.

In offering this motion, Mr. J. said it would not be proper for him to detail the facts, or advance the reasoning which led him to the conclusion that the measure he proposed to enquire into was expedient. But he should say that he should not have thought of introducing this resolution, if he did not believe that cloth of American manufacture could be obtained at a reasonable rate. One of the objections to making a provision by law such as he contemplated, and the only objection which appeared to him to have any force, was that by destroying the competition between domestic and foreign articles, the government would be obliged to pay higher for the same articles than they now do: but it would be seen by gentlemen that such augmentation could only be momentary; and, Mr. J. said, the competition of the manufacturers among themselves would be so great, he had no doubt, as to give the article to the government at the lowest possible price. The practice of the war department already, was to give a preference to the domestic fabric, but that preference was given with reference to the cost of the article—a system which produced not only uncertainty, because of the fluctuating state of the foreign market, but uncertainty, consequently to the calculations of the manufacturer. In relation to the navy, Mr. J. said he did not know that his project was practicable; if it was, it would be necessary perhaps to give a discretionary power on this head to the commanders, when on foreign stations. But he hoped no objection would be made to an enquiry on the subject, and that the committee would favor the house with an early report.

The motion was agreed to.

On motion of Mr. *J. Coy* of Virginia, it was

*Resolved*, That the committee on public lands be instructed to enquire into the expediency of increasing the price at which said lands shall be sold hereafter.

On this question there was a division: the resolution was agreed to by a majority of twenty or thirty votes.

The following message was received from the president of the United States, by Mr. J. J. Monroe his secretary.

*To the house of representatives of the United States.*

In compliance with a resolution of the house of representatives, of the 11th of this month, requesting to be informed of the present strength of the army of the United States, its distribution among the several military posts, which it is designed to protect, and its competency to preserve and defend the fortifications amongst which it is distributed, and to aid in constructing such other military works, if any, as it may be deemed proper to erect, for the more effectual security of the United States, and of the territories thereof, I now transmit a report from the secretary of war, which contains the information desired.

JAMES MONROE.

December 22, 1817.

“In compliance with a resolution of the house of representatives requesting the president of the United States “to cause to be laid before the house of representatives a return of the present strength of the army of the United States, with the distribu-

tion thereof among the several military posts which it is designed to protect, together with any information which he may be able to afford respecting the competency of such force to preserve and defend the fortifications, amongst which it is distributed, and to aid in constructing, and to defend such other military works, if any, as it may be in the contemplation of the government to erect, for the more effectual security of the United States, and of the several territories thereof;" the secretary of war has the honor to make a return of the present strength of the army of the United States, with the distribution thereof among the several military posts.

The military establishment as it now stands, is sufficiently extensive to keep the fortifications in a state of preservation, but it is wholly inadequate to defend them against a regular attack by a force of sufficient strength or skill. To garrison the forts on the maritime frontier alone would require, according to the best information and estimates of this department, more than thrice our present number, to repel the assaults of such a force. The portion of the army stationed in the neighborhood of fortifications now erecting, are employed to aid in constructing them; but only an inconsiderable number has yet been so engaged, owing to its dispersed situation. Though not immediately comprehended in the resolution of the house, it is but justice to the army to observe, that it has been employed to a considerable extent, the last year, in the construction of roads, arsenals and other public works connected with the defence of the country.

The existing fortifications are thought to be wholly insufficient in the event of a future war. As the declaration of war is the act of the whole community, justice, honor and humanity require that every portion of the country should, as far as possible, be protected against its ravages. This is among the most sacred duties of the government; and, impressed with its importance, a board of the most skillful officers in our service has been constituted, to examine the whole line of our frontier, and to determine on the position and extent of works that may be necessary to the defence of the country. This great work is not yet completed; and in its present state, it is impossible to speak with any precision as to the extent to which our fortifications ought to be carried. The soldiers will be able to render important aid in constructing the works that may be determined on; but, from the composition of the army, they can only come in aid of regular and professed workmen.

J. C. CALHOUN."

[The detailed and particular statement accompanying the report from the adjutant general's office, states the actual number of the present peace establishment at 8,221, including officers.]

The report was ordered to lie on the table.

The remainder of this day's sitting was spent in committee of the whole on the bill concerning the surviving officers and soldiers of the revolution.—There was much debate, occasionally eloquent, but generally desultory, on amendments proposed to the bill, but involving also its principle. Messrs. Bloomfield, Walker, Garnett, Harrison, Strother, Comstock, Palmer, Livermore, Trimble, and Rhea, successively joined in the debate.

Tuesday, Dec. 23.—On motion of Mr. Holmes, of Massachusetts, it was

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of providing by law for appointing justices or conserva-

tors of the peace, or other magistrates, authorised to enforce the execution of the laws of the United States.

Mr. Trimble, of Ky. offered for consideration the following resolution:

Resolved, That the president of the United States be requested to cause to be laid before this house any information he may be able to communicate relative to the impressment and detention in confinement of Richard Cowles Mead, a citizen of the United States. [Mr. Trimble supported his resolution by a very animated speech, which we are compelled to omit for the present.] The resolution was agreed to.

The house having resolved itself into a committee of the whole on the bill concerning the surviving officers and soldiers of the revolutionary war—Considerable debate took place and sundry amendments were proposed. [As amended it is noticed in the following day's proceedings] After which it was ordered to be read the third time to-morrow.

A resolution was passed that the house should adjourn on Wednesday the 24<sup>th</sup> inst. to meet again on Monday the 29<sup>th</sup>—84 to 63, and sent to the senate for concurrence.

Wednesday, Dec. 24 The bill providing for the relief of certain surviving officers and soldiers of the revolution was read the third time and finally passed without a division. The National Intelligencer gives the following as its substance—"The bill, as it has finally passed, provides that "every commissioned and non-commissioned officer, musician, mariner, marine, and private soldier, who served in the revolutionary war; in any of the regiments raised by authority of congress, or of any of the states, or in the navy of either of the states or of the United States, previous to the treaty of peace with Great Britain, of 3d September, 1783, who are yet citizens of the United States, and are, or who hereafter shall be, reduced to indigence, and incapable of procuring subsistence, and who shall have substantiated his incapacity in the manner by the bill directed, shall receive a pension from the United States; if an officer, of twenty dollars per month, during life; if a non-commissioned officer, musician, mariner, marine or private soldier, of eight dollars per month, during life, &c." The bill has yet to pass the ordeal of the senate.

On motion of Mr. Drake, of Mass. it was

Resolved, That the committee of commerce and manufactures be instructed to enquire into the expediency of granting bounties to manufacturers who manufacture a given number of yards of woolen and cotton cloths, of a certain width; and that a permanent fund be appropriated for that purpose.

The bill for the remission of the duties on the painting presented by Benjamin West to the Pennsylvania hospital was taken up in committee of the whole, Mr. Desha in the chair.

[Mr. Newton delivered a brief, but very handsome speech on the occasion—we shall endeavor to preserve it. The bill was passed.]

The house then resolved itself into a committee of the whole, Mr. A. Smyth in the chair, on the "bill by which the right of citizenship may be relinquished."

On suggestion of Mr. Lowndes, that this was a subject of too much importance to be acted on with so thin a house, Mr. Robertson, of L. (the author of the bill) consented to its postponement, by the committee's rising and obtaining leave to sit again.

And the house adjourned to Monday.



## CHRONICLE.

MILLEDGEVILLE, DEC. 2.

The subjoined intelligence of the commencement of hostilities was received by the executive on Thursday last, and immediately issued from this office in an extra sheet, that our frontier citizens, exposed to danger, might be put on their guard against those predatory attacks of the Indians, which seldom fail to follow such an occurrence. The governor has ordered out the Pulaski troop of cavalry, a company of infantry from Wilkinson, and another from Laurens, for the protection of the frontier below Hartford. Other measures of defence will be adopted, should they prove necessary.

*Copy of a letter from major general Gaines to the governor of Georgia, dated at Fort Scott, (near the confluence of the Flint and Chatahoche rivers) 21st. Nov. 1817.*

Sir—The first brigade of United States' troops arrived at this place on the 19th instant. I had previously sent an Indian runner to notify the Fowl town chief Ene-he-munt-hy, of my arrival, and, with a view to ascertain whether his hostile temper had abated, requested him to visit me. He replied that he had already said to the commanding officer here all he had to say, and that he would not come.

He had warned major Twiggs not to cross, or cut a stick of wood on the east side of Flint river, alleging that the land was his, that he was directed by the powers above and below to protect and defend it, and he should do so. This being the talk referred to, and his town having continued to be hostile ever since the late war, having participated as the friendly Indians assert, in the predatory war carried on for some time past against the Georgia frontier, I yesterday detached two hundred and fifty men (supposed to be about the strength of the town) under the command of major Twiggs, with orders to bring to me the chief and warriors, and, in the event of resistance, to treat them as enemies. The detachment arrived at the town early this morning and were instantly fired upon, but without effect. The fire was briskly returned by the detachment, and the Indians put to flight, with the loss of four warriors slain, and as there is reason to believe, many more wounded.

Among the articles found in the house of the chief, was a British uniform coat (scarlet) with a pair of gold epaulets; and a certificate signed by a British captain of marines, "Robert White, in the absence of colonel Nichols," stating that the chief "had always been a true and faithful friend to the British."

The reports of friendly Indians concur in estimating the number of hostile Indians, including the "Red Sticks" and Seminoles, at more than two thousand—independent of the blacks at and near Suwanney, within 120 miles of this place, amounting to near four hundred men, and increasing by the addition of every runaway from Georgia able to get to them. The friendly Indians inform me, that the hostile party and blacks have been promised a British force to assist them, from New-Providence. This promise, though made by Nichols and Woodbine, is nevertheless relied on by these deluded wretches, who I have no doubt, will sue for peace as soon as they find their hopes of British aid to be without foundation.

I have called the militia from Fort Hawkins to this place, and have directed colonel Brearly to confer with your excellency upon the subject of an additional battalion for the protection of the frontier from Oakmulgee to St. Mary's.

I have the honor to be, most respectfully, your obedient servant

EDMUND P. GAINES,  
Major general commanding.

*Later intelligence.*—We are indebted to the activity of the editor of the "Reflector," a very neat and well conducted paper printed at Milledgeville, Geo. for many particulars respecting the war with the Indians. We are compelled to make a very brief abstract of the information at present before us—

Col. Arbuckle, with 300 men, was attacked about 12 miles from Fort Scott by a party of Indians, who were put to flight with a supposed loss of 8 or 10 killed. He had 1 killed and 2 wounded. Several murders appear to have been committed by the Indians, and a party of 12 men are said to have been cut off from Fort Scott. The effective force at that place was from 800 to 1000 men. A body of friendly Creeks expected to co-operate, was collected at Fort Mitchell, under McIntosh. The Georgia militia were at Fort Hawkins, supposed to be about 220 miles from Fort Scott, which the Indians had appeared in the immediate vicinity of, and fired some shot on the boats that were building on the river. Warm work is expected—murders are numerous, and, by acting in small bodies, they have already done much mischief. They killed a man in the neighborhood of Fort Gaines; the whole country was in a state of alarm. The most unfortunate particulars that have reached us are that gen Gaines, ascertained that major Muhlenburg was ascending Apalacha, and dispatched two boats to his assistance, and to collect provisions. One boat commanded by lieutenant Scott, with 50 men, was attacked 12 miles below Fort Scott, and the whole massacred, except six, who saved themselves by swimming, four of whom were wounded. From the other boat, and another which had been up the river nothing had been heard.

## AMELIA ISLAND.

We have nothing important from Amelia, except to shew that the smuggling of negroes and goods has been extensively checked. A prize vessel with 118 slaves, going into Amelia, was captured by the Saranac on the 30th ult. Another with 250 slaves had just got into port. *The trade in flesh was brisk.*

Major general Floyd, of Georgia, was, in pursuance of a requisition, at the instance of the United States' authorities, issued orders for the draft of 500 men from that part of his command most contiguous to St. Mary's; in which vicinity it is supposed they are to be employed.

Died on the 23d ult. of a liver complaint at New-Orleans, *W. C. C. Claiborne*, esq. late governor of Louisiana, and recently appointed a senator of U. S.

☞ The snail pace of a weekly paper illy comports with our desires to furnish our readers with early accounts of the proceedings of the national and state legislatures, &c. nor will our sixteen well filled pages, at the present period, do much to relieve our files of the continually accumulating documents, &c. that press upon them; and we have also much matter in manuscript that we wish to dispose of. All that we can do is to make the best selections, and work through the whole as fast as we can, taking care that nothing important is lost.

We have a considerable mass of *foreign articles* prepared. They do not contain any thing of importance, but shall be inserted to keep up the chain of intelligence.

# NILES' WEEKLY REGISTER.

NEW SERIES. No 19—Vol. I.] BALTIMORE, JAN. 3, 1818. [No. 19—Vol. XIII WHOLE No. 331.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

A much respected old whig and a steady friend of the WEEKLY REGISTER, has given the editor a "rap over the k'uckles," for that which he wrote about the "compensation of congress" two or three weeks ago. The article shall have a place in the next paper.

One of the articles originally designed to be published in this work, has until now been delayed by repeated failures in our attempts to obtain a perfect copy of it—we allude to Mr. Gallatin's famous report on roads, bridges and canals. We are just about to receive a complete copy, and shall insert it in the REGISTER as soon as possible, as having a peculiar interest at this time.

The editors of the *Richmond Compiler* have furnished a list of all the newspapers published in Virginia—it waits for like returns from other states.

## The New-Year.

The editor of the REGISTER has the pleasure again to present the compliments of the season to his numerous readers and friends, and to wish them all a happy new-year.

"Old" 1817, just past, but already consigned to the heap of eternity, was not very productive of great events in any part of the world, so far as we are informed of its concerns. Suffering *Europe*, borne down with the crafts and crimes of princes and priests, has vainly endeavored to raise herself up, and assume an erect attitude—but her people, exhausted in the fruitless exertion, despondingly look for new homes, where labor is rewarded with the bread that it earns. *Asia* remains unchanged, except as to any effects that may have been recently produced by the fresh intrigues of the spoilers of *India*, to extend their range of rapacity and desolation. *Africa* dark and gloomy, as the complexion of her sons is, perhaps, worse than stationary as to improvement, with barbarism in her interior and her coasts infested by pirates and dealers in the flesh of men. Nor in *America*, where things change so suddenly, has any matter of material importance occurred: the great republic of the north steadily, and prosperously, pursues her course to population, wealth and power; and the new republics of the south are yet contending with their enemies with various success, but generally in favor of the cause of freedom. Their contests may give an interesting character to the events of the new year, and the affairs of the new world again involve the old in arms. Spain will, perhaps, make a last desperate effort to recover her colonies, and questions of interest may separate those that the "holy alliance" has unnaturally joined. And how we ourselves are to be affected by these things, no man knoweth—but we must expect collision, though we may avoid war. Spain is endeavoring to obtain an

ally in her war against liberty—without it, her cause is hopeless, and the colonies will soon be acknowledged independent; and she seems partially to have succeeded with "Alexander the deliverer:" who, though he already possesses a territory equal in extent to nearly an eighth part of the known habitable globe, seems desirous of stretching his arm to America, to get more land!—and yet, a little spot, six feet long and one and an half feet wide, will soon be all that will remain to him of his possessions. We do not know the extent and bearing of the late treaty between *Russia* and *Spain*;\* it appears evident that the former has sold certain ships of war to the latter to fight the patriots, but whether any *men* have been sold with the ships, we are not yet informed. These ships were daily expected to stop at a British port for refreshments, when our last accounts came away; and this would shew that the British approve of, or, at least, have no objection to the transfer. Perhaps, they would rather that these ships should be in the hands of *Ferdinand* than of *Alexander*; knowing that with the former they will be inefficient to any important purpose, against the colonies or against Great Britain. For, seeing it is so decidedly the interest of Britain that the colonies should be independent of Spain, in affording her a commerce of infinite value, and opening a vastly profitable and unrivalled market for her manufactures, we cannot but believe that if she does not act for them, she will not quietly suffer any other power than Spain, herself, to act against them; and the strange event may take place, of Great Britain and the United States acting

\*In return for the ships it is now confidently stated, that Russia is to receive the island of *Minorca* for a naval depot; and possibly the "*two Californias*" as heretofore intimated. The land forces reported to be on board the fleet may be for the purpose of garrisoning *Minorca*. A letter from Cadiz dated Nov. 10, says, "I give you the following from a source that cannot be doubted: About five days since, the Russian Ambassador to the Spanish court, arrived here from Madrid, his object is to meet his wife, who is expected here in a short time a passenger in one of the Russian fleet, now looked for daily, consisting of six line of battle ships, and nine frigates and transports, with 6000 Russian troops. Such is the fact from authority I cannot doubt, and the French consul says he has reason not to doubt it.—John Bull here, don't know what to make of it. Negotiations have been going forward between the Spanish and Russian courts for some time: Doubtless Spain, for the aid Russia may lend in her colonial struggles, has made over some equivalent in the Americas; but what, is all conjecture. The Spanish authorities are making splendid entertainments for the Russian ambassador: the first is given by the marine department of the Isles."



together in favor of the rights of man! We feel perfectly confident that nothing would prevent this, on her part, except her jealousy of us—but seeing that our march to strength cannot be impeded, perhaps, her ministers may discover it their true policy to be on the best terms with us, as, indeed, it truly is—and as we wish they may.

As to our own affairs, we may observe that another star was added to our constellation in the last year, by the admission of the new state of Mississippi into the Union. *Missouri* and *Illinois* are pressing to the requisite qualifications, and will soon prefer their claims to sovereignty. Our southern border has been disturbed by an Indian war, which, probably, had its origin in the vile intrigues of pretended British agents located in the *Floridas*, and against which we never can be secured until we obtain possession of the country. The territory is of no value to Spain, but to us is very important; and have it we must, if the state of things is not immediately changed. For nearly six years past they have been as an *enemy's country*, furnishing the points from whence murderous expeditions were marched, sparing neither age nor sex: *forbearance must have an end in repeated injuries*, and the time has nearly arrived when force will seize what justice has vainly requested of Spain, as well in regard to the money that she owes our citizens, for spoliations committed on their commerce, &c. as to that which it was her duty to perform as a neutral and friendly nation. It has been said, that Great Britain is opposed to a transfer of the *Floridas*, and that her minister near the United States has remonstrated against it—this has given rise to a waggish report that our government had also protested against the occupancy of the *Ionian* islands by the British!\* If the former is true, we sincerely hope that the latter is true also; it would be degrading to make a serious answer to such a remonstrance. The possession of the *Floridas*, by treaty or by force, will probably be among the interesting events of the new year.†

Several important matters will occupy the attention of the present congress of the United

\*The *American Centinel*, published at Philadelphia, says—"We are informed, from a source deserving of credit, that the British minister, Mr. Bageot, has protested, in the name of his government, against the purchase of Florida by the United States."

†The *New-York Gazette* of the 27th ult. says—"We learn from a correct source, that all governmental proceedings relative to the *Floridas*, are, for the present, suspended—in consequence, it is believed, of orders received by the Spanish minister from his government."

‡The above is rather improbable. We have no doubt but that *Amelia* is now in our possession.—The U. S. corvette *John Adams*, with the *Saranac* and *Enterprise* were at *St. Mary's* and every thing appeared ready to execute the orders of the president, at the moment of our last advices.]

States—among them is that relating to *internal improvements*—the bill to define the manner and declare the right of *expatriation*—a settlement of the great *judicial* question, as to the right and power of the state courts and state officers to execute the laws of the union, to arise out of a consideration of Mr. *Holmes'* resolution (see last no. page 295)—the enquiry into a better collection of the *revenue* of the United States, so as to prevent smuggling, and perhaps also a revision of the *tariff* to protect *domestic manufactures—et ceteras*; and especially in respect to the line of proceedings which shall be pursued in regard to certain of the *revolted colonies of Spain*. Each of these subjects afford matter enough for several essays, and we content ourselves with barely mentioning them for the present. Some of them may mark the character of 1818.

As to the concerns of the WEEKLY REGISTER—we have gratefully to say, that they never were so prosperous as they are now. A large number of *new subscribers* have been received, sufficient to meet and overbalance such names as we felt it a *necessity* to strike from our books, for neglect in paying their dues. But still the great object of obtaining an adjustment and settlement of accounts has been but partially obtained: Many are yet in arrears, whose cases we could not *definitively* act upon for want of information; and at very many agencies our affairs remain *statu quo*. The editor trusts that before or in *March* next, he will be relieved of a further extension of that most unpleasant self-duty which he commenced last September. How much would a little attention in his subscribers, decrease his labor and invigorate the establishment! But every paper that is not *regularly* paid for has been stopped or shall be stopped, as soon as he can act understandingly upon the case. The REGISTER deserves punctual payment—or it deserves nothing. *It is his pride that this is the opinion of a large body of its subscribers.*

NOTE.

\*But—two things, probably three, have happened—one in France, one in Spain, and one in England, that, though of the utmost *importance*, I had really forgotten in my brief notice of the state of Europe. Bless us! what are they?—says the reader. Why—the duchess of Berri, in France, and the queen of Spain, ran a "legitimate" race, and both got beat—the child of the former died just as it was born, and that of the latter—Oh! grief inexpressible—was a girl! The other thing alluded to is, that the sturdy lass, *Charlotte*, (for whom the wise people of England hired a lusty Dutchman to be her husband, at the rate of 4 or 500,000 dollars a year) was about to lay-in!—At our last dates, all the high officers of the crown, the "most reverend father in God," the archbishop of Canterbury, at their head, were held in readiness to be present at the *accouchment*! Many noblemen were also summoned for the purpose of assisting in the *august* affair! A score of doctors, surgeons and apothecaries were already in waiting; a wet nurse, after a most minute *investigation* and *examination*, was engaged; half a dozen

other nurses were appointed; messengers were rubbing down their horses in preparation of their office to carry the "glad tidings" in all directions; the servants of the family were drilled to their respective duties—one to hold the brandy, another the molasses, another a square piece of linen, &c. &c. Such, courteous reader, is the serious substance of a detailed account of what is published in the newspapers about the expected lying-in of Mrs. Cobourg! Gracious and mysterious Providence! that a "thinking people" should tolerate such fooleries! Might we not laugh if the woman was to make a "mis-go?" But we do not wish her any harm, except that she may not become a breeder of princes.

### Official Compatibility.

Among the things that should be carefully guarded against, is the heaping of several public offices upon one individual; as thereby an influence may be created that must always be considered as dangerous, until we shall have "angels in the form of men to govern us"—a circumstance that is not immediately expected! One question has been started in the house of representatives of the United States, and another in the legislature of Ohio, whose decision must have a tendency to define some interesting points as to what is compatible and what is incompatible, in respect to the holding of offices.

It appears that present sitting members of congress, at the time of their election several months ago, and, until a few days before they took their seats, held and continued to hold offices under the United States. The following is the clause of the constitution that touches upon the subject:

"No senator or representative shall, during the time for which he is elected, be appointed to any civil office, under the authority of the United States, which shall have been created, or the emoluments of which shall have been increased, during such time; and no person holding any office under the United States, shall be a member of either house, during his continuance in office."

Now—did these gentlemen hold two offices at the same time? True, they were to serve two years from the 4th of March last—but can they serve until they are qualified, and can they be qualified until a session of congress is held? Can they be members before they take their seats—is their election valid until it is tested by the house, which is sole judge of the election, of its own members? And if not qualified to act in one capacity, may they not act in another until they can be so qualified? We think that they can, though it would be better if it were otherwise—and that every one, before he should be considered as eligible to be elected, should also be eligible to act. The period for which he is elected, "two years," is of no importance; or the representatives from several of the states are not legally chosen. Those from Virginia, for instance, though considered as serving from the 4th of March last, were not elected until the following May. But their right to a seat

has not been contested on that account—the constitution seems entirely satisfied if when congress is required to be in session, its members are prepared to take their seats.

In Ohio a memorial has been presented to the legislature, setting forth that no person, acting as a director of a chartered bank of that state, or of the bank of the United States, can constitutionally hold a seat in either branch of the legislature or act as governor of the state. "On this memorial a committee of five members of the house of representatives was appointed, by ballot, which committee made a report, giving it as their opinion, that any person holding an office of director of a state bank, is disqualified from executing the office of governor; that no person who is a director in a branch of the U. States bank is eligible to a seat in the house of representatives; and further presented a resolution, recommending that a committee be appointed to enquire whether his excellency the governor is a director of any bank, and whether any member of the house of representatives exercises the office of a director of a branch of the United States bank. The report of this committee was referred to a committee of the whole house."

The adoption of such a principle would extend the doctrine of incompatibility to a great length, and ought to be cautiously considered. But it will probably receive a strong support from the sense of the people and their representatives of the danger to be apprehended from the continually increasing power and influence of the banks; which, indeed, are calculated to have a most serious effect upon the political rights and private interests of the people at large, by raising up an aristocracy to stand in the places of the dukes, earls and lords of the old world; to dispense or withhold their patronage as may suit their private views.—"Riches grow into luxury, luxury into despotism," or, to express the idea in a better aphorism of domestic product, "men feel power and forget right."

We have examined the constitution of Ohio to ascertain on which of its provisions the report alluded to is founded, and only see that no person holding an "office" under the United States or of that state can execute the duties of a legislator, governor, &c. and it would seem to us that the clause must be much strained, indeed, to extend it to the directors of companies incorporated by that state or the United States. Yet there is some plausibility in it; and, in the present instance, perhaps it may be rightful. But a thing that is abstractedly "right in itself" may be so far urged as to make it a wrong—and the subject is exceedingly delicate, view it any way that we can. For, are not the stockholders in all incorporated companies as well interested persons as the directors of them; and should a man who lays out a part of his money to make a road, dig a canal



&c. under the authority of a state, lose any his rights or privileges for his public spirit? Local, partial considerations ought not to influence a general principle. It is in the certainty of the law that there is safety.

### A Speech in a Dream!

Many extraordinary things happen to us in our dreams. I am not about to philosophise on the subject—but it is very strange, that the whole force of our imagination, supported by the united powers of every faculty that we possess when awake, should sometimes be so beggarly incompetent as they are to fashion the like of things which we have seemingly seen and heard in our sleep. Many curious questions present themselves on making this remark—but I have not time to discuss them; and, if they were discussed, they would amount to—nothing.

A combination of circumstances occasioned my employment at a late hour of Friday night, the 26th ult. in reading the proofs of the last number of the REGISTER. At about 12 o'clock I went to bed, at peace with all the world and with myself, and soon fell into a sweet sleep. A part of the proof that I had been reading related to the bill for the relief of the yet surviving officers and soldiers of the revolution: I was pleased with its passage through the house of representatives, and this, probably, caused the dream about which I am going to give a very imperfect account.

I thought that I was in the hall of the house of representatives when in committee of the whole, and that the bill alluded to was under consideration. It seemed to me that its leading principle had been opposed by somebody, and Mr. Clay rose to speak to the subject; which he did with such a flood of eloquence, so much majesty of manner, power of expression, and elegance of language, that I seemed to be fixed like a statue to the spot, and afraid to breathe lest I might lose a word that he uttered. On rising in the morning I recollected several entire sentences of this speech, and might, perhaps, have committed them to paper; but the bustle of business drove them from my mind before I had an idea of doing so, and I now have only a general remembrance of their sublimity and strength. My "mind's eye," however, can yet see a pair of portraits that he drew, though my pen cannot describe them. He drew a full length picture of a crippled, worn-out veteran of the revolutionary war, selling his certificates for "two-and-six-pence in the pound,"—and, the pittance that they produced being expended on his immediate wants, he placed him in the corner of a wretched cabin, in a dreary season, miserably fed, miserably clad, with nothing but an old rent blanket to cover him whilst he slept upon his tuft of

straw: then came on the howling storm—the snow was driven impetuously through the hut, the little fire of faggots was extinguished; and the poor soldier, huddled in his bed-place—excruciated with old wounds, and perishing with cold and hunger, groaned aloud: solitude added her horrors, for he was alone—there was no one to administer to his necessities, no one to cheer the agony of his spirit, no friendly hand to relieve the pains of his person!—I thought that Mr. Clay was himself overcome by the picture that he had painted; the tears rolled down his manly cheeks, and all the members of congress, with the auditors in the gallery, seemed to be dissolved with grief. The speaker paused—and the silence of the grave prevailed for about five minutes, except when interrupted by the half-stifled sighs of sympathetic bosoms. Recovering himself, he went on to draw another picture: he painted a rank old tory or refugee, ugly as sin and hateful as perdition, purchasing the soldier's certificates at "two-and-six-pence in the pound," funding them at "twenty shillings;" built up a palace for him with the profits; decorated it with the most costly furniture; served his table with all the delicacies of earth, air and sea; and filled his glasses with the choicest wines—"the sparkling Champaign, the rich Burgundy and the generous Madeira"—then put him to rest upon a bed of down, and told of the curses that he heaped upon the United States for their "*rebellion.*" When this portrait was finished, and the people saw it living before them, I thought that every eye glistened with rage, that every fist was clenched and every arm extended to inflict instant punishment upon a wretch so vile! But I am truly humbled in this attempt to describe a part of that which I seemed to see and hear; and excessively mortified that I cannot embody the spirited ideas that yet flit through my imagination—continually presenting themselves, but continually eluding my grasp. It appears to me as if I could cheerfully give fifty thousand dollars, if I had them, to be able to pronounce such a speech as I thought I heard. But I never shall hear a speech like that, or witness such an effect as it seemed to produce; for I cannot believe that the man has lived or is living who could pronounce it. My opportunity, however, for forming a correct judgment on this matter has been very limited—and my opinion is to be relied upon only for myself.

A circumstance once happened to me that has some analogy to the preceding, as shewing the power of the mind abstracted from personal sensibilities. Fifteen or sixteen years ago, then residing at Wilmington, Delaware, as I passed the house of the late venerable John Dickinson at 12 o'clock in the day, he was standing in the door and invited me in. After reproving me for not having called to see him, for he had been a little unwell, he said that he would have

a glass of old wine with me, the first that he had drank for six weeks. After taking a couple of glasses, in instant succession, he suddenly sat down and abruptly asked me, what I thought of the discussion then going on in congress on the great question about the judiciary? Having very briefly given my opinion—he said, in a sprightly manner, “I’ll tell thee mine”—on which he began an argument, soon became animated, and was uneasy in his seat; as he proceeded he elevated his voice, and, finally, rising slowly and unconsciously from his chair, he put forth his hand and addressed me as if I had been the chairman of a legislative body, with all its members present. I never have heard a discourse that was comparable to his *speech* for its fire and spirit, poured forth like a torrent, and clothed in the most beautiful and persuasive language. The graceful gestures of the orator, his fine and venerable figure, interesting countenance and locks “white as wool,” formed a *tout ensemble* that rivetted me to the chair with admiration. His delirium, if it may be so called, lasted nearly half an hour, when it was interrupted by one of the family entering the room. He stopped instantly with a word half-finished on his lips, and sat down in great confusion—apologized for his strange behaviour and entirely dropped the subject. Mr. Dickinson was an elegant speaker and one of the most accomplished scholars that our country has produced; but, perhaps, he never pronounced a speech so eloquent, so chaste, and so beautiful as that which he delivered before me as stated. It was his *soul* rather than his person that acted on the occasion, and a *master-spirit* it was. The argument was in favor of a repeal of the judiciary act.

### Local Banks.

We have a copy of a “*letter from the secretary of the treasury, communicating his reasons for not transferring the public monies deposited in certain state and other local banks to the bank of the United States*” —

This letter does not seem to be of sufficient importance to insert at length—pressed as we are for room; the transfers appear to have been made in all cases where the public interest, as well as the conveniency of some of the state or local banks, would admit of them: Nor does the public interest appear to have received any detriment from such proceedings. But instructions have been issued to the collectors to receive the bills of no bank which will not be credited as specie, by the bank of the United States, its offices and the state banks employed as places of deposit—and government, it seems, will soon be wholly relieved of the difficulties encountered by the want of uniformity in the currency. The secretary appears to have performed his duty, in respect to this matter, rightfully and reasonably.

### Army of the United States.

*Message of the president of the United States, communicating, pursuant to a resolution of the house of representatives of the 11th Dec. ult a report of the present strength of the army of the United States; its distribution among the several military posts; and its competency to defend the several fortifications, &c. &c.*

[ABSTRACTED FOR THE REGISTER.]

The letter of the secretary of war was laid before our readers last week. The following are the aggregates of the general return of the army:

General staff	115	Where on duty
Corps of engineers	124	West Point.
Ordinance depart.	337	At arsenals and laboratories.
Reg. of Lt. artillery	668	Mass. R. I. and Connecticut.
Corps of artillery	2,263	In permanent fortifications.
First reg. infantry	524	Louisiana and Mississippi.
Second do.	618	New York b. quarters Sacketts Harbor.
Third do.	491	H. Q. Michilimackinac.
Fourth do.	355	Alabama territory.
Fifth do.	409	Michigan territory.
Sixth do.	428	New York, h. q. Plattsburg.
Seventh do.	528	Alabama territory.
Eight do.	588	Lou. & Miss. and Illinois & Missouri T.
Rifle regiment	578	Illinois and Missouri territories.

Since the above returns, the 4th and 7th regiments, with several companies of artillery, have been temporarily assigned to the frontiers of Georgia:

Of which aggregates there are as follows—

Major-generals	2	Lieut. colonels	16
Brig. generals	4	Majors	18
Aids de camp	—	Adjutants	17
Adj. & ins. gen.	1	Quartermasters	14
Adjutants general	2	Pay masters	19
Inspectors general	2	Surgeons	11
Q. masters general	2	Surgeons mates	19
Assist. ad. general	4	Captains	136
— insp. general	4	First lieutenants	119
Dy. Q. M. general	2	Second do.	123
Asst. dy. Q. M. gen.	2	Third do.	19
Topograp. engineers	6	Cadets	4
Assistant do.	2	Sergeant majors	9
Paymaster general	1	Q. M. sergeants	27
Judge advocates	5	Prin. musicians	14
Chaplains	4	Master mechanics	2
Hospital surgeons	8	Mechanics	77
— mates	14	Artificers	143
Post surgeons	22	Laborers	122
Apothecary general	1	Sergeants	445
Assistant apothecaries	2	Corporals	442
Com. gen. of purchases	1	Musicians	396
Deputy do.	2	Privates	5,987
Assist. com. of issues	6		
Storekeepers	16		8,221
Colonels	12		

### Galvezton and Amelia.

DOCUMENTS CONTINUED.

#### OF AMELIA.

Mr. McIntosh to Mr. Crawford.

The Refuge, near Jefferson,  
Camden co. (Georgia) Oct. 30, 1817.

“DEAR SIR—The last letter I had the honor to address to you, was on the ninth of August; shortly after which the public papers announced that you had left Washington on a visit to Georgia. A few weeks after, I thought it not prudent to venture out of my swamp plantation on the Satilla, and since have been very little at St. Mary’s. Since general M’Gregor, and the greater part of his officers (some of whom were men of respectable standing in the United States) have left Amelia Island, there



It has not been so much ingenuity made use of in misrepresenting the conduct and intentions of the invaders of East Florida; and the accounts which are published of them, are for the most part generally correct. The present chief, commodore Aury, got the command very much against the inclinations of sheriff Hubbard and colonel Irwin.—When he arrived at Fernandina, with his squadron of privateers and prizes, they were entirely without money. He declared, “that if he gave them any aid, it must be on the condition of being made commander in chief; and that as general M’Gregor never had any commission whatever, the flag of the republic must be struck, and that of the Mexican hoisted and that Fernandina should be considered as a conquest of the Mexican republic, (under which he was commissioned) without its being necessary that any other part of the province of East Florida should be conquered.” Hubbard and Irwin reluctantly agreed to the mortifying condition of resigning the command. They were never friendly with the commodore, and endeavored, but in vain, to gain over by intrigue a part of his men. Their own party considerably increasing shortly after, they were several times on the point of coming to open war with Aury, and his followers; and under the pretence that Aury’s force were composed chiefly of brigand negroes. A few days before Mr. Hubbard’s death, (who was called governor without having any power) Aury marched to his quarters with a body of armed men, and obliged him to make such concessions as drove him to an act of intemperance, which soon after terminated his existence.

Since the death of this gentleman, there has been little or no disturbance among them. But it would appear as if the suspicions of the Frenchman did not die with Hubbard, as none of his privateers have left Fernandina.

The parties are designated as the American and French, and, I have been assured by individuals belonging to them both, that each are anxiously looking for reinforcements. Aury has a number of Frenchmen, who were, it is said, officers under Bonaparte. They find it their interest as well as inclination to support their countryman.

His great dependence, however, is on about one hundred and thirty brigand negroes—a set of desperate bloody dogs.

The American party, which are rather more numerous than the other, consist generally of American, English and Irish sailors; but now have no declared leader. Irwin wants either spirit or popularity to assume that character. For my own part, I believe that in point of morals, patriotism and intentions they are exactly on a par. Aury’s blacks, however, make their neighborhood extremely dangerous, to a position like ours; and I fear that if they be not expelled from that place, some unhappy consequences may fall on our country. It is said that they have declared that if they are in danger of being overpowered, they will call to their aid every negro within their reach. Indeed I am told that the language of the slaves in Florida is already such as is extremely alarming.

The patriots at Fernandina had about ten days ago an unexpected and strange reinforcement.—Twenty half pay British officers, by the way of Turk’s island, arrived at St. John’s river, and mistaking it for Amelia, a colonel and a couple of others were made prisoners by the Spaniards. The others got safe to Fernandina; but finding that general M’Gregor had abandoned it they determined immediately on doing so too.”

*Extract of a letter from Mr. Clark, collector of St. Mary’s to Mr. Crawford.*

Collector’s office, St. Mary’s, Georgia,  
1st November, 1817.

*Honorable William H. Crawford,*

Sir—I hasten to communicate the following information by letter, received from a gentleman residing on St. John’s river, East Florida. The subject in its bearings, presents considerations of the first importance, as to our political relations with Spain.

The following is extracted from the same:

*“Pablo river, St. John’s, October 24, 1817.*

About sunset a yawl boat arrived at the landing, when seven persons came from her, who requested shelter for the night, and some refreshment, stating that they were half-pay British officers of the army and navy, from the island of St. Thomas, on their way to England, via the United States: that they had mistaken the bar for St. Mary’s, that they left the schooner in the offing under that impression, and intended to send her a pilot by the return of the boat. After staying all night, they embarked at daylight, having procured a negro pilot to conduct them inland, to Fernandina.

Col. M’Donald, in thanking me for the hospitality he had received, said he felt bound as a gentleman to be candid, and accordingly informed me, that they had lately arrived from London at St. Thomas, in the ship Two Friends, with a great number of officers and munitions of war in abundance; that he had with him 30 officers on board the schooner; that he would command in this quarter; that they would have men sufficient, and a profusion of every thing necessary for active operations. They wanted a war with Spain, and that he had power to draw on England for 100,000 pounds sterling: that they would have a fine train of artillery; and that all these supplies were actually on their way or shipping; that a number of gun brigs and sloops would leave England, reported for the East Indies; but were bound directly here, and to South America.—That they were much disappointed at St. Thomas, on hearing M’Gregor had left Amelia island; and that the capture of Amelia was known prior to their leaving England.”

These officers have a soldier-like and genteel appearance and all have their commissions; they said “their object in leaving the schooner was to reconnoitre.”

They have all since arrived at Fernandina.

I have the honor to remain, &c.

(Signed,) ARCHD. CLARK.

*Extract of a letter from captain John H. Elton, to the hon. B. W. Crowninshield, secretary of the navy, dated*

U. S. brig Saranac, Cumberland Sound,  
September 26th, 1817.

“The patriotism of Amelia island appears to be confined to privateering and plundering. General Aury has the command,” &c.

*Extract from a letter from captain John H. Elton to the hon. B. W. Crowninshield, secretary of the navy, dated.*

U. S. brig Saranac,  
Cumberland Sound, October 10, 1817.

“I have detained a felucha, or small schooner that

“Captain Thomas was at St. Mary’s with Cockburn, and lieutenant of the ship that fired on gunboat 168, after the peace.

sailed from Fernandina, under a commission granted by general McGregor to one John Morrison, for two reasons; first, as a pirate for having captured an English schooner with regular papers, bound from Nassau to Barracoa, called the Brothers; the commission was granted to John Morrison a citizen of the United States, and who, during the cruise, resided at St. Mary's, in Georgia, and the commission was made use of by one Edward Fenner, who likewise captured a Spanish schooner; both are detained for investigation. They have been out some time, and have received provisions from some English and American vessels they say, gratis. The crew consisted of 18, and I suppose they could not carry provisions for ten days. On the 6th instant I detained the schooner Hornet; she was commissioned by general McGregor 22d July last, John Smith commander. She cleared out from Philadelphia in August as the Traveller; she received her arms and men in the Delaware bay, near Lewistown. On the 6th or 7th September she, for the first time, assumed the name of the Hornet, went off Cuba, made two prizes, the crew mutinied, and in that state was coming in."

"Until I get directions how to consider the island of Amelia, and the people bound to that place, it will be impossible to prevent either slaves or goods being smuggled."

"As most of the patriots there are on-day an American citizen, and the next at Fernandina, 'tis easy for them and their agents to evade all the vigilance we are possessed of. One small Spanish vessel, a prize to a privateer, got into the port before we could board, with seventeen slaves. I would have taken her out immediately, but I considered it neutral ground, and that it was the wish of government not to infringe—fearful of that error, our boats are generally sent out to board at sea."

*Extract of a letter from captain John H. Elton, to the secretary of the navy, dated United States' brig Saranac, Cumberland Sound, Oct. 19, 1817.*

"Day before yesterday I sent out to detain a Spanish slave vessel prize to a Mexican privateer: the captain and owner came in to converse with me, and the officer, neglecting to leave any persons in charge, the people from Fernandina went secretly off, and landed all the blacks on the outer part of the island."

*Extract of a letter from captain John H. Elton, to the secretary of the navy, dated United States' brig Saranac, Cumberland Island, November 15, 1817.*

Sir—On the 9th instant I sent a boat out to board a vessel from sea. The officer had not been informed to take charge of her, until I had thoroughly overhauled her, if she was a slave vessel. He was at Savannah when the instructions were issued. He returned, and reported it was a slave vessel, prize to the Brutus privateer. I despatched a boat to bring her in for examination. The officer, acting sailing master McCluny, met her coming in, and, as it was dangerous to leave her to, remained on his oars, and dropt alongside. They pretended to give him a rope; they did not, but passed him; he caught by a boat astern. The prize master threatened to fire on him, if he attempted to board; and, when musketry was fired under his stern, it was returned. The alarm was given by the boat. I unfortunately was on Cumberland Point, where only one gun was mounted, from which we fired two shot to bring her to. The first lieutenant fired three from the brig. Two of the five struck her, but she succeeded in

getting into Fernandina. Although irritated at the insult, I did not conceive it correct to attempt force, to have her driven from neutral waters, but proceeded as I thought most correct; and the enclosed correspondence has passed between general Aury and myself. 'Tis true, shot was fired at her when close to Amelia, but the officer assures me she was on the northern part of the channel when he attempted to board. If half the depth of water is allowed us, she was on our side. I have informed you that the channel over the bar was on their side, or to the southward of a direct line drawn between the islands to the sea. I never have been instructed on that head, but I really think they hold the island by too precarious a tenure, to be yet so very tenacious of their rights. A verbal answer was returned, at first, to my application, that they would protect her. Not knowing how the United States wished to view these people, I did not think proper to attempt to destroy the establishment, but sent out lieutenant commandant E. B. McCall, to bring back the privateer Jupiter, to remain as a pledge until I heard from government. It has excited considerable feeling, and no other privateers attempted to sail. The slave vessel was brought over last night, but every thing but slaves, and a small quantity of rice, was taken from her, and she appeared in a very filthy state. The prize master was not sent, neither any of the prize crew. I have written for the former—whether he will be sent I cannot vouch. Yet, as retribution could so soon be had, if force was authorized, and wishing not to interrupt harmony, if it is wished by the United States, I have released the privateer Jupiter; and the High Flyer sailed immediately on a cruise.

A prior correspondence took place, as regarded captain Farnham. It was represented to me that he was a citizen, and only went there to trade. It appears he has been in the service of the patriots for some time. The application was, of course, dropped.

I shall send the slave vessel to Savannah for adjudication, and if the prize master is found, shall send him also. He is an old offender, by the name of Austin.

The situation of Amelia is, by no means, a quiet one. Those at present there act very strangely. There has been a French party and an English party—they have been in constant alarm of each. The French party is now trying as many of the English party as possible, and strangely are making a Botany Bay of the United States, as you will perceive by the proclamation enclosed. So much discontent prevails, that I should not be surprised to see them engaged in civil war. The slave vessels that have hitherto entered Fernandina, I have no doubt have smuggled all their slaves to the United States. Small boats are permitted to pass and repass; as they are rowed by slaves, they can smuggle one or two at a time without detection. Another mode of smuggling is, that the law makes no provision how to consider boats of less than five tons. I sent one of that description to the collector. She was filled with provisions and naval stores from Savannah to Amelia—she had no clearance—the law requires none; but from a passenger on board, I had no doubt, in my own mind, it was to fit out a former slave vessel as a privateer. She was released by the collector. Am I to stop arms, ammunition, &c. bound from the United States to Fernandina, if not cleared as such? They term them boxes of merchandise very frequently, and sometimes have more than they clear out.



*Extract of a letter from Thomas Wayne, esq. purser on board the U. S. brig Saranac, dated St. Mary's river, September 27, 1817, to Benjamin Homans.*

"On our arrival here, we found gen. M'Gregor in command of Amelia Island. A few days afterwards he decamped, and embarked on board the privateer M'Gregor, formerly the St. Joseph. The command of the island devolved on colonel Irwin, an American, who was, in a few days, attacked by the Spaniards. After an engagement of forty-eight hours, which was all smoke, it terminated without the loss of a single life, and the Spaniards retreated.

"The noted Woodbine, of infamous memory, arrived here from Nassau, with a view, as was said, to join the patriots; but his friend, M'Gregor, having left the cause, he was disappointed and embarked with M'Gregor, who sailed a few days since for Nassau, to commence some new expedition, which, it is generally supposed, will be to the bay of Espirito Santo, or bay of Tambo, in latitude 28° 15' N. and longitude 76° 30' W. This is an extensive bay, and capable of admitting ships of any size, contiguous to which are the finest lands in East Florida, which Woodbine pretends belong to him by virtue of a grant from the Indians. He says, he has surveyed the whole of the Gulf of Mexico, and Tambo bay is the only place into which large ships can enter.

"The patriots of Amelia are a most heterogeneous set, consisting of all countries and languages, except Spanish Americans. Among them may be found, Americans, French, Irish, Scotch, English, Dutch, Germans, Haytians, Petions, &c. all come ostensibly to aid the cause of the patriots of South America; but their real motive is, no doubt, to prey upon whom they can. Should they continue in Amelia Island, the place will become a second Barrataria.

"At this time the government consists of Mous. Aury who is commander in chief of the naval and military forces; and Ruggles Hubbard, formerly high-sheriff of New-York, is the civil governor.

"A number of prizes of considerable value, have been brought into Amelia by Aury's squadron.

"It appears to be the anxious wish of the inhabitants, of the opposite side of the river, to be under the American government, as they are not now secure from either party."

*Extracts of letters from Robt. M. Harrison, esq. consul of the United States at the Island of St. Thomas, to the secretary of state.*

St. Thomas, 20th April, 1817.

The increasing number of American seamen, whose ill success in the privateers and pirates that infest those seas, induces them to relinquish those unprofitable pursuits, whenever an opportunity offers, and who almost universally swarm to this island to claim my protection and support, so that they daily almost surround my door, renders it again my duty to request instructions from the Department of State. I have not yet extended to such men any more than a partial assistance, though many of them are in the greatest possible distress, considering that the expenditure of such large sums of money might be considered as advancing beyond the bounds of my duty. It is much to be regretted that the disappointment sustained by so great a number of our seamen should not be sufficient to deter others from embarking in such enterprizes."

St. Thomas, 30th May, 1817.

"Numbers of American vessels, originally bound to the Spanish main, where their cargoes could have been disposed of to great advantage, have been deterred from a prosecution of their voyage, from a dread of the piratical cruisers that infest those seas,

and have been actually obliged to sacrifice their property here, whilst English vessels prosecute the trade in perfect safety, merely from the circumstance of there being a few British vessels of war in the West India seas. The presence of one of our smallest armed vessels would completely awe those marauders, and enable our merchant vessels to prosecute a legal trade in safety. Her presence, (of the Boxer,) in this neighborhood would be attended with the most salutary effects."

"We have copied the documents respecting Galvezton and Amelia as selected by the editors of the National Intelligencer, with the single addition of the number of private armed vessels lying in the port of New Orleans, as listed by the collector—and have also compared the selection with the body of the documents submitted by the president for ourselves, and agree with the editors of that paper that "nothing is omitted that is material to a correct view of the subject."

In presenting these documents, the National Intelligencer observes—"It may be remarked, in regard to these documents generally, that there are occasions on which information is communicated to a government, a disclosure of which would be prejudicial to the public interest, or to that of individuals who have given it. The president, it will be recollected, communicated, as requested by congress, such documents only as were conceived not improper to be made public; and—though we have no particular information to justify the suggestion—this appears to us to be one of those occasions on which the executive might act unwisely by exposing to the world all the information in its possession."

We decidedly agree with the sentiment contained in the preceding extract, and think that too much has been communicated as to the names of certain individuals, who may thereby be excited to acts of outrage against such as communicated the facts, their character being, in some cases, of the very worst description.

## Legislature of Maryland.

IN COUNCIL.—Annapolis, Dec. 1, 1817.

GENTLEMEN.—In conformity with the resolutions of your honorable body, at its last session, imposing certain duties upon this department, we have the honor to state, that the honorable John C. Herbert and James Fenwick, esq. were appointed commissioners on the part of the state of Maryland, to meet such commissioners as might be appointed on the part of the commonwealth of Virginia to arrange and devise some efficient mode of protecting the fisheries on the Potomac river, by inhibiting steam boat navigation on said river during the month of April. No official notification of the appointment of commissioners on the part of Virginia has been communicated to this department, arising, not from any disinclination to co-operate in the prosecution of the measure, but as we have reason to believe proceeding wholly from an adjournment of its legislature before any communication from this department could be received by it.

We have the honor further to state, that twenty-five copies of the new edition of the laws of the United States, printed under the direction of the secretary of state, and the attorney-general of the United States, have been purchased and partially distributed.

It will be recollected by your honorable body, that the sum of eight thousand dollars was placed at the disposal of the executive, for the purpose of

collecting the public arms, camp equipage, and munitions of war generally, which had been distributed among the several regiments during the late war. This measure was recommended by the executive to the last general assembly, with a view to prevent emigrants to the western states and territories from carrying the public arms out of this state. It is to be lamented that this resolution cannot be carried into effect, as fully and effectually as could be wished, owing to the want of system and discipline in the militia of the state, arising as well from the resignations of militia officers, as from defects in the system itself.

Your honorable body are well aware, that by the law of the United States, and the rules of the war department, it is required of the adjutant generals of the respective states, that they make an annual return of the militia of the state to the inspector and adjutant general of the United States. As no provision by law now exists by which this object can be effected, we feel it our duty to recommend to your honorable body, the enactment of a law upon the subject, making it the duty of the major generals commanding divisions, to make return annually to the adjutant general of the number of militia in their respective divisions, and compelling the brigadiers, colonels, lieutenant-colonels, majors and captains, to make such annual returns to their respective immediate military superiors, under such penalties and forfeitures as to the wisdom of the legislature may appear expedient and necessary.

We deem it further our duty to state to your honorable body, that the claims and vouchers against the United States for the military expenditures have been fully arranged, and are now in a state of complete preparation, and will be submitted to the general government by the state agent as soon as possible; and we have the strongest reason to believe and hope, will receive the quick attention of the general government; the principal obstacle to an adjustment being the difficulty of fixing on some general principle which may be found applicable to the claims of the states generally.

The law of the last session, appointing an agent to collect the state's debts, has not been carried into effect, as the agent appointed by the law has not accepted of the appointment. We are of opinion that this law must fail in its effect, so long as the amount of compensation which the agent shall receive for his services is uncertain, and depends upon the amount of the valid debts; we therefore respectfully recommend the appointment of an agent, with a certain annual salary.

Contracts have been made with the Registers of the land-office for an Index of the names of all the lands surveyed and patented, and of the unpatented certificates, since the revolution to the present time, which work is in a state of considerable forwardness.

We herewith transmit a copy of a work entitled, "Rules and regulations for the field exercise and manœuvres of infantry, compiled and adapted to the organization of the army of the United States, agreeably to a resolve of congress," together with an accompanying letter from the author.

We also herewith transmit a proposition of Nathan Starr, of Connecticut, offering to contract with the state of Maryland for any number of swords which they may require.

Which are respectfully submitted to the inspection and consideration of your honorable body.

We have the honor to be, with high consideration and respect, your obed<sup>t</sup> serv<sup>ts</sup>.

C. RIDGELY, of Hampton.

The hon. the general assembly.

## CONGRESS.

SENATE.

December 29.—Mr. *Tuit* offered the following motion for consideration:

*Resolved*, That the committee on the militia be instructed to enquire into the expediency of augmenting the pay of the militia when called into the service of the United States. [Agreed to next day.]

A message was received from the president of the United States, by his private secretary, communicating the following report, in compliance with the senate's resolution of the 16th inst.

"Department of state, Dec. 24, 1817.

The secretary of state, to whom has been referred the resolution of the senate of the 16th inst. requesting information touching the execution of so much of the first article of the treaty of Ghent as relates to the restitution of slaves, which has not heretofore been communicated, has the honor to report to the president—That no answer has been received from the British government to the proposal made by order of the late president, on the 17th September, 1816, that the question upon the different construction given by the respective governments to that article should be referred to the decision of some friendly sovereign; that the late minister of the United States in England, before his departure from London, renewed the request for an answer, and that the present minister at the same court has been instructed to invite again the attention of the British government to the subject. All which is respectfully submitted.

JOHN QUINCY ADAMS.

The message and report were ordered to be printed.

December 30. The president of the senate communicated, from the secretary of the treasury, in obedience to a resolution of the senate of the 24th inst. a statement of the amount of duties on imported salt during the years 1815, 1816, and 1817, and a statement for the same years of the amount of drawbacks paid to vessels employed in the fisheries, and on pickled fish exported; which being read,

Mr. *Smith* moved that the said statement be referred to the committee on finance, with instructions to enquire into the expediency of repealing the law laying the duty on salt. This motion lies on the table.

The senate resumed the consideration of the bill for the relief of Silas Willard.

[Some discussion took place on this bill, from which it appeared that the case is this: that the petitioner was the bail of John M. Willard, who was indicted in the circuit court of Vermont for trading with the enemy in Canada during the late war; that the accused, flying the country, and not standing a trial, his bond was forfeited, and his bail became responsible. He prays relief; and his petition is supported by good evidence that the bail required was excessive; that he has been since reduced to poverty, and is a man of the fairest general character.]

It was not denied that the petitioner merited relief; but, it being suggested by Mr. *Stanford* that the president was already authorised by law, on the recommendation of the secretary of the treasury, to extend relief to insolvent debtors to the United States in certain cases, and that legislation in this case was unnecessary—

The bill was, with the consent of Mr. *Roberts*, the chairman of the committee who reported it, postponed to Friday next.



Mr. *Daggett* submitted the following motion for consideration:

*Resolved*, that the president of the United States be requested to cause to be laid before the senate a statement of the proceedings which may have been had under the act of congress passed the 3d of March, 1817, entitled "an act to set apart and dispose of certain public lands for the encouragement of the cultivation of the vine and olive."—Also, that the president be requested to give to the senate such information as he may possess in relation to any location of land, or settlement made by any individuals under the aforesaid act.

December 31. Mr. *Burrill* submitted the following motion for consideration:

*Resolved*, That the committee on the District of Columbia be instructed to enquire into the expediency of commencing the erection of the centre building of the capitol, and of making provision for the speedy completion thereof. That said committee be also instructed to enquire whether suitable apartments can be had in the capitol for the reception and accommodation of the library of congress; and, in case such apartments cannot be had there, to enquire into the expediency of purchasing or erecting a convenient building for the library.

Mr. *Burrill* also submitted for consideration the following motion:

*Resolved*, That the committee to whom was referred the petition of the committee of the Yearly Meeting of the Society of Friends at Baltimore, be instructed to enquire into the expediency of so amending the laws of the United States on the subject of the African slave trade, as more effectually to prevent said trade from being carried on by citizens of the United States, under foreign flags; and also into the expediency of the United States taking measures, in concert with other nations, for the entire abolition of said trade.

Mr. *Tait* gave notice, that on Friday next he should ask leave to introduce a bill, in addition to an act "making an appropriation for repairing certain roads therein described."

Mr. *Sanford* gave notice, that he should on Friday move a resolution for the publication of the journal of proceedings of the convention of the United States, now remaining in the office of the secretary of state.

The resolutions yesterday offered, were taken up and agreed to.

The *National Intelligencer* of Saturday last contains a list of the petitions presented at the present session of congress. It occupies five columns in small type. Some of them are pretty generally interesting, but really we have not room for them.

The following is a sketch of the speech of Mr. *Trimble*, of Kentucky, on offering his resolution for an enquiry into the confinement of Mr. *Meade*, at Cadiz. See page 295.\*

Mr. *Trimble* said, that, having offered the resolution, it might be expected that he would give some explanation of the case to which it alludes. He had a right to presume that every member of the house had heard of the confinement of Mr. *Meade*. More than three years ago that gentleman had been incarcerated in a Spanish dungeon, where he had ever since remained. It was within his (Mr. *Trimble's*) recollection, that many persons had expected that the last congress would have caused an

enquiry to be made into the subject; but since that period, the case had assumed a new character, of most extraordinary complexion. It was well known, he said, that Mr. *Meade* is a citizen of the United States, and, he believed, was, at one time, an accredited consul, resident in some part of the Spanish dominions. Either character ought to have protected him from violence and outrage. But, unfortunately for him, they did not. The causes which produced his confinement were unknown to Mr. *Trimble*: they were probably buried in the vaults of the inquisition. That, however, was of little consequence, if the facts he was about to state were true; and that they are true was evinced, he said, by a document which he held in his hand, and which he said, struck the mind with as much force as if it was marked with the characters of official certainty. I am prepared, said he, to admit, that if a citizen of the United States shall violate the penal or criminal code of any country, he must submit to the punishment which may be inflicted on him: but such is not the case of Mr. *Meade*. It was not contended, he said, that the person in question had violated the letter or spirit of any part of the penal or criminal code of Spain—and, on the contrary, the document which he held in his hand afforded the highest evidence that there was no cause of complaint against him. Upon some urgent and vigorous remonstrances being made on the subject by our minister, Mr. *Erving*, a public notorious royal order was issued. Mark me, sir, said he—a public notorious royal order, announcing to Spain, to America, and the whole world, that there was no cause for the detention of Mr. *Meade*, and directing his immediate release. How the aching heart of Mr. *Meade* must have throbbled and swelled, cheered with the prospect of leaving in a few hours his loathsome pestilential dungeon, to breathe once more the free and wholesome air! How it must have sunk and died within him, when the doors of his "prison house" were unbarred by a meagre minion, who had come skulking through the vaults of those abodes of death, with another secret order. Mark me, again, sir—another secret order, issued at the same time, under the same royal signature, commanding his keeper to hold the prisoner at his peril. Yes, sir, one order public and notorious for release, and another secret order for confinement, of the same date, and under the same royal signature. If these facts be true, the case stands without a parallel in ancient or modern times. Even the case of *Czerney George* has no similitude: he was a monster, executed by the Turk, because he had in cool blood, plunged his sabre through the heart of his own father. Whereas Mr. *Meade* is acknowledged to be an innocent victim, suffering under royal displeasure. I will not attempt, said Mr. *T.* to paint the horrors of a Spanish dungeon, or the sickenings of hope at protracted confinement. It is not my wish to excite public feeling, and I utterly disclaim all intention of connecting this subject with other questions, now under discussion, or which may fall under discussion, between this government and Spain. Mr. *T.* averred also that he had entire confidence in the late and present executive heads of the government, and had no doubt that every thing which could be done had been done in behalf of Mr. *Meade*. But he held it the duty of this house to enquire into this (he would again call it) extraordinary case, and if the facts and circumstances shall require it, make such expression of its opinion as will add weight and force to future executive exertions. If the case were as well founded rumor told, he for

\*The imprisonment of Mr. *Meade* was strangely called *impressment* in the last number.

one was ready to volunteer his arm in defence of Mr Meade, and breast the storm, unfeared consequences. For, said he, while I have the honor of a seat in this house, no lawless despot shall lay an angry *finger* on a fellow-citizen of mine, without the hazard of bringing that *finger* to the *block*. He was one of those, he said, who were willing to believe that we ought not at this time uselessly to embroil ourselves with any foreign power, and he was thoroughly satisfied that it is our best and wisest policy to husband our resources, our men, and our means, to meet the coming conflict with the only nation that *dare* strike us upon land or on the water—the only nation that can send us a Hannibal, or whom we shall revisit with a Scipio—that nation who has already sacked our infant Rome, and whose proud Carthage we shall one day humble in the dust, and sweep with the besom of retributive desolation. But, said he, there are no present circumstances, or looked-for events, that ought to incline us to harden our ears, that we may not hear the calls of a suffering citizen, imploring our protection. Solon, I think it was, upon being asked, "What form of government is best?" replied, "That form in which the smallest insult offered to the meanest citizen is considered an injury to the whole community." Could a better maxim be adopted in a government like ours? Is there any thing which so exactly accords with the principles of our constitution? This, it is true, is but a single instance of individual oppression; but the outrage done to the personal rights of this victim; the infraction of national law; and the affront, the insult offered to our government, is exactly the same as if half a million had been incarcerated; for he held that our system of government is the true poetic chain, which links us together as a band of brothers—and

"If from that chain a single link you strike,  
Ten, or ten thousand, break the chain alike."

We are bound, sir, said Mr. T. under our constitution, to protect the life, liberty, and property of every citizen of our country. But where may he claim that protection? Or rather, where shall his right to claim it cease? Is it confined to the limits of the union? or does it not extend to the remotest region of the globe which is visited by our people? May the citizen claim it against the savages of the western wilds, and is he not entitled to it, among the still more lawless chieftains of a decaying, perishing and ruined monarchy? It is not in this land of liberty that the citizen need call for protection; here it comes, as it were, unbidden, to encompass him about; but, when oppression falls upon him in a foreign land, among strangers, friendless and unprotected, his supplicating voice should not be heard in vain; for every thing which is obligatory in the social compact, or honorable in humanity, calls for and commands your protection, as if he stood upon the sacred soil that gave him birth. Who of us, said Mr. T. in the condition of Mr. Meade, would not ask this inquiry of the house? Which of us will refuse it? For the honor of my country I hope there is not one.

The motion of Mr. T. was agreed to without opposition or further debate.

[The New York *National Advocate* makes the following remarks on the case of Mr. Meade, which the editor says "has been brought up before congress and develops a system of base persecution on the part of the Spanish government, which requires the interference of this country. We are in possession of additional facts, which we shall endeavor to publish in our next. We cannot, however, avoid observing, that greatly as we deplore the confinement

and oppression of Mr. Meade, and anxious as we are to see him rescued from the fangs of a merciless set of men, we are persuaded that his persecutions arise from too intimate a connection with that government. We were witness to this fact on the spot, and saw plainly the result. The pamphlet which Mr. Meade wrote against the regents was a correct detail of facts, which occasioned their removal by the *cortez*. The revolution of power has brought these disgraced officers once more in the cabinet, and they now revenge themselves on him.

An American merchant in a foreign country, must sell his flour and tobacco tranquilly, but have nothing to do with the government; that will answer in this country, where the *people* are the government, and no person can be wronged with impunity. It is worse than futile for an American to attempt ingrafting the principles and sentiments of his country on the Spanish monarchy; and, unfortunately Mr. Meade knew too much and felt too great an interest in the public affairs. However, we trust that whatever can be consistently done by our government, to enforce his release, will be speedily adopted. A personal and intimate acquaintance with Spanish policy and humanity, derived from the gloomy example of Philip the 2d, satisfies us that Mr. Meade has nothing to hope for from their mercy, but probably eternal confinement. One fact will illustrate the position.

During the time that Mr Charles Pinckney was minister in Spain, or probably when Mr. Erving was charge des affaires, a person was in the employ of the legation by the name of doctor Gough, an Irishman by birth, but extremely attached to this country and possessing a frank, honest disposition; he attempted to convey some English despatches with the American ones out of the country, and was intercepted and suddenly missed. Inquiry was made for him without effect, and it was suspected that the stiletto had been too successfully applied on the occasion. When lord Wellington besieged and captured Pampeluna, forth issued from one of the deepest dungeons of that fortress our doctor Gough, pretty well as to health, but a little fatigued and out of humour at probably *ten years* confinement; and had not that event occurred, he would in all probability, have never seen the light of day.—This will be the case with Meade, unless means are taken to interfere with effect. No nation presumes more than Spain—but ignorance and fanaticism are no excuse]

When Mr. *Newton* introduced the bill to remit the duties on West's painting, he said "the object of the bill under consideration was to remit, to the Pennsylvania hospital, the duties on a painting, called "Christ in the Temple healing the Sick," presented to that institution by Benjamin West. The British government, with a liberality and promptitude that does honor to it, remitted every charge incident to the exportation. The reception of it in this country would, Mr. N. said, he trusted, be met by the government in a spirit not less gracious and liberal. The munificence of this celebrated artist, a munificence, the exercise of which belongs only to genius of a superior order, and of extensive acquirements, would, he hoped, be acknowledged in such a manner as to manifest the sense this government entertains of the respect shown by him for this nation. The painting, Mr. N. added, is considered as the *chef d'œuvre* of his pencil. The present is designed as a memento of the love that illustrious man bears his native land. It is also high-



ly complimentary to the taste and judgment of this nation. The painting moreover reflects honor on this country, and extends its fame, as it is the production of an American. Permit me, said Mr. N. to congratulate my country on her rising fame. The genius and skill displayed by Trumbull; by Stewart, by Vanderlyn, by Sully, by Peale, and many others, secure to each an imperishable fame, and to their country renown. A new epoch has commenced—its progress is auspicious. The Grecian, Italian, Flemish, French, and British schools will be rivalled and equalled in time, by our own. I congratulate those who are endowed with genius, but whose means are too limited to enable them to seek, in distant regions, the acquirements necessary to form and fix their judgment, and to give to their taste the characters of delicacy and correctness, on the prospect they have of completing their studies in their native land, under political institutions that give to genius full scope, and the enjoyment of its creations, and that leave to emulation the influence of developing its powers. The inspiration thus kindled, diffused and made active, will bestow on their works whatever can delight and enchant the mind, and soften and meliorate the heart. Mr. N. asked pardon for this trespass. Had he said less—and less he could not have said—he should not have performed his duty, and done justice to his feelings. He hoped the bill would pass unanimously.

#### HOUSE OF REPRESENTATIVES.

*Monday, Dec. 29.*—Mr. Pindall, from the committee to whom the subject had been referred, reported a bill to amend the act respecting the recovery of fugitives from justice, and persons escaping from the service of their masters, [providing the means to be pursued for the recovery of slaves escaping into another state, and affixing the penalties for harboring such fugitives, or obstructing their recovery, &c.] The bill was twice read and committed.

A message was received from the President of the United States, by Mr. J. J. Monroe, his private secretary, transmitting, in compliance with a resolution of the House, of the 12th inst. the following report:

*“Department of State, Dec. 26, 1817.*

The resolution of the House of Representatives of the 12th of this month, requesting the President to communicate to that House whether any and which of the representatives named in the list thereto annexed have held offices since the 4th of March last, designating the offices, the time of appointment and acceptance, and whether they were at that time so held, or when they had been resigned, having been referred to this department, the Secretary has the honor respectfully to report to the president as follows:

*John Holmes*, of Massachusetts, commissioner under the 4th article of the treaty of Ghent, appointed 16th February, 1816; resigned 24th November, 1817.

*Samuel Herrick*, of Ohio, attorney of the United States; appointed 19th December, 1810; resigned 28th November 1817.

*Daniel Cruger*, of New-York, post master at Bath; appointed 29th June, 1815; resigned 1st December, 1817.

*Elias Earle*, of South-Carolina, post master at Centreville; appointed in April, 1815; resigned 12th June, 1817.

*Thomas H Hubbard*, of New-York, post master at Hamilton; appointed 11th March, 1813; resigned 23d October, 1817.

*Samuel C Crafts*, of Vermont, principal assessor for the sixth collection district; appointed 4th January, 1815; resigned 5th June, 1817.

*George Robertson*, of Kentucky, principal assessor for the seventh collection district; appointed 4th January, 1815; resigned 5th June, 1817.

*George Mumford*, of North Carolina, principal assessor for the tenth collection district. No resignation has been received from Mr. Mumford.

*Levi Barber*, of Ohio, receiver of public monies at Marietta; appointed 3d March, 1807; resigned 1st December, 1817.

*John P. Parrot*, of New Hampshire, naval officer for the district of Portsmouth; appointed 23d April, 1816; resigned 15th November, 1817.

JOHN QUINCY ADAMS.”

Referred to the committee of elections.

The speaker laid before the house a report from the secretary of war, made in pursuance of a resolution of the house, embracing a list of all officers who held brevet rank in the army at the close of the late war, their lineal rank at the time of receiving the brevet; and a list of officers of the present army, who hold brevet rank higher than their lineal rank, and the number and grade of such officers as receive, in virtue of their brevet rank, greater pay or emoluments than they would otherwise be entitled to by law; which report was ordered to lie on the table, and be printed.

On motion of Mr. Pitkin, it was

*Resolved*, The secretary of the treasury be directed to lay before the house a statement of *American and foreign tonnage* employed in the *foreign trade* of the United States, in the years 1815, 1816, and far as practicable in 1817, distinguishing the nations to whom the foreign tonnage belonged. Also, a statement of *American and British tonnage* employed in the trade between the United States and the *British dominions* in Europe, for each of said years, distinguishing the amount employed between the United States and the United Kingdom of Great Britain and Ireland, and the other *British European dominions*:

That the secretary of the treasury be also directed to lay before the house a statement shewing the amount of *British tonnage* in the trade between the United States and the *British West Indies*, and between the United States and the *British North American Colonies*, in 1815, 1816 and 1817, containing the amount entered in and cleared from the American ports, in each of said years.

*Resolved*, That the secretary of the treasury be directed to lay before the house a statement shewing the *quantity* of sugar, coffee, rum, molasses, and cocoa imported into, and exported from, the United States, in each of the years 1815, 1816, and 1817, together with the countries and places from whence the same were imported, and the *quantity* imported from each country and place.

In submitting his motion, Mr. Pitkin briefly remarked on the importance of the information which the resolutions called for, and the necessity there was for the house being in possession of it, particularly in certain interesting questions which would come before the house on the subject of trade and navigation.

Mr. Poindexter offered a resolution which was agreed to, having for its object an enquiry into the expediency of authorising the president to exchange with the several tribes of Indians, their land on the east side of the Mississippi for United States lands to the westward thereof.

The Speaker laid before the house, a letter from William Allen, accompanied by a present to the

house of a copy of the president's message, printed on silvered sheep skin, for the manufacture of which he had obtained a patent.

A resolution was offered and ordered to be engrossed for a third reading (69 to 58) directing, that the commissioner of the general land office should cause to be engraved a plate of the survey of the official map of the military bounty lands in the territory of Illinois, and cause to be printed six hundred copies thereof, subject to the future disposition of congress.

The amendments of the senate to the mint bill were agreed to.

*Tuesday, Dec. 30.* Mr. Miller of S. Carolina submitted for consideration the following resolution:

*Resolved,* That a committee be appointed to enquire into the expediency of so amending the fourth section of the act passed on the 3d of March, 1817, entitled "an act more effectually to preserve the neutral relations of the United States," as to embrace within the provisions thereof the armed vessels of a government at peace with the United States, and at war with any colony, district or people with whom the United States are or may be at peace.

[Mr. M. supported his resolution on the ground that the act alluded to did not bear equally on the parties—Mr. Forsyth hoped that the matter would be left with the committee on foreign relations; and stated that the bill had been returned to the house at 10 o'clock, on the last night of the session, from the senate, and that a verbal inaccuracy had been overlooked. The resolution was laid upon the table—79 to 50.

The resolution proposed to have a map engraved of the military bounty lands in Illinois, appearing as if it would incur an expense and cause a delay that would render it, *practically*, useless, was negatived, on its third reading, by a large majority.

The *Speaker* laid before the house a letter from the secretary of the treasury, communicating, in obedience to a resolution of the house, a statement of the receipts into the treasury from imports and other taxes, within the District of Columbia, since the year 1801; also the amount of registered tonnage in the said district; which was referred to the committee on the District of Columbia.

Mr. Mercer offered for consideration the following resolution:

*Resolved,* That the committee to whom was referred the memorial of the American Colonization Society, be instructed to enquire into the expediency of making such further alterations in the laws prohibiting the citizens of the United States from engaging in the African slave trade, as may more effectually secure their intended operation; and that the said committee have leave to report by bill or otherwise.

The "commutation bill" was then taken up, and an amendment being proposed by Mr. Robertson, it was ordered to be printed, &c.

On motion of Mr. Cobb, of Geo. the house then resolved itself into a committee of the whole, Mr. Pitkin in the chair, on the bill providing for the payment of the claims of certain detachments of the militia of Georgia for services in defence of that state in the years 1793 and 1794.

Mr. Cobb ably supported these claims in a speech of considerable length—but on the suggestion that more time was required to consider the subject, the committee rose without coming to any decision.

*Wednesday Dec. 31.* Mr. Edwards offered the following resolution:

*Resolved,* That the president of the United States be requested to cause to be laid before this house information of the number of states which have ratified the 13th article of the amendments to the constitution of the United States, proposed at the second session of the 11th Congress, [prohibiting any citizen of the United States from accepting or retaining any title of nobility, pension, office or emolument, without the consent of congress, from any foreign prince or power, &c.]

Mr. Edwards stated, that his motion was induced by some doubts whether the article referred to had been ratified by a sufficient number of the States, to make it a part of the constitution, although it appeared as such, he perceived, in the copies printed for the use of the members of the house; and it was desirable that a fact so important should be placed beyond question. The motion was agreed to without opposition.

On motion of Mr. Colston, the house took up for consideration the bill in addition to the act for the relief of John Thompson, [authorising a review of his claim formerly adjusted and settled, and the payment of such interest as may appear due.]

Some discussion took place on this subject. Mr. Hopkinson doubted the propriety of the procedure, and alluded to the case of gen. St. Clair. Mr. Johnson, of Ky. was of a different opinion, and cited the case of the widow of the late Alexander Hamilton. Mr. Colston replied to Mr. Hopkinson.—Messrs. Sherwood, Bayley, Wm. P. Maclay, Livermore, and Ogle also took part in this discussion favorable to the petitioner; the two first named gentlemen and the last speaking also or the subject of the case of Gen. St. Clair, which had been incidentally introduced. Mr. Ogle, particularly, protested against the present occupation of the house, spending their time, he said, in hunting for some statute or some bar to the just claim of a man, who had, in the revolution, given all his worldly goods and a part of his blood in support of the independence of his country;—and now, in 1817, and on the very last day of the year, after the lapse of so long a time; he was sorry to see the house engaged in searching for precedents to keep this veteran out of his just claim. For his part, Mr. O. said, if there was a statute as strong as brass itself, or as solid as the pillars of the capitol, he would blow it to powder to do justice to a soldier of the revolution, and that soldier, too, such a man as John Thompson. As to the case of the aged St. Clair, Mr. O. said that was a subject which ought not to be mentioned in this house in the face of day—the treatment of that man ought to be spoken of here only in the night.

The bill was finally ordered, *nem con.* to be engrossed and read a third time.

On motion of Mr. Huntington, it was

*Resolved,* That the secretary of war be directed to lay before this house a return of the arms and military stores furnished to the respective states under the provisions of the law of 1808, appropriating annually the sum of 200,000 dollars "for furnishing arms and military equipments to the whole body of the militia of the United States," and also to inform this house on what principle the distribution hath been made.

On motion of Mr. Huntington, also, it was

*Resolved,* That the committee on post offices and post roads be instructed to take into consideration the expediency of providing by law to authorize the governors of states and territories for the time being to receive and transmit through the post offices, all official communications free of postage.



The house then resolved itself into a committee of the whole, Mr. *Pickin* in the chair, on the bill to provide for the due execution of the laws of the United States in the state of Mississippi.

The committee rose and reported progress—and after some other business of not much importance, the house (as well as the senate) adjourned until Friday.

## Foreign Articles.

### RUSSIA.

The great house of *Iwac Mehaclo*, of St. Petersburg, has failed for 1,700,000 rubles.

*Petersburg, Sept. 24.*—Letters from *Tobolsk*, *Siberia*, dated Aug. 1, (old style) state that the inhabitants of *Beresow* have had no summer this year. The cold continued to the 2nd July, (o. s.) the period at which the summer ordinarily terminates, and it had already began to snow. There fell at *Oldors*, on the 18th July, (o. s.) such a quantity of snow, that the earth was covered with it to the depth of two inches.

### SWEDEN.

It is intimated that France will probably acknowledge *Bernadotte* and his male heirs as legitimate possessors of the throne of Sweden. But Russia will settle that as she pleases.

Three banks have stopped payment, and appear to have given so severe a blow to credit, as to have required a convention of the states of the kingdom.

### GERMANY.

*Mentz, Oct. 11.* Disputes respecting the navigation of the *Rhine* still prevail, notwithstanding that the congress of *Vienna* declared the river free.—The Dutch claim a right of levying a duty on German vessels coming down the *Rhine*, and yet insist upon going up as far as *Mentz* without paying any duty.

The king of *Saxony* has made a demand on the king of *Prussia* of 18 millions of rix dollars, for expenses during the year 1805 and 1806, when the greater part of the *Prussian* armies were stationed in *Saxony*.

### PRUSSIA.

English goods have been subjected to a duty of 30 per cent. Yet associations were forming for their entire exclusion.

### NETHERLANDS.

Mr. *Eustis*, our minister at the court of the king of the *Netherlands*, having concluded a treaty on behalf of the *United States*, was about to visit *Paris*. Mr. *Appleton* remains at the *Hague* as charge d'affaires.

### FRANCE.

Portugal has ceded a part of *Guayana* to France. The French council of state has been occupied with discussing the project of a law respecting the liberty of the press.

A *Paris* paper of the 22d October, noting the determination of the allied powers to keep up the army of occupation—occupation, in France, is servile enough to intimate that if that army were withdrawn the dreadful result might be that the people would eject the legitimate race and chose a government for themselves! This is an act of meanness that he hardly expected of a Frenchman.

The colossal statue of *Bonaparte*, (says a *Paris* paper) by *Canova*, now in the possession of the Duke of *Wellington*, has been erroneously stated as a present to the duke, by the prince regent. It was directly presented to his grace by the king of France. This grand piece of sculpture is worthy

of the great artist by whom it was executed, and the marble is unique in point of purity and color.

[The fortune of war may yet cause a return of that statue; strange things have happened.]

It is expressly denied that *Bonaparte* made any communication to the prince regent of England, through lord *Amherst*. We thought that he had disgraced himself by doing so.

### SPAIN.

A letter dated at *Madrid*, Aug. 1. and published at *London*, among other things states, that the bishop of *Queypo*, in 48 hours after he had been appointed minister of justice, was snatched away by the inquisition—and that *Yondiale*, who was nominated minister of finance, was almost hurried from the king's chamber to the dungeon and put to the torture as a traitor to the king! What affection can any honest man have for a government that tolerates, or for a people that permit such a state of things? Ferdinand and his monks to the galleys, and Spain might have our sympathies in her distresses.

*Clemency!* Ferdinand, resolved to celebrate his marriage by some signal act of clemency, has granted his royal pardon to all persons in America that may have rebelled against him, provided they legitimately give in their adhesion in six months.

Accounts from *Madrid* pretty explicitly state that Ferdinand has purchased sundry vessels of war of *Russia*. They are to be manned with *Spaniards* to subdue the pirates of *South America*—These accounts also speak of an expected war with *Portugal*.

The Spanish cabinet is very active in its correspondence with other powers—supposed to relate to the revolted colonies.

A junta, appointed in *Spain* for the purpose of enquiring into the state of the finances, have gravely recommended a national bankruptcy, as the most salutary measure that can be adopted!

Damages, estimated at \$609,000, have been sustained at *Alicant* in consequence of an inundation and a gale from sea.

### PORTUGAL.

**LEGITIMACY!** *Lisbon Oct. 16.* Yesterday, the court of *Inconfidencia* passed sentence upon the individuals concerned in the conspiracy of *May* last, and condemned Lt. gen. *Gomez Freire de Andrade*, col. *Manoel Monteiro de Cavalho*, ens. *Jose Joaquim Pinto da Silva*, ens. *Jose Ribeiro Pinto*, Maj. *Joze Francisco das Neves*, *Jose Campelo de Miranda*, *Henrique Joze Garcia de Moraes*, and *Antonia Cabral Calheiros Furtadoe Lamos*, to be hanged by the neck until death ensue;—after which the heads are to be severed from their bodies, both burned, and their ashes thrown into the sea. Capt. *Pedro Ricardo de Figuero*, capt. *Manoel Jezus Monteiro*, *Manuel Ignacio de Figueiredo*, and *Maximiana Dias Ribeiro*, also to be hanged until death ensue, but without the severing of their heads, &c. *Francisco Antonia de Sousa*, a civil architect, to be banished to *Angola* for life. Lieut. *Antonia Pinto da Fonseca Neyes*, to *Mozambique* for 2 years—*Francisco Leite Sudre da Gama*, to *Angola* for five; and *Bern d'Esca* to be expelled for ever from the united kingdom of *Portugal*, *Brazil* and *Algarves*. The forfeiture of the whole of the offenders' property, generally makes part of the punishment. The *Baron* and *Sudre da Gama*, however are excepted; and Lieut. *Pinto de Fonseca* only loses one half.

*Verissimo Antonio*, *Ferreira de Costa* and *Eas. Christovao de Costa* were acquitted.

October 18. this day, the sentence, mentioned in the foregoing article, has been carried into execution.

*Expert Navigators!* A Portuguese ship of the line, with 500 soldiers on board, which sailed from Pernambuco for Bahia, also in Brazil, in consequence of contrary winds, has arrived at *Lisbon!*

The following official article has appeared in the *Lisbon Gazette*—By command of the supreme authority, the merchants of this kingdom are apprised, that the truce, lately prorogued between Portugal and the regency of Tunis, will expire on the 11th of November next.

**BARBARY STATES.**

An Algerine corsair has arrived off Gibraltar in distress, having attacked a patriot privateer which mauled her dreadfully. Lest the plague might be introduced, any communication with the shore was denied.

It is said that the Algerines have lately captured a French and an English vessel.

**WEST INDIES.**

We have a detailed account of the slave population of *Barbadoes*—the several amounts are as follows—under 1 year 2600; from 1 to 10, 20,339; from 11 to 20, 16,669; from 21 to 30, 19,534; from 31 to 40, 10,561; from 41 to 50, 6653; from 51 to 60, 3641; from 61 to 70, 1541; from 71 to 80, 544; from 81 to 90 132; from 91 to 100, 19; from 100 to 114, 10, ages unknown 10. Creoles of other islands, 345; Africans 5496; Barbadians 71,432—total slaves 77,275.

**BRITISH AMERICA.**

There was another dreadful fire at St. John's N. F. on the 21st of Nov. It raged five hours, and consumed the greater part of the town that the late fire had spared. Many were a second time burnt out in fourteen days! Subscriptions have been opened at New York for the relief of the sufferers.

A few days after the preceding, a third fire had like to have happened, but by early discovery was checked before much damage was done. Persons were taken into custody, suspected of causing it by design.

**FLORIDA.**

Through the *Washington City Gazette* we have the report of a committee appointed to frame a plan of a provincial government for the republic of the Floridas. P. Gaul, V. Pazos, and M. Minder were that committee. The plan is liberal.

**Pauper Statistics.**

The following items are taken from a detailed report of the "guardians of the poor and managers of the alms-house and house of employment" for the city of Philadelphia, district of Southwark and township of the Northern Liberties, for the year ending the 26th of May, 1817.

Total expenditures for food and clothing, medicines, and attendance, salaries to officers and nurses, &c. &c. \$85,606 2½  
Sundry receipts for manufactured articles sold, and on account of patients, &c. 7,859 62

Stock of provisions, raw materials and manufactured goods on hand, machinery, &c. 21,628 60—29,488 22

Balance expended more than received for the use of the institution, \$56,118 04½

Paupers maintained,—monthly average for the year,—366 men, 394 women, 108 children—average number maintained 868.

Paupers in the house at the beginning of the year 743; admitted during the year 2653; discharged or eloped, &c. 2632; remaining 764.

The sick and surgical cases during the year amounted to 1806; of which 1219 were cured; 141 relieved, 12 eloped; 211 died; and 253 remained under care. Of these, 288 were of ulcers; 221 of Syphilis; 147 Rheumatism; 105 various fevers; 93 consumption; 55 gonorrhœa; 59 wounds; 51 small pox; 33 pneumonia; 51 typhus; 59 obstetric cases; 36 intemperance; 31 dropsy; 43 mania; 47 mania a potu; 30 catarrh; 32 contusion, &c. &c.

The population of the city and districts above mentioned, may be assumed to be about 100,000—therefore, 1 of every 114 persons were paupers during the year. Cities are always over-charged with helpless and diseased individuals.

**Mechanical Association.**

The "Association of mechanics and manufactures of the state of New Hampshire" lately celebrated their 15th anniversary, at Jefferson Hall, in Portsmouth. After dinner and the removal of the cloth, the following *technical* toasts, were given, intermixed with patriotic and sentimental songs. While the hardy laborers of our country—the agriculturalists, mechanics and manufacturers, in whom is the "bone and sinew" of the republic, hold such sentiments, liberty is secure in her asylum.

[Blacksmiths.] *The Day*—May the prosperity of the Society increase with each returning anniversary, and no link in the chain of our social compact feel the effects of the cold chissel.

[Joiners.] *The constitution of the United States*—A finished piece of workmanship, well planned and jointed—confusion to the man who would attempt to huck it with the hatchet of discord.

[Printers.] *The president's tour*—A good token well worked off.

[Bakers.] *All societies similar to this*—A good batch well set—may it neither be burnt nor slack baked.

[Cabinet Makers.] *Mechanics*.—May they never be veneer'd with scyophancy, nor varnished with hypocrisy—a becoming self-respect is their genuine polish.

[Shoemakers.] *Our country*—May it wax stronger and stronger, no threat of its union be broken, and should its liberties be hereafter attacked, "perish the man whose sole is backward."

[Tailors.] *The heroes of the late war*—The man who would attempt to cabbage from their well earned fame, is a back-stitch in honor or a goose in intellect.

[Coopers.] *The government of the United States*—Its heading has been examined and pronounced sound.

[Watchmakers.] *Agriculture, commerce and manufactures*—The mainstays of our independence, may they ever be well regulated and keep time together.

[Saddlers.] *The legitimates of Europe*—May they never be in want of curb bridles, should they become restive, and wish to saddle themselves with the expense of a fruitless attempt to destroy the liberties of mankind.

The proposition to establish a penitentiary, which had passed one branch of the legislature of the state of North Carolina, has been rejected in the other.



## CHRONICLE.

*Department of War, Dec. 29, 1817.*

ORDERS.—As a general rule, all orders will issue, in the first instance, to be commanders of division.

In cases where the nature of the duty to be performed, and the public interest may require it, orders will issue directly to officers commanding department, post, or detachment, and to any officer attached to a division; but in such cases a copy of the orders shall be transmitted to the general of division, for information.

By the president,

J. C. CALHOUN.

*Appointments by the president, with the consent of the senate of the United States:*

Robert Stanard, of Virginia, attorney of the United States for the district of Virginia.

George G. Barrell, of Massachusetts, consul of the United States at Malaga.

John Williams Walker, secretary of the Alabama territory.

William Jones, Pierce Butler and John Connelly, of Philadelphia; George Williams, of Baltimore; and Walter Browne, of New York, to be directors of the U. States' bank, on the part of the United States, for the year ensuing.

We have a letter from gen. Gaines to the governor of Georgia giving an account of a little skirmish of col. Arbuckle with a party of Indians, in which we had one killed and two wounded—the Indian loss was greater, and they were dispersed; confirming also the report of the massacre of lieut. Scott's party, as mentioned in our last. Gen. G. has left the army and arrived at *St. Mary's*, to be present at the taking of Amelia; so that he doubtless feels confident as to the strength of the troops collected to accomplish the objects in view. The letter shall be preserved.

Gen. Ripley has arrived in Washington city.

*Mediterranean squadron.* The U. S. frigate *Constellation*, capt. Shaw, has arrived at Norfolk from Gibraltar. Passengers capt. Creighton and lieutenants Watson and Nicholson of the Navy and Captains Hall and Breckenridge, late of the marine corps. The Washington, com. Chauncy, United States, capt. Crane, Peacock, capt. Rodgers, and Spark, capt. Nicholson, were left at Gibraltar.—The Erie, capt. Gamble, had sailed for Marseilles.

*Health of the soldiery.* It is stated in a Boston paper, that in all the forts, &c. from Castine to New London, in which are 1019 men, only one has died in the last six months, and that one of a lingering consumption.

*Ad valorem duties and auctioneers.*—At a meeting of the merchants and traders and manufacturers of the city of Baltimore, a memorial to congress was drafted, and deposited at the coffee house for signatures, giving an account of some of the frauds on the revenue committed by the import of goods paying *ad valorem duties*, to the great injury of the regular trader, and of great loss to government, besides what is suffered by plain honest smuggling.—They recommend an inspection in all cases of certain portions of the parcels entered; and also petition for a tax upon sales of auctioneers of dry goods as injurious to regular traders, sellers or purchasers.—The memorial, with Mr. Sanford's very able speech on those subjects in the senate, ought to have a place in the Register, and we shall endeavor to give an insertion at least to the latter, though it is long.

The brig *Savage* of Baltimore, has arrived from Coquimbo, on the coast of Chili, in the very short

passage of 77 days, with a cargo of specie and copper. Report gives to this voyage a profit of more than \$150,000.

*Rapid movements.*—Skating on the Middlesex Canal (says the *Boston Centinel*) is becoming a very popular amusement. We are told, that on Thursday some lads glided (before the wind) three miles in eight minutes!

*Missouri*—4420 votes were taken at the late election for a delegate from the territory of Missouri.

*Intercourse.*—A Detroit paper estimates that 15,000 dollars were paid for the passages of individuals between that city and Buffalo, from the 10th of May to the 10th of November last. A steamboat is to run on the lake next spring.

*Potomac fisheries.*—A meeting of the persons interested in the fisheries on the Potomac river, has been held for the purpose of petitioning the legislatures of Maryland and Virginia to forbid the use of *Tide or Gill nets*, which obstruct the passage of the fish, and kill and destroy a great many of them to no purpose. These nets appear to be a real grievance and a serious injury, and ought to be disused. The memorial also remonstrates against the passage of steam boats during the time of the spring fisheries—from the first of April to the middle of May.

The Ohio made a perpendicular rise of thirty feet above common low water, in the course of three days, about the 20th of November last. Much damage was done.

*INDIAN FIGHT*—*Information of a Shawnee chief.*—The Cherokee and their allies, with the loss of 1 man killed and a few wounded, have killed 83 and taken upwards of 100 of the confederacy formerly mentioned, with much plunder, and have destroyed the crops and burnt the town of the Osages of Arkansas. It is also said that a number of scalps taken from the whites were found with the baggage of the Osages.—*St. Louis Nov. 15.*

*Fires.* We lately noticed the destruction of a large manufactory in Massachusetts by fire—another has just been burnt in Rhode Island—the loss by those two factories is estimated at between 50 and 60,000 dollars. It is not believed that either of them happened by accident.

*Something novel.*—Yesterday morning, seven young warriors of the Seneca nation of Indians left this village in the stage, under the charge of Messrs. A. C. Fox, of this village and W. Brigham, of Chautauque, for New-York—from whence, we understand they are to take passage for Liverpool, England. Their object is to exhibit themselves in all the important towns in England, whence they will proceed to Paris, and afterwards, probably, complete the grand tour through Europe. The Indians are all fine looking active young men, and will undoubtedly afford the Europeans a very novel and interesting exhibition.—*Buffalo Journal.*

A letter from Detroit, of 28th November last, says, that nearly fifty miles of the military road have been made since August last, by the troops stationed at that place. This road extends from Detroit to within about ten miles of the *Black Swamp*. Notwithstanding the obstacles which opposed, many good bridges have been built, and the immense labor performed is said to reflect much credit on the officers and soldiers who were engaged in the arduous undertaking. [*Nat. Int.*]

A resolution presenting an elegant sword to the infant and only son of the late col. Benj. Forsythe, who fell at Odleown, in Cadada, the 23d June, 1814; and appropriating \$250 annually for seven years, for his education, was passed at the late session of the legislature of North Carolina.

# NILES' WEEKLY REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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## Compensation of Congress.

The writer of the following is known to me by his manuscript, though he has not given his name. He is an old whig, of high standing—and I submit his reproof fairly to my readers for their judgement on the subject. "A difference of opinion is not a difference of principle."—EDITOR.

A constant subscriber for your useful Weekly Register, has been frequently gratified and improved by your editorial observations on national and economical subjects. But in a late number, he has noticed your remarks on the compensation of congress with deep regret and serious alarm. You say, "the late compensation law was rather objected to on account of its manner than for the amount of compensation which it allowed." Whereas both the manner and the matter of that law was reprehended by most of the serious and virtuous part of the community. Can you seriously contend for ten dollars per diem to the members of congress, as a reasonable compensation! It would appear from your remarks, that you think this necessary to induce a man of talents to attend, and enable him to live at "Washington as a gentleman." Ah! what a fascinating epithet! Is it not to be feared, that the efforts making to enable our members to live like gentlemen, will, in the end, destroy the morals, and ruin the republican institutions of our happy country? As we disavow all family distinctions, the term "gentleman" with us can import nothing more nor less than a man of gentle, easy manners, and of useful qualifications. Ten dollars per day may be necessary to support a gambler, or a prodigal, but neither of them are even conterminous to a gentleman.

One "precious confession" you have made in saying—"their compensation ought never to be so great as to make it an object worth contending for." Now, sir, in many parts of the United States six dollars a day was sufficient to produce great competitions for seats in congress. And it is well known that many who demeaned themselves so as to continue in the confidence of their constituents, and retain their seats for a number of years, have, with six dollars a day, grown much richer than any of their grade and prospects in life. Many that have declined on account of not being able to attend or make the sacrifice, were previously persuaded that they could not retain their seats. A man's family, however, may be in such a situation, and his professional business in such a state, as to preclude his attendance in congress for any "reasonable" compensation; but at the old allowance we shall never be at a loss to find members, and such as are

best qualified to serve us. Your high minded, dashing, loquacious men are by no means the safest and surest representatives of a republican people. The writer is very much of opinion with col. Barre, the best friend we had in the British house of commons during the revolution—that the only danger to be apprehended, as most likely to mar the peace and prosperity of the United States, was changing the simplicity of their habits and manners into an imitation of the pride, extravagancies, and prodigality of the high minded Europeans. And the 14th congress have given us a sad sample of what vain and avaricious men can do to contaminate our country. Notwithstanding your aberration from correct principles in this instance, the writer is still your friend and well wisher.

## Case of an American seaman.

The following seems to be the amount of a circumstance that has lately excited considerable sensibility at New York. The British sloop of war *Esk*, arrived there two or three weeks ago, with a large quantity of specie for the United States bank and sundry individuals. The butcher who supplied her with fresh meat, brought up a letter from a certain *John Williams*, addressed to his sister, in New York, claiming her interference for his release, stating that he had lost his *protection*,\* &c. She carried this letter to the Recorder of the city and supported it with such testimony as induced him to issue a writ of *habeas corpus*, which was served on the captain on the 12th ult. But he neglected to appear, and it seems that no timely measure was taken to prevent the departure of the ship until the writ was respected, and she sailed with Williams on board.—This produced some remarks in the newspapers, when Mr. *Buchanan*, the British consul, felt it his duty to explain the affair, saying:—"although the writ was not addressed correctly,† either as to the name of the captain or of the vessel (as the name of the vessel is the

\*We repeat what we have said an hundred times before, that the practice of granting "protections" so called, ought to be abolished—it admits a semi right to search for men, and is of no sort of use when "his majesty wants them." It is degrading—what!—is the *American* to be compelled to carry about him a voucher to set forth that he is not a *slave*? Let the *proof* rest where it ought—with the opposite party, and let its operation be confined to places within their dominions. *The ocean is not theirs!*—no, verily, no!

†The writ was addressed to captain *Lenox*, of the *Esk*.



Esk, and the commander's name Lennox) yet captain Lennox immediately inquired for this mulatto lad, whose name on the ship's books is John Robinson; who then, in the presence of the pilot, denied that he wanted his discharge, but alone to obtain a protection.—Captain Lennox accordingly wrote a letter to me, requesting I would call on the recorder and state these facts, and also to mention that if it was required, that the boy should be sent back from Jamaica—with which statement the recorder expressed his satisfaction.

It must be well known that since the peace there has been no impressment in the British navy; and it appears this lad was paid off in England, and entered freely on board the Bermuda, from which vessel he was turned over to the Esk."

In reply to this it has been published, that the recorder, so far from being satisfied with the explanations of the consul, has prepared a statement of the particulars for the purpose of presenting it to the governor of New York, "whose duty it will be (and we doubt not it will be promptly done) to communicate the same to the government of the United States."

The pilot who conducted the Esk to sea, which he was previously directed by the civil authority not to do, has been dismissed by the board of wardens of that port.

### Debates in Congress.

[DEFERRED ARTICLE.]

The editors of the *National Intelligencer*, for reasons unknown to us, have required that the editors of certain news-papers should acknowledge the source from whence they derive their accounts of the proceedings of congress. We very well know that this requisition does not apply to the *Weekly Register*; for we have repeatedly stated that our abstracts of those proceedings, &c. were always made from that paper, unless otherwise credited—yet we are pleased to embrace an opportunity so fairly presented for offering the respectful tribute of our approbation to Messrs. *Gales and Seaton* for the very great ability and industry with which they have performed this important service to their country. It has often happened that the *Intelligencer* of one day has contained seven or eight columns of the debates, &c. of the preceding day. We can well appreciate the excellency of the system and the force of the industry needful to accomplish things like these. And there is a verbal accuracy in the speeches reported by them that we hardly expected: the editor of the *Register* had the pleasure to hear the short speech delivered by Mr. *Clay* on the second day of this session—and, his memory being tolerably good and the speech short, he thought he could have repeated it nearly word for word—and so it was published from the notes taken for the *Intelligencer*.

### Emigration.

The following is communicated by a gentleman of Philadelphia, and may be relied upon for its accuracy—being made up from the manifests of all the passenger-vessels that entered at the custom-house there, from the time to the time stated.—The amount given may, with a small addition, be accepted as the whole number of emigrants who arrived in that port during the year 1817; as in the winter season many do not commonly arrive in the United States.

In presenting his thanks to his correspondent for this interesting statement of facts, the editor would respectfully remark, that if those, generally, who have like opportunities of collecting and communicating such and many other statistical facts, would give a little attention to the subject, they might convey much useful information to the public, and essentially assist the study of political economy.

EUROPEAN EMIGRANTS ARRIVED AT PHILADELPHIA DURING 8 MONTHS—VIZ. FROM APRIL 28, TO DECEMBER 31, 1817.

From whence.	Per-sons.	In vessels
France . . . . .	66	6
Italy . . . . .	22	3
Germany . . . . .	53	3
Ireland . . . . .	441	12
Great Britain . . . . .	1292	43
English, Irish and Scotch, via. } British possessions in America }	547	11
Holland* . . . . .	4867	18
	7288	96

\*Most if not all of the persons that arrived by the way of Holland, were Germans. The Dutch ship April has arrived in the Delaware since the 1st inst. and is not included in the above return, with 550 passengers. ☞ Total British subjects 2280.

### Wealth of Louisiana.

A *Milledgeville* paper says, that negroes on the sugar estates of Louisiana are worth from 600 to 1000 dollars yearly; and the sugar crops are worth from 20 to 150,000 dollars a year. Sugar land close to the city, sells for 5000 dollars the acre; and no sugar land sell for less than 800 the acre. Mechanics of all descriptions soon grow rich. Decent board is from 40 to 60 dollars per month; but claret is allowed to be used with discretion without any extra charge; house rent is high, and even naked lots on the front street, 60 feet rear, rent for 3 dollars a foot per month. The American population is increasing, and already balances the French in the legislature. That there is a vast field open for persons fond of public life; the creoles are averse to it, and the state pays her officers better than any of her sister states.

"The governor has 7500 dollars a year; judge of the supreme court 5000 dollars; inferior judges in the city 4000, and those in the country 1500 and 2000; yet these salaries are insignificant when compared to the profits of a cultivated farm."

☞ These amounts appear enormous; yet they must be great. If the West-India sugar-planters can live by their business, those of Louisiana must soon grow immensely rich. It is not understood that our sugar lands are less productive than those of the West-Indies, and

the duty that we levy on the imported article acts as a *bounty* equal to, perhaps, nearly a *third* of the amount received for it by the West India planter in favor of our own. As the cultivation rises to meet the demand for consumption, this duty should be reduced. It is too heavy—for sugar, to a very considerable part of our population, is as a real necessary of life.

**Navy of the United States.**

*Estimates of the secretary for the year 1818.*

RANK.	Pay per month.	No. of rations per day.	Amo't of pay and rations.
35 captains	100	7	64,356 25
26 masters commandant	60	4	28,210
8 lieuts. commandant	50	3	6,990
170 lieutenants	40	2	112,625
10 acting lieutenants	40	2	6,625
420 midshipmen	19	1	95,760
48 surgeons	50	1	33,180
10 acting surgeons	50	1	4,562 50
42 surgeons' mates	30	1	18,952 50
45 pursers	40	1	25,706 25
12 chaplains	40	1	6,855
4 schoolmasters	25	1	1,565
75 sailing masters	40	1	42,843 75
20 captain's clerks	25	—	6,000
90 masters mates			
25 boatswains			
25 gunners	185	20	61,281 25
25 carpenters			
20 sail makers			
45 boats'ns mates			
40 gunner's do.	150	19	34,200
40 carpenter's do.			
25 sailmaker's do.			
90 quartermasters			
90 do. gunners			
35 yeomen			
15 coxswains			
40 stewards	387	18	83,592
18 coopers			
22 armorsers			
22 mast's at arms			
10 ship's corpo'ls			
45 cooks			
2000 seamen	12	—	288,000
1600 ordinary seamen	10	—	192,000
350 boys	6	—	25,200
<b>5597 total.</b>			<b>1,138,504 50</b>
Provisions for 5,597 persons, making 2,042,905 rations at 25 cents.			510,726 25
Hospital stores, medicines, instruments, &c. including the marine corps			25,000
Repairs of vessels			300,000
Ordnance and ordnance stores			..
Repairs of navy yards, and construction of docks, &c.			100,000
Contingent expenses			300,000
Purchases of medals and swords			15,000
<b>Total</b>			<b>2,389,230 75</b>

**Marine corps—1818.**

	Pay per month.	No. of rations per day.	Amo't of pay and rations.
1 lieutenant colonel	75	12	1,776
9 captains	40	3	6,291
24 first lieutenants	30	3	13,896
16 second lieutenants	25	2	7,136
73 sergeants	9	—	7,884
73 corporals	8	—	7,008
42 musicians	7	—	3,528
750 privates	6	—	54,000
Adjutant, paymaster, and quartermaster, extra pay, each, \$30 per month	90	—	1,080
5 brevet majors commanding stations, five rations per day, extra	—	25	1,825
938 non-commissioned officers and privates, one ration per day, each	—	—	104,424 68,474
Clothing			172,898
Military stores			32,059 95
Contingencies—travelling expenses, camp-kettles, forage, &c.			1,087 50
			16,100
<b>Total</b>			<b>\$222,145 45</b>

**Salt—Bounty—Allowances.**

*A statement shewing the amount of duty which accrued on salt imported during the years 1815 and 1816, and from the 1st of January to 30th June, 1817; together with the amount paid for bounty on pickled fish, exported, and for allowances to vessels employed in the fisheries, during the same period.*

Period.	Duty on salt.	Bounty.	Allowances.
From Jan. 1, to Dec. 31, 1815,	855,448 49	—	1,311 74
1816,	1,100,745 70	586 80	84,736 26
June 30, 1817,	232,183 74	1,336 20	75,736 43
<b>Total</b>	<b>2,188,377 84</b>		

Treasury department,

Register's office, Dec. 27, 1817.

JOSEPH NOURSE, Register.

**Florida Affairs.**

The injunction of secrecy under which the following resolution and laws were passed, having been long since removed by the enacting authority, it is deemed unnecessary that they should be longer withheld from the public eye. They are now, therefore, published.

*Nat. Int.*

**RESOLUTION.**

Taking into view the peculiar situation of Spain, and of other American provinces, and considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquility, and commerce—Therefore,

*Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, That the United States, under the peculiar circumstances of the existing crisis, cannot, without serious inquietude, see any part of the*



said territory pass into the hands of any foreign power; and that a due regard to their own safety compels them to provide, under certain contingencies, for the temporary occupation of the said territory; they at the same time declare that the said territory shall, in their hands, remain subject to future negotiation.

J. B. VARNUM,  
Speaker of the House of Representatives.  
GEO. CLINTON,  
Vice-President of the United States, and  
President of the Senate.

January 15, 1811—approved, JAMES MADISON.

An act to enable the president of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the state of Georgia and the Mississippi territory, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the president of the United States be, and he is hereby authorised to take possession of, and occupy, all or any part of the territory lying east of the river Perdido, and south of the state of Georgia and the Mississippi territory, in case an arrangement has been, or shall be, made with the local authority of the said territory, for delivering up the possession of the same, or any part thereof, to the United States, or in the event of an attempt to occupy the said territory, or any part thereof, by any foreign government; and he may for the purpose of taking possession, and occupying, the territory aforesaid, and in order to maintain therein the authority of the United States, employ any part of the army and navy of the United States, which he may deem necessary.

Sec. 2. *Be it further enacted,* That one hundred thousand dollars be appropriated for defraying such expenses as the president may deem necessary for obtaining possession as aforesaid, and the security of the said territory, to be applied under the direction of the president, out of any monies in the treasury not otherwise appropriated.

Sec. 3. *Be it further enacted,* That in case possession of the territory aforesaid shall be obtained by the United States, as aforesaid, that until other provision be made by congress, the president be, and he is hereby, authorized to establish, within the territory aforesaid, a temporary government, and the military, civil, and judicial powers thereof shall be vested in such person and persons, and be exercised in such manner, as he may direct, for the protection and maintenance of the inhabitants of the said territory in the full enjoyment of their liberty, property, and religion. J. B. VARNUM,  
Speaker of the House of Representatives.

GEO. CLINTON,  
Vice-President of the United States, and  
President of the Senate.

January 15, 1811—approved, JAMES MADISON.

An act concerning an act to enable the president of the United States, under certain contingencies, to take possession of the country lying east of the river Perdido, and south of the state of Georgia and the Mississippi territory, and for other purposes, and the declaration accompanying the same.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act, and the act passed during the present session of congress, entitled "an act to enable the president of the United States, under certain contingencies, to take possession of the

country lying east of the river Perdido, and south of the state of Georgia and the Mississippi territory, and for other purposes," and the declaration accompanying the same, be not printed or published until the end of the next session of congress, unless directed by the president of the United States, any law or usage to the contrary notwithstanding.

J. B. VARNUM,  
Speaker of the House of Representatives.  
JOHN POPE,  
President of the Senate, pro tempore.  
March 3, 1811—approved, JAMES MADISON.

An act authorizing the president of the United States to take possession of a tract of country lying south of the Mississippi territory, and west of the river Perdido.

*Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled,* That the president be, and he is hereby authorized to occupy and hold all that tract of country called West Florida, which lies west of the river Perdido, not now in possession of the United States.

Sec. 2. *And be it further enacted,* That, for the purpose of occupying and holding the country aforesaid, and of affording protection to the inhabitants thereof under the authority of the United States, the president may employ such parts of the military and naval force of the United States as he may deem necessary.

Sec. 3. *And be it further enacted,* That for defraying the necessary expenses, twenty thousand dollars are hereby appropriated, to be paid out of any monies in the treasury not otherwise appropriated, and to be applied to the purposes aforesaid, under the direction of the president.

H. CLAY,  
Speaker of the House of Representatives.  
WM. H. CRAWFORD,  
President of the Senate, pro tempore.  
February 12, 1813—approved, JAMES MADISON.

## Laws of the United States.

### AN ACT TO ABOLISH THE INTERNAL DUTIES.

*Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That from and after the thirty first day of December one thousand eight hundred and seventeen, the internal duties on licenses to distillers, on refined sugars, licenses to retailers, sales at auction, carriages for the conveyance of persons, and stamped vellum, parchment and paper, shall be discontinued; and all acts and parts of acts relative thereto, shall, from and after the said thirty first day of December, be repealed; *Provided,* That for the recovery, remission and receipt of such duties as have accrued, and on the day aforesaid remain outstanding, and for the payment of drawbacks or allowances on the exportation of any of the said spirits or sugars legally entitled thereto, provided the exportation be effected previous to the first day of January, one thousand eight hundred and nineteen, and for the recovery and distribution of fines, penalties and forfeitures and the remission thereof which shall have been incurred before and on the said thirty first day of December, the provisions of the aforesaid acts shall remain in full force and virtue.

Sec. 2. *And be it further enacted,* That the offices of the collectors of the internal duties and direct tax, shall continue in each collection district, respectively, until the collection of the duties above-mentioned, and of the direct tax, shall have been

completed in such district, and no longer, unless sooner discontinued by the president of the United States, who shall be, and is hereby empowered, whenever the collection of the said duties and tax shall have been so far completed in any district as to render, in his opinion, that measure expedient, to discontinue any of the said collectors, and to unite, into one collection district, any two or more collection districts, lying and being in the same state; in which case, the collectors thereafter employed in the collection of the said duties and tax in such state or district, shall be appointed and removable by the president alone: and for the promoting of the collection of any of the abovementioned duties or tax, which may be outstanding, after the said thirty first day of December, the president of the United States shall be, and he hereby is, empowered, at any time thereafter, to make such allowance as he may think proper, in addition to the commissions now allowed by law, to any of the collectors of the said duties and tax, and the same from time to time to vary; *Provided*, that the whole of such additional allowances shall not in the aggregate, exceed five per centum on the amount of the duties and tax paid into the treasury after that day; and that the extraordinary allowances authorized on the second and fourth sections of the act passed March third, one thousand eight hundred and fifteen entitled, "An act to fix the compensation and increase the responsibility of the collectors of the direct tax and internal duties, and for other purposes connected with the collection thereof," shall, after the said 31st day of December, cease: and the office of commissioner of the revenue shall cease, and be discontinued, whenever the collection of the duties and tax abovementioned shall be completed, unless sooner discontinued by the president of the United States, who shall be, and hereby is, empowered, whenever the collection of the said duties and tax shall have been so far completed, as, in his opinion, to render that measure expedient, to discontinue the said office; in which case the immediate superintendence and collection of such parts of the said duties and taxes as may then remain outstanding, shall be placed in such office of the treasury department as the secretary, for the time being, may designate: *Provided however*, That all bonds, notes, or other instruments, which have been charged with the payment of a duty; and which shall, any time prior to the said thirty first day of December, have been written or printed on vellum, parchment or paper, not stamped or marked according to law, or upon vellum, parchment or paper, not stamped or marked at a lower rate of duty than is required by law for such bond, note, or other instrument, may be presented to any collector of the internal revenue, or collector of the customs within the state and where there [is] no collector, to the marshal of the district, whose duty it shall be, upon the payment of the duty with which such instrument was chargeable, together with the additional sum of ten dollars: for which duty and additional sum, the said collector or marshal shall be accountable to the treasury of the United States; to endorse upon some part of such instrument his receipt for the same; and thereupon the said bond, note, or other instrument, shall be, to all intents and purposes, as valid and available to the person holding the same, as if it had been or were stamped, or marked, as by law required—any thing in any act to the contrary notwithstanding.

Sec. 3. *And be it further enacted*, That all persons who shall obtain licenses for stills or boilers, or for selling by retail, or certificates for carriages

extending beyond the said thirty-first of December, shall be allowed a deduction from the duties paid or secured by them, proportionate to the part of their term which may remain unexpired on the said thirty-first of December, and the several banks or bankers which may have agreed to make the annual composition of one and a half per centum on their dividends, in lieu of the stamp duty on the notes issued by them, shall pay only at the rate of one and a half per centum per annum, on such dividends for the portion of a year that shall remain from the time of the last annual payment to the said thirty first of December, to be estimated upon the dividend or dividends that have been or shall be declared and made by such bank or bankers respectively, within a year from the time of such last annual payment, and in all cases in which payments shall have been made, or duties secured, for a term extending beyond the said thirty-first of December, on account of any certificates for the use of a carriage, or license to distil or retail, so much of the sums so paid or secured as shall be proportioned to the part of the term which may remain unexpired, shall be refunded or remitted: *Provided*, That all duties on sales at auction effected, and on refined sugar removed, previously to the first day of January, one thousand eight hundred and eighteen, shall be paid in the same manner as if this act had not been passed.

Sec. 4. *And be it further enacted*, That all persons who shall, on or after the said thirty-first of December, have any blank vellum, parchment, or paper, which has been stamped, and on which a duty has been paid to the use of government, shall be entitled to receive from the collector of the district to whom it may be delivered, or from such other revenue officer in the respective states or districts as may be designated for that purpose by the secretary of the treasury, the value of the said stamps, after deducting, in all cases, seven and a half per centum, and the said officers are hereby authorized to pay the same; *Provided*, the said blank vellum, parchment or paper, be presented within four months after the said thirty first of December.

Sec. 5. *And be it further enacted*, That on all sums that be refunded in virtue of this act, as well as all sums received after the thirty first day of December aforesaid, and before notice of this act, the collectors shall be allowed a commission of six per centum, to be charged by them in settling their accounts with the treasury department.

Sec. 6. *And be it further enacted*, That in case a collector shall not have in his hands a sufficient sum out of which to refund the sums authorized to be refunded by this act, or to defray the expenses incident to the collection of the outstanding duties and direct tax, such repayments and expenses shall be made and defrayed out of any money in the treasury not otherwise appropriated.

Sec. 7. *And be it further enacted*, That if, on the settlement of the accounts of any collector relative to the direct tax and internal duties, balances shall be found due to and from him on the different accounts, they may be adjusted, so as to ascertain the final balances, and if this be in favor of the collector, it shall be paid out of any money in the treasury not otherwise appropriated.

Sec. 8. *And be it further enacted*. That the fifth section of the act passed the third day of March, one thousand eight hundred and fifteen, entitled "An act to fix the compensation and increase the responsibility of the collectors of the direct tax and internal duties, and for other purposes connect-



ed with the collection thereof," shall cease after the thirty-first day of December, one thousand eight hundred and seventeen.

H. CLAY,  
Speaker of the House of Representatives.

JOHN GAILLARD,  
President of the Senate, pro tempore.

Approved, December 23, 1817—  
JAMES MONROE.

**Loan office certificates,  
ARMY CERTIFICATES AND INDENTS OF INTEREST.**

The following is the substance of a letter from the secretary of the treasury, shewing "the outstanding loan office certificates, army certificates and indents of interest that appear on the books of the treasury—accompanying a bill reported in the house of representatives "to authorize the payment of certain war office certificates."

Loan office certificates, signed by the treasurer of loans, and countersigned by the respective loan officers"—whole amount	\$100,576 42
"Final settlement certificates issued by commissioners appointed to settle claims during the revolutionary war, in the several departments"	3,992 30
"Final settlement certificates issued by commissioners appointed to settle claims of individual persons for supplies furnished" in the several states	15,530 22
"Certificates issued by army contractors to officers and privates of the revolutionary army	38,414 52
Indents of interest, estimated amount outstanding	500 00
	159,013 56

The average period of interest on the several certificates forming the foregoing aggregate amount, may be estimated at thirty five years, or from the 1st of January 1782: and it may be remarked, that the application for payment, from individual holders, at the treasury, of late years, have been so few, that it is conjectured a very small proportion, compared with the whole amount, would ever be claimed at the treasury.

The whole of them are barred by the statutes of limitation, excepting such claims (to an inconsiderable amount) as remain filed with the auditor of the treasury, and which have been rejected by him as inadmissible.

JOSEPH NOURSE, *Register.*

*Treasury Department,  
Register's Office, 5th January, 1817.*

**Legislature of Pennsylvania.**

Address delivered by WILLIAM FENDLAY, esq. to both houses of the legislature, on his inauguration, December 16, 1817.

FRIENDS AND FELLOW-CITIZENS—

In entering upon the discharge of those duties to which I have been called by the voice of the people, I avail myself of the opportunity now presented, to return to them, through you, my acknowledgments for this distinguished mark of their favor and confidence. Sensible, as I am, of the arduous duties, and high responsibilities, imposed by the constitution and laws on the executive magistrate of our state, I shall not expect to discharge them without having occasion to rely on the continuance of that favor and confidence, and to soli-

cit indulgence for such imperfections as may occur. An exemption from error, it were presumption to expect; but whatever can be effected by an ardent attachment to our republican institutions, by a zeal in the performance of duty, strengthened by those solemn sanctions which you have just witnessed, and from an entire devotion of my best abilities and untiring industry to the public welfare, I may confidently promise. With the exertion of these, aided by your wisdom, patriotism and friendly dispositions, a kind Providence, I humbly trust, will continue to dispense to our beloved country, those blessings, by which it has hitherto been so pre-eminently distinguished.

I cannot but felicitate myself, when I reflect on the auspiciousness of the period, at which the task of administering these duties has been assigned to me. I am cheered by the recollection, that I shall have the advantage of the example of my distinguished predecessor, who has filled the chair of state for the constitutional term, with signal fidelity and success.—Through a period of uncommon national difficulty and embarrassment, terminating, at length, in war, this state has fulfilled her duty to the nation, free from the influence of sectional prejudice and local jealousy, while in her interior the march of improvement has been both steady and rapid. In the mean time, the general government has been so wisely conducted, as to have advanced the interests, and eminently secured the confidence of its citizens. It is at peace at home and abroad, and its character respected by all nations.

These results furnish new proofs of the efficiency of a republican government.—Founded on the popular will, and administered by the agents of the people's choice, it has ceased to be a matter of experiment, but has proved itself competent to the demands of peace, and the exigencies of war, to the preservation of the general weal, and to the diffusion of private happiness.

Thanks to the wisdom, the patriotism and the valor of our ancestors, it is not left to us, fellow citizens, to purchase our liberties at the price of our blood. To them, under the guidance of the Great Arbitrer of nations, we are indebted for manifold blessings; yet there remains to us a wide field of usefulness, demanding the employment of our best faculties. Pennsylvania, as well from her locality as from her population and resources, forms an important member of the union, and her measures thence derive a powerful influence. It becomes us then, in a spirit of conciliation and forbearance, with harmony of design and unity of action, to endeavor to render ourselves worthy of the high trust to which we are called and of the continued approbation of our country, by persevering in a disinterested devotion to her cause and by cultivating with care those means we possess of advancing the general interests.

To accelerate the progress of internal improvement, and thereby unite the whole state in one common bond of interest; to uphold, by all our energy, the liberty and independence of our country; to guard the rights of every citizen of the commonwealth; to maintain the legitimate sovereignty of the state, on the one hand, whilst, on the other, we perform with fidelity our federal obligations; to provide for the general dissemination of knowledge; to advance, by salutary regulations, the prosperity of agriculture, manufactures and commerce, so far as they fall within the pale of state legislation; to render the administration of justice easy, expeditious, and satisfactory; to establish an efficient

militia system; to encourage those arts that supply and assist life; to cherish, by our example the purity and beauty of the religion of the Redeemer, the only steadfast basis of that morality on which republics are founded; and to transmit, untarnished, and undiminished, to our posterity, those sacred principles of liberty and equal rights which we inherited from our fathers; these are some of the labors that remain for us to perform, and that our country has a right to expect at our hands.

I renew to you, fellow citizens, my solemn pledge of a determination to devote myself to the public good, and afford, to the full extent of the executive powers, a ready co-operation in all measures calculated to promote the peace, happiness and liberty of our constituents. WILLIAM FINDLAY.

Harrisburg, December 16, 1817.

The official majority in favor of Mr. Findlay was 7,059—not 7,005 as stated in the table we published in page 192, present vol.

Thomas Sergeant, esq. has been appointed secretary of state.

### Indian News—Official.

*Copy of a letter from major general Edmund P. Gaines, to governor Rabun of Georgia, (received by express) dated 'Head-Quarters, Fort Scott, Dec. 2, 1817.'*

Sir—I have the honor to acknowledge the receipt of your excellency's letter of the 20th of last month. The detachment of militia, I have no doubt will arrive in due time to enable me to put an end to the little war in this quarter, in the course of this or the next month.

With a view to ascertain the strength of the hostile indians in the vicinity of Fowl Town, and to reconnoitre the adjacent country, I a few days past detached lieut. col. Arbuckle, with 300 men. The lieut. col. reports, that a party of Indians had placed themselves in a swamp, out of which about 50 warriors approached him and with a war-whoop commenced a brisk fire upon the detachment. They returned the fire in a spirited manner. It continued not more than 15 or 20 minutes before the indians were silenced, and forced to retire into the swamp with a loss which lieut. col. Arbuckle estimates at from 6 to 8 killed, and a much greater number wounded. We had one man killed, and two wounded. The enemy have since succeeded in an affair in which the real savage character has been fully exhibited. A large party formed an ambuscade on the 30th ultimo, upon the Appalachicola river, a mile below the junction of the Flint and Chattahoochie, attacked one of our detachments in a boat, ascending near shore, and killed, wounded, and took the greater part of the detachment, consisting of 40 men, commanded by lieut. R. W. Scott. There were also on board the boat, killed or taken, 7 women, the wives of soldiers; six men only escaped; four of whom were wounded. They report that the strength of the current at the point of attack, had obliged the lieut. to keep his boat near the shore. That the indians had formed along the bank of the river, and were not discovered until their fire commenced, in the first volley of which, lieut. Scott and his most active men fell. The lieut. and his party had been sent from this place some days before, to assist major Muhlenburg in ascending the river with three vessels, laden with military supplies, brought from fort Montgomery and Mobile. The major, it seems, deemed it proper to retain only about 20 men of the party, and in their place put a like number of sick, with the women,

and some regimental clothing. The boat thus laden, was unfortunately detached alone for this place. It is due to major Muhlenburg to observe, that at the time he detached the boat I have reason to believe he was not apprised of any recent acts of hostility having taken place in this quarter. It appears, however, by a letter from lieut. Scott, received about the hour in which he was attacked, that he had been warned of the danger which awaited him: I must, therefore, conclude, that he felt it to be his duty to proceed. Whether he had received from major Muhlenburg a positive order to this effect, I have not yet learned. Upon the receipt of lieut. Scott's letter, I had two boats fitted up with covers of plank, port holes, &c. for defence, and detached them under capt. Clinch, with a subaltern officer and 40 men, with an order to secure the movement of lieut. Scott, and then to assist major Muhlenburg. This detachment embarked late in the evening of the 30th ult. and must have passed the scene of action (15 miles below this place) at night and 7 hours after the affair had terminated. I have not yet heard from captain Clinch. I shall immediately strengthen the detachment under major Muhlenburg with another boat, secured against the enemy's fire. He will, therefore, move up safely by keeping near the middle of the river, which, with his vessels and force, is quite practicable. I shall, moreover, take a position, with my principal force, near the junction of the rivers at the line of demarcation between the United States and Spain, and shall attack any force near that place, or that may attempt to intercept our vessels or supplies below.

The wounded men who made their escape, concur in the opinion that they had seen upwards of 500 warriors (supposed to be hostile) at different places on the river below the point of attack: of the force engaged they differ in opinion; but all agree that the number was very considerable, extending about one hundred and fifty yards along the shore, at the edge of a swamp, in a thick wood.

I am assured by the friendly chiefs, that the hostile warriors of the town on the Chattahoochie, have been for some time past moving off down the river, to join the Seminoles. Those now remaining on the river, are believed to be well disposed. One of the new settlers there, however, has been recently killed; but it has been already proven, that the perpetrator of this act, together with most of the warriors of this town (High Town) belonged to and have joined the hostile party. The friendly chief in the neighborhood, promptly dispatched a party in pursuit of the offender, who made his escape towards the Mickasukee town. Oniskays, and several other friendly chiefs, have tendered to me their services, with their warriors, to go against the Seminoles. I have promised to give them notice of the time that may be fixed on for my departure, and then to accept of their services.

The enclosed paper contains the substance of what I have said to the chiefs who have visited me; several of whom reside south of the Appalachicola. The chiefs were desirous I should communicate to them my views and wishes. I felt authorized to say but little, and deemed it necessary in what I should say, to counteract the erroneous impressions by which they have been misled by pretended British agents.

I have the honor to be, most respectfully, your obedient servant,

E. P. GAINES.

His Excellency Governor Rabun.

Gen. Gaines has arrived at fort Hawkins having left fort Scott the 5th instant. One object in visiting the frontier at the present moment, was pro-



bably to hasten the movement of the troops from this state, who took up the line of march at 10 o'clock on Sunday. Success to them! Previous to their departure the subjoined complimentary general order, was issued, and read to them. We understand that Gen. Gaines contemplates visiting the troops at Point Petre, before he returns to the Indian nation. If so, we should presume, that fort Scott was not only secure against an attack from the savages, but that offensive operations would cease on our part, till he joins the army, when he will put an end to the little war in that quarter.

“Head Quarters, Fort Hawkins, Dec. 14.

“The commanding general is pleased with the military aspect of the detachment of militia, under the command of Brigadier Gen. Glascock. The officers and men appear qualified to meet the enemy, with honor to themselves and benefit to their country. The Major General is happy to learn that they are anxious to take the field, and co-operate with the United States troops against the hostile savages, whose hands are stained with the blood of helpless women and children. The detachment shall be indulged with an early opportunity of such a co-operation—for which the United States troops are equally anxious.”

A correspondent at St. Stephens informs us that volunteer companies are forming there to join Gen. Gaines. Access to the Gen. is much easier from the westward.

A gentleman from St. Stephens says that he met between that place and fort Hawkins, 400 wag-gons, carts and carriages! *Reflector.*

### Commercial Items.

We abstract the following items from an extensive and very comprehensive mercantile card published at Liverpool.

#### COTTON IMPORTED INTO GREAT BRITAIN.

1701 to 1705, average, for each year	1,170,881
1776 — 1780 :	6,706,013
1786 — 1790 :	25,443,270
1791 — 1795 :	26,500,000
1796 — 1800 :	37,200,000
1801 — 1805 :	58,000,000
1806 — 1810 :	81,000,000
1811 — 1815 :	71,300,000
1816 :	94,500,000

Greatest import in 1810—136,448,935 lbs.—in 1813—50,966,000.

Greatest import from the United States in 1810, 253,963 bales.

other places (same year) 307,210

From 1802 to 1807, inclusive of both, the quantity received from the United States had about a proportion to the whole imported as 100 is to 125.

The following shews the rate of the succeeding years—

	American.	other sorts.
1808 bags	37,672	130,466 bales.
1809 - - -	169,980	270,402
1810 - - -	253,963	307,210
1811 - - -	128,192	198,039
1812 - - -	95,331	165,874
1813 - - -	37,720	211,816
1814 - - -	48,853	238,778
1815 - - -	203,051	166,252
1816 - - -	166,077	203,355

The extreme prices of all the sorts of cotton is given for 12 years—those of the “uplands” will, perhaps, afford the best general idea of the whole:

Uplands, in 1805, 16½ to 25*u*. 1806, 15 to 21½;

1807, 15½ to 19; 1808, 15½ to 36; 1809, 11½ to 34; 1810, 11 to 22½; 1811, 9 to 16; 1812, 12 to 23½; 1813, 18½ to 30; 1814, 20½ to 37; 1815, 14½ to 25½; 1816, 13 to 21½.

The market for cotton.—In 1816, the weekly sales at Liverpool amounted to 5731 bales; at London to 992; at Glasgow 777; other ports 11.

Places from whence the cotton was imported.

	1814.	1815.	1816.
United States	49,572	203,051	166,077
Brazils	150,930	91,055	123,450
West Indies	74,081	52,840	49,235
East Indies	13,048	22,337	30,670

Flour imported.

The import into Liverpool, only, is given. 175,556 barrels were received at that port in 1809—extreme prices 48 to 54*s*.; 1810, 100,817, at from 54 to 68; in 1811, 6110, at from 52 to 63; 1812, 12,623, at from 63 to 95; 1813, 891, at from 66 to 78; in 1814 none; 1815, 79,727, 26 to 33; 1816, 19,492, 30 to 84*s*.

Wheat and flour may be imported from Canada when the average price is 67*s*. per quarter, and from the United States and other foreign places when the average is at 80*s*.

Tobacco imported.

In 1814	- - - - -	1,280 hhd <i>s</i> .
1815	- - - - -	15,450
1816	- - - - -	7,600

### Finances of Virginia.

Amount of receipts with which the treasurer is charged for the 1st Oct. 1816 to 30th Sept. 1817, both inclusive, and of the warrants drawn for the same period.

#### RECEIPTS.

Literary fund	653,536 66
Board of public works	82,987 75
Washington monument	400 00
Permanent revenue, land office, sales of land, fines, &c.	644,082 19
	<u>\$1,381,206 60</u>

#### WARRANTS.

On literary fund	646,238 33
Permanent revenue, &c.	575,267 34
	<u>1,221,505 67</u>

Balance in favor of the revenue 159,700 93

#### LITERARY FUND.

A letter was received by the legislature from the governor, enclosing the following report on the literary fund.

The president and directors of the literary fund, with peculiar satisfaction, congratulate the general assembly on the prospect that the wise and beneficent views of their patriotic predecessors, in laying the foundation of a system of public education, may be realised more speedily than was at first anticipated. In obedience to the duty required of them by law, and to a resolution of the house of delegates, they now report to the legislature the present state of the fund entrusted to their management; from which they hope it will be evident that the president and directors have not been inattentive to the important interests confided to them, but have faithfully and diligently nursed the fund, from the feebleness of infancy to the vigor of youth, until it promises in a short time to attain the strength of full maturity. It now remains for the representatives of the people to determine, what measure shall be adopted to render it completely adequate, and

apply it, by a judicious plan, to the objects of its institution.

The president and directors, however, think it their duty to remark, that, in some particulars, the laws now in force, in relation to a part of the sources from which the literary fund is derived, require amendment. They therefore respectfully suggest, that provisions ought to be made to suppress the sales, within this commonwealth, of tickets belonging to schemes of lotteries not authorized by the legislature thereof, or by the president and directors of the literary fund; and that more effectual regulations are necessary to ensure the collection, and payment into the treasury, of fines, penalties and forfeitures accruing to the said fund. As to the first of these points, it is sufficient to say that they concur in the view which has been taken of that subject by the revisors of the laws. In relation to the second point, the board has been informed, that very generally throughout the state, when executions for fines are issued, and prove ineffectual, in consequence of the removal of the defendant from the county, or his contriving to keep his property out of the way of the sheriff, no farther steps are ever taken to enforce payment, but the amount is lost to the commonwealth, though with proper exertions, it might be recovered. It is proper, also, to mention that a number of small fines, (amounting collectively, to a large sum,) imposed by single magistrates, are received and never accounted for by constables; no method being provided by law to bring those officers to account, and to compel the payment into the treasury of fines received by them. To devise proper remedies, for preventing such losses to the fund, is respectfully submitted to the wisdom of the general assembly.

*State of the literary fund on the 10 day of December 1817.*

The following is the amount of stock, of various descriptions belonging to the said fund.

196 shares in the Farmers' bank of Virginia	\$19,600 00
322 shares in the Bank of Virginia	32,200 00
Virginia 7 per cent. stock	621,000 00
Virginia 6 per cent. certificates	1,286 82
United States 6 per cent. stock	13,818 18
3 shares in the James' river company	600 00

<b>Total</b>	<b>\$688,505 00</b>
The cash in the treasury (of which \$200,000 were received of the United States in the present month,) to the credit of the literary fund, is	\$215,303 31

Amount of the fund	\$903,808 31
The interest to be received upon the principal be estimated as follows:	
The \$51,800 of stocks in the banks of Virginia will probably yield 8 per centum per annum	\$4,144 00
The \$621,000 Virginia stock will yield 7 per cent.	43,470 00
The \$15,105, six per cent. will yield	906 30
The 3 shares in the James' river company will probably yield, annually	96 00
And the cash now in the treasury (which will be vested shortly in some productive stock,) may be estimated to yield 6 per centum per annum	12,918 19

Amount of annual interests \$61,534 49  
By order of the board,  
JAMES P. PRESTON, Pres.

### Kentucky.

A bill has passed the senate to appropriate \$40,000 annually, of the state's dividend for bank stock, to improve the navigation of Kentucky, Green, Salt and Licking rivers.

The yeas and nays of the *new election bill* were as follows in the house of representatives.

**YEAS**—Mr. Speaker, Messrs. Allen, Anderson, Barbour, Barr, Baylor, Bibb, Butler, Cassidy, Chew, Clarke, Davis, Dawson, Donaldson, Dulaney, W. Emerson, Field, Fleming, Fletcher, Gholson, Givens, Glenn, Haynes, Hickman, Hopson, J. Hunter, W. S. Hunter, Jameson, C. Johnson, J. Johnson, J. T. Johnson, Lackey, Laue, Metcalfe, Mitchell, O'Bannon, Parker, Parsons, Patton, Payne, John Porter, Reid, Roberts, Sanford, Sharpe, South, Shortridge, Todd, Tribble, Trigg, Turner, W. Wall, G. Wall, Ward, White and Wier—56

**NAYS**—Messrs. Adair, Barrett, Bates, Bayne, Beall, Cocks, Coffey, Cotton, Cunningham, Duncan, J. Emmerson, Gaither, Hart, Jewell, Knight, Letcher, Marshall, Mercer, Joseph Porter, Robinson, Rowan, Shacklett, Shackleford, Spillman, Smith, Thomson, Underwood, C. Walker, Wickliffe and Woods—30.

#### FINANCE OF THE STATE.

The treasurer's report, including, \$57,030 35 remaining in the treasury on the 10th Nov. 1816, presents an aggregate of receipts for the year, of \$256,955 75.

The disbursements during the year, including \$59,800 invested in bank stock, amount to \$199,516 —leaving a balance of \$57,439 75 in the treasury, on the 10th Nov. 1817.

The ordinary disbursements of the year amounted to \$95,802 01.

### Finances of Indiana.

*In the house of representatives, Dec. 8.*

The treasurer's report was received and is as follows:

"The treasurer, in obedience to an act of the general assembly, entitled an act concerning the auditor of public accounts and the treasurer, approved the 11th December, submits the following report:

That from the 16th Nov. 1816, to the 29th Nov. 1817, inclusive, there has been received on loan \$20,000 00

From sundry sheriffs within the date aforesaid 4,351 09½

Making a sum total 24,251 09½

Within the period above mentioned, there has been paid at the treasury in discharge of the late territorial debt, 5,331 63½

In payment of the officers of the executive department 2,000 00

In defraying the contingent expenses of the government 222 37

In defraying the expenses of the late convention of the Indiana territory 3,076 21

In payment of the officers of the judiciary department, 2,200 00

In payment of the members of the general assembly for their services during their late session, and defraying expenses attendant thereon, 7,325 12

20,055 33½



Leaving in the treasury the 29th Nov. 1817 a balance of	3,320 76
Since which period to the 8th Dec. there has been paid at the treasury the sum of	550 00

Leaving a balance on the 8th Dec. 1817, in the treasury of	3,270 76
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Since the 29th of Nov. as aforesaid there has been paid into the treasury by sundry sheriffs for the years 1814, 1815, 1816 and 1817	3,983 37
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Leaving in the hands of the treasurer on the 8th of Dec. 1817, the total sum of	\$7,254 13½
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Respectfully submitted,  
DANIEL C. LANE, *Treasurer of state.*

## Foreign Articles.

ENGLAND, &c.

*London dates of Nov. 16.*

We little thought last week, when we laughed at the stupid pomp and silly regulations that had been adopted in England in preparation for the lying-in of the princess *Charlotte*, that we should now have to record her death. She was delivered of a still-born male child on the evening of the 5th of November, and expired at half past 2, on the morning of the 6th. The event was announced by a bulletin to the lord mayor of London, and the *Courier* says it has "*blasted a nation's hope,*" &c. She was the only legitimate child of the prince regent, and was born on the 7th of January 1796—and was in the 22nd year of her age. The duke of York, *precious Frederick*, is now presumptive heir of the British throne; but neither he, nor any of his numerous brothers and sisters have a legitimate child!—

The editor of the *Boston Daily Advertiser*, who appears entirely to understand the whole of the matter, gives us the following account of the condition of the family of the *Guelphs*—"The princess Charlotte of Wales, the news of whose death is given in this paper, was born January 7, 1796, and married May 2, 1815. Her death must be a severe disappointment to the British nation, as it renders it extremely uncertain who will be the successor of the prince regent, to the throne. It is remarkable that although the twelve eldest children of the present king are all living, viz. seven sons and five daughters, the youngest of whom is more than forty years old, not one of them has a *legitimate* child living. The succession goes, on the death of the prince regent, to the duke of York, who is married to a daughter of the late king of Prussia. This princess has never had any children, and is now 50 years old. The two next sons of the king, the dukes of Clarence and Kent, have never been married. The duke of Cumberland is married but has no children.

The duke of Sussex was married in 1793 and had a son and a daughter, but his marriage was not according to the forms required by law, and has been declared void, and his children are of course illegitimate. The duke of Cambridge is not married, and although the youngest of the king's sons is 43 years old. The eldest of the daughters of George III. is a widow. The dutchess of Gloucester was married in 1816, and neither have any children. The three other daughters have never been married. The king has one nephew only, who is 41 years of age, and one niece who is 44, and is unmarried.

There is one consequence of the death of the

princess Charlotte, of some political importance. The succession to the crown of the kingdom of Hanover, which cannot go to a female, will probably remain united with that of the kingdom of G. Britain."

To the preceding however, that the *important* affair may be viewed in all its bearings, we add the following from a London paper—"With respect to the other collateral branches of the family, there are one child, five grand children, and four great grand children of the dutchess of Brunswick, and two grand children of the queen of Denmark, his majesty's sisters, to whom the crown will devolve on failure of lineal descendants from our native princes."

The papers are filled with details of the "fatal event," the "overwhelming calamity"—with as much fuss and as much folly as the *acconchment* was provided for. Every little thing is swelled into an important matter:—thus, when she was taken ill the archbishop of Canterbury, bishop of London, &c. &c. were summoned—When she was delivered of a still-born child, prince Leopold exclaimed "Thank God! thank God! the princess is safe!" [What husband would not have done the same?] Then a description of the dead baby—"it was perfect, and one of the finest infants ever brought into the world!"—Then that she was composed, though much exhausted—that the archbishop and bishop went home, the medical attendants remaining. On her getting worse, expresses were despatched to carry the sad tidings—and that she died at half past two o'clock. Then commences the lugubrious accounts—the *alack's* and *alas's* would fill a little volume. "*Had the offspring survived it might have soothed our sorrows!*" Then prince Leopold is pitied, but he is "*as well as can be expected!*" and, by virtue of his marriage contract, will relieve the laborers of Great Britain of the pretty little sum of \$222,000. (50,000*l.*) per annum, as long as he lives, if they are *wise* enough to pay it, for the great services that he has rendered the nation. The regent is condoled with—he got sick, was "blooded," and then got better. The great bell of St. Paul's was tolled. Then a *Jeremiah* that the sons and daughters of "our present monarch are without *lawful* issue," and fears expressed that they may again be compelled to *import* some Dutchman for a king. After which is an account how the old queen was affected, and that that *virtuous* man, the duke of Clarence, was almost deprived of utterance when he heard the news! Then how the body of the princess was embalmed by several knighted doctors, and her internal parts deposited in an urn—and how she is to be buried. The whole is concluded by the order for a general mourning, in which each article of dress is described with the detail of a millener's errant girl, by the lord chamberlain.

One paper gives us a list of no less than *one hundred and twenty three* persons who may pretend to the throne of Great Britain in right of *blood!* The three "nearest the throne, being married and having children," are the king of Wirtemberg, his brother Paul, and the wife and child of *Serene Bonaparte!*—and the English seem already terrified at the idea that a *Bonaparte* may be their "legitimate" master. They seem even now to be calling upon parliament to fix the succession, if the *hone-stock* should remain without lawful issue; which is anticipated. Few of them are too old, as to the number of their years, to have children; but they have generally lived *so fast* that they are very old in constitution. Yet it is hinted that the regent

may be divorced from his wandering wife and take another.

There is much edification in the picture of *monarchy* presented in the preceding abstracts; and for this purpose, only, have we *lumbered* our pages with them.

We shall not say that we rejoice at the death of this young woman; but *millions* die every year that are as much entitled to our regret. What was she to us—what had she done to claim the sympathy of the world?—Yet it seems to go very hard with some of our neighbors. Certain of our newspapers have four or five columns of the chit-chat stuff condensed in the preceding [to shew its nature]—one editor says that the *Congress News* is postponed to make room for it! another calls it the “*distressing event*,” and a third the “*melancholy occurrence*,” &c.

How wretched must be the state of a nation, when its hopes of tranquility,—nay, perhaps, of the preservation of its government, is made so much to depend on the life of a poor girl!

The same British papers that are so dolorous about the death of the princess Charlotte, as mere common-place things, have accounts of the execution of certain persons at Derby for *high treason*—i. e. while the prince of Coburg was rioting on about 100,000. a year of *their* money, they would not starve quietly, as good subjects ought to have done. One of these had an amiable and beloved wife and daughter. They were hung, after which their heads were chopped off and held up by the hair to the view of the populace.

Wheat and flour were on the rise in England. The new wheats were found inferior in yield and short in quantity—yet it was probable, as the average price, for five weeks, had not amounted to 80s. on the 15th of Nov. that the ports would be shut, except to importations from the British American colonies—to be opened again in February. The prices of wheat and flour were as follows:—Wheat, foreign, 11s. 6d. to 16s. per 70lbs. English, 12 to 16s.; Irish 8s. 6d. to 12s. Flour, American, 62 a 63s. per *bb*l.

American 6 per cent. stocks, 105.

The ship *Mary Ann*, of New York, has arrived at Liverpool, in *sixteen* days, from York to port.

The London *Traveller* of the 7th Nov. states “with deep regret, that the fever still continues to spread its ravages in Ireland. From Cork and Derry, the reports are particularly alarming. The hospitals are crowded and the exterior patients numerous in all ranks, the most respectable not excepted.

#### SPEECH OF LOUIS XVIII.

*Pronounced at the opening of the session on the 5th Nov. 1817.*

“GENTLEMEN—At the opening of the last session I spoke to you of the hopes inspired by the marriage of the duke de Berry. Though providence has so suddenly withdrawn the gift it bestowed, yet we behold in it the assurance of the future accomplishment of our wishes.

“The treaty with the *holy see*, which I mentioned last year, has since been concluded. I have desired my ministers, in communicating it to you, to propose the project of a law, necessary to give the legislative sanction to such of its conditions as may be susceptible of it, and to make it in unison with the charter, the laws of the kingdom, and those privileges of the Gallican church, the precious inheritance of our fathers, of which St. Louis and all his successors were no less jealous than of the happiness of their subjects.

“The harvest of 1816, by its deficiencies, frus-

trated, in a great degree, my hopes. The sufferings of my people have afflicted my heart. I have however beheld with emotion, that almost every where they have endured them with a degree of touching fortitude; and if, in some places, they have broken out into seditious acts, order was soon re-established. In order to mitigate the misfortunes of that period, I have found it necessary to make great efforts, and extraordinary pecuniary sacrifices. The details will be presented to you, and the zeal with which you are animated for the public good, will not permit me to doubt that these unforeseen expenses will have your sanction. The harvest of this year is more satisfactory; but on the other hand, some local calamities, and the blights which have fallen upon the *vineyards* excite my paternal solitude for privations which, without your co-operation, I cannot relieve.

“I have ordered that the budget of the current charges should be charged to you. If the expenses resulting from treaties, and from the deplorable war they have terminated, will not permit any immediate diminution of the taxes voted in preceding sessions, I have at least the satisfaction of thinking, that the economy I have prescribed, will preclude the necessity of an augmentation, and that a vote of credit, inferior to that of the last session will suffice for all the wants of the year.

“The conventions which I signed in 1815, presented results which could not then be foreseen, have rendered a new negotiation necessary. Every thing leads me to hope, that its issue will be favorable, and that conditions far above our means, will be succeeded by others more conformable to equity, to moderation, and to the possibility of sacrifices, which my people support with a constancy that can add nothing to my love for them, but which give them new claims to my gratitude, and to the esteem of all nations.

“Thus, as I had the happiness of announcing to you in the course of last session, the expenses arising from the army of occupation are diminished a fifth, and the period is not far distant, when we may be permitted to hope, thanks to the wisdom and energy of my government, to the love and confidence of my people, and to the friendship of my allies, that those expenses will entirely cease; and that our country will resume among nations the rank and renown due to the valor of Frenchmen, and their noble character in adversity.

“To attain this end, I shall more than ever require an unanimity between the people and the throne; that vigor, without which authority is powerless. In proportion as that authority is strong, will be diminished the necessity of its becoming austere. The manner in which the depositories of my power have used, what the laws have entrusted to them, justifies my confidence. However, I feel great satisfaction in announcing to you, that I do not consider it requisite to continue the prevotal courts beyond the term fixed for their existence by the law which created them.

“I have digested, conformably to the charter, a law for recruiting. I wish that no privileges should be sought; that the spirit and dispositions of that charter, our true compass, which calls all Frenchmen indiscriminately to offices and employment, should not be illusory, and that the soldier should find no other limit to his honorable career, than those of his talents and services. If the execution of this salutary law should demand an augmentation in the budget of the war minister, you, as the interpreters of the sentiment of my people, will not hesitate to sanction augmentations which secure to



France that independence and that dignity, without which there can be neither king nor nation.

"I have detailed to you our difficulties, and the measures they will require: in conclusion, I shall direct your attention to objects of a more engaging description. Thanks to the peace restored to the church of France, religion, that eternal basis of all felicity, even on earth, will, I doubt not, flourish amongst us; tranquillity and confidence begin to re-appear; public credit is strengthening itself; agriculture, commerce, and industry resume their activity; new master-pieces of art excite admiration.

One of my children is traversing, at this moment, a part of the kingdom, and in return for sentiments so deeply engraven on his heart, and manifested by his conduct, he is every where greeted with benedictions; while I, who have but one feeling, the happiness of my people, who am desirous for their good alone, of that authority which I shall defend from all attacks, of whatever kind, I know that I am beloved by them, and I find in my heart the assurance that this consolation will never be denied to me."

#### RUSSIE.

The present population of St. Petersburg is stated at 270,500 inhabitants including the garrison.—The proportion of foreigners is estimated at 1-8th thereof.—In point of numbers that capital ranks the fifth city in Europe.

A London editor, speaking of the expected arrival of the Russian fleet, and speculating on its object, says—"Should the object be an acquisition of territory even by cession for a price, we have a right to say, No, you shall not alter your relative situation; for that is virtually to alter ours, to which we cannot consent till convinced that our interest shall not be injured."

It seems that the answer once given by the empress *Kate* has been forgotten. They interfered in respect to the Turks; and she told them to attend to their own business—that she would attend to hers, as she pleased.

A London paper, of Nov. 10, says—The Russian fleet sold to Spain has passed the Belt, and, it is said, will immediately proceed direct to Cadiz, without stopping at any port in England.

A Flanders mail contradicts the report that Spain is to cede some territory in return for the Russian fleet from Revel, delivered over to her. The payment, it is said, is to be made in money, 400,000*l.* of which she is to receive from us for the abolition of the slave trade.

#### "SPANISH AMERICA."

We have accounts from Buenos Ayres of October last. They shew chiefly that the republic of the *Rio de la Plata* is increasing in strength and acquiring stability—and the public affairs appear to be very well conducted. The army that is acting against the royalists of Peru has gained some considerable advantages and that of Chili seems to have effected its object.

In a manifesto respecting the privateers, the supreme director of Buenos Ayres complains of the depredations they are committing under the assumed flags of those provinces, where the vessels licensed for that purpose, are required previously, to give unquestionable and ample bonds, strictly to conform themselves to the ordinances and regulations laid down by that government, in conformity with the general usages of nations.

Many very rich prizes had recently arrived at Buenos Ayres—among them a ship from Manila, with the governor and his suit on board, captured by capt. Chaytor, formerly of Baltimore.

It is reported that a note has been addressed by the emperor of Russia to the different powers of Europe, on the affairs of South America, which has excited great attention.

We have some reports from Mina, via Nachitoches, one dated at that place Dec. 3, says that "recent news" had been received of him. They speak of his uniform success, and state that he has beaten the royalists on every occasion, having destroyed three divisions of them, &c. But yet the news of his capture may be true, though we do not believe it.

#### FLORIDA.

For some important documents respecting the Floridas see page 315.

From the *National Intelligencer* of January 6. Despatches received from the commander of the forces of the United States on our southern border, have brought official information of the occupation of Amelia Island on the 24th ult. by the U. States' troops under the command of Col. *Bankhead*, co-operating with the naval force on that station, under the command of Capt. *Henley*.

From the same—It has been stated in the public prints in a variety of shapes; in some as a positive fact, in others upon a conjecture, that Mr. *Bagot*, the British minister here, had protested against the transfer by Spain of East Florida to the United States. We have taken pains to ascertain the truth of this statement, and are warranted in assuring our readers that it is altogether without foundation.

The privateers Congress and High Flyer arrived at Amelia, after its surrender. *The latter had 120 slaves on board*, and was taken possession of by the authority in command at the place. Heaven forbid, that we should regard these smugglers and dealers in men, as "patriots."

[No opposition was made. Col. *Bankhead* has established a temporary police for the preservation of order, until civil authority can be introduced. *Aury's* adherents are represented as a wretched set of negroes, smugglers and adventurers.]

## CONGRESS.

#### SENATE.

January 2, 1818.—Mr. *Leake* offered for consideration the following resolution:

Resolved, That the committee on public lands be instructed to enquire into the expediency of amending the several laws relative to the sale of public lands. [Agreed to on the 5th.]

Agreeably to notice, Mr. *Sanford*, having obtained leave, introduced a joint resolution, directing that the journal of the convention which formed the present constitution of the United States, now remaining in the office of the secretary of state; and all acts and proceedings of that convention, which are in the possession of the government of the United States, be published under the direction of the secretary of state.

The resolution was twice read by unanimous consent, and committed to Messrs. *Sanford*, *King*, *Macon*, *Eppes*, and *Tait*.

Mr. *Tait*, agreeably to notice, leave being obtained, introduced a bill in addition to the "act making appropriation for repairing certain roads therein described." [Appropriating dollars for the purpose of repairing and keeping in repair the road from Fort *Hawkins* to Fort *Stoddert*.]

The bill was read and passed to a second reading.

Mr. *Burrill's* motion, submitted on Wednesday last, to enquire into the expediency of amending

the laws prohibiting the African slave trade, and of taking measures, in concert with other nations for its entire abolition, was taken up, and, after some interesting debate, postponed until Monday.

The resolution, submitted by Mr. *Burrill*, on Wednesday last, instructing the committee on the District of Columbia to enquire into the expediency of commencing the erection of the centre building of the capitol, and of making provision for the speedy completion thereof, and also, to enquire whether suitable apartments can be had in the capitol for the reception and accommodation of the library of congress; and in case such apartments cannot be had there, to enquire into the expediency of purchasing or erecting a convenient building for the library, was taken up and agreed to.

January 5. Mr. *Hunter*, of Rhode Island, appeared and took his seat.

Mr. *Campbell*, from the committee on finance, to whom the subject had been referred, reported a bill to provide for paying to the state of Indiana three per cent. of the net proceeds arising from the sales of the United States' lands within the same; also a bill to allow the benefit of drawback on merchandize transported by land conveyance from Bristol to Boston and from Boston to Bristol, in like manner as if the same was transported coastwise; which bills were read and ordered to a second reading.

January 6.—The senate was chiefly occupied in a debate on remitting the duties on West's painting (the bill for which had passed the house of representatives)—the policy of remitting the duties in any case being doubted—but the bill was ordered to a third reading.

January 7.—Mr. *Tait* offered a resolution to request of the president information of the number of ships put on the stocks, their class, the timber, &c. on hand, with an amount of the sums disbursed under the act for the gradual increase of the navy.

The bill from the house on remitting the duty on West's painting was passed.

#### HOUSE OF REPRESENTATIVES.

Friday, Jan. 2, 1818. On motion of Mr. *Talbot*, after a few remarks, explaining that, without some such provision, the widow of the lamented Lawrence would be in a few months utterly destitute of the means of support, it was

*Resolved*, That the committee on naval affairs be instructed to enquire into the expediency of continuing the pension of half pay to the widow of captain James Lawrence, deceased, during her widowhood; or in case of its sooner termination, to his infant daughter, until she arrives to the age of 21 years.

[We like this motion, and only ask—is the same care extended to officers of the army? In which where as noble hearts as ever bled in the cause of their country.]

On motion of Mr. *Rich*, it was.

*Resolved*, That the committee on pensions and revolutionary claims be instructed to enquire into the expediency of allowing to Daniel Warren, of Vermont, an increase of his pension.

On motion of Mr. *Pindall*, it was

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of establishing a district court in Virginia, west of the Alleghany mountain.

On motion of Mr. *Johnson*, of Kentucky, it was

*Resolved*, That the committee of claims be instructed to enquire into the expediency of providing by law for extending the provisions of an act en-

titled "an act providing for the payment of claims for property lost, captured or destroyed by the enemy, while in the military service of the United States, and for other purposes."

Mr. *Comstock* offered for consideration the following resolution:

*Resolved*, That it is expedient to provide by law for placing on the pension list the officers of the army who have been wounded in battle during the late war with Great Britain.

The engrossed bill for the relief of John Anderson, was read a third time. [This bill proposes to allow to col. Anderson 400 dollars, being the amount of two judgments obtained against him for the estimate value of certain private property destroyed by his orders, in the discharge of his duty as an officer of the army, on the North western frontier.]

This bill would have passed without debate, but that Mr. *Lowndes* objected to its passing *sub silentio*, lest it might be brought into precedent hereafter to justify the indemnification of officers for like judgments obtained against them, on the evidence of the judgment merely, without proof of the suit's having been duly defended. This suggestion gave rise to an exposition of the circumstances of this claim, by Messrs. Williams of N. C. McCoy, Walker of Ky. Johnson of Ky. Beecher and Rich; from which it appeared that the claim was one of unexceptionable character, and that ample evidence to that effect had been exhibited to the committee of claims. There was a motion to recommit the bill, which was negatived by a large majority; and

The bill finally passed without opposition.

The house again resolved itself into a committee of the whole, Mr. *Smith* of Md. in the chair, on the bill to prescribe the effect of certain records and judicial proceedings.

After considerable time spent therein, the committee rose, and had leave to sit again. Adj. to Monday.

Monday Jan. 5.—Mr. *Taylor*, of New York, from the committee on elections, to whom was referred the petition of C. Hammond, contesting the election of Mr. Herrick, a member of this house from the state of Ohio, on the ground of his having held an office under the United States, subsequent to the fourth day of March last, made an elaborate report thereon, terminating with a recommendation to the house to come to the following resolution: *Resolved*, That Samuel Herrick is entitled to a seat in this house." The report was read, and referred to a committee of the whole.

Mr. *Taylor*, from the same committee, made a special report on the case of Elias Earle, who held the office of a deputy post master subsequent to the fourth day of March last, declaring him also entitled to a seat in this house; which was read and referred to the same committee of the whole.

Mr. *Robertson*, from the committee of Public Lands, who were instructed to inquire into the expediency of advancing the price at which the public lands are held for sale, made a report on that subject, concluding with a recommendation to the house to adopt the following resolution: "Resolved, That it is inexpedient at the present time to increase the price of those public land required to be sold." The report was read, and ordered to lie on the table.

Mr. R. from the same committee, to whom was referred the petition on Edmund Dana and others, praying to be allowed to purchase a considerable body of public lands on certain accommodating terms, reported unfavorably thereto; and the report was read and concurred in.



Mr. Forsyth, from the committee on our foreign relations, reported a bill in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned; and the bill was twice read.

Mr. Holmes, of Massachusetts, from the select committee appointed to consider the subject, reported a bill allowing compensation to the members of the senate and house of representatives of the United States. [The bill fixes the compensation at the rate of nine dollars per diem, and nine dollars for every twenty miles travelling to and from congress.] The bill was twice read and committed.

Mr. Johnson offered for consideration the following resolutions:

*Resolved*, That the committee on the subject of the militia be instructed to inquire into the expediency of providing by law for organizing the general staff of the militia of the several states, upon the principle of the general staff of the army of the United States, as far as practicable.

*Resolved*, That the committee on the militia be instructed to inquire into the expediency of providing by law a system of military discipline for the militia of the several states and territories. Agreed to.

Mr. Johnson also offered a motion to increase the salary of the post master general, and supported it with a brief notice of the multiplicity of business that he had to do, &c.

The house resolved itself into a committee of the whole, Mr Smith, of Md. in the chair, on the bill to prescribe the effect of certain records and judicial proceedings.

Considerable debate again took place. But not having room to insert the sketches from the *National Intelligencer*, we shall not attempt an abstract. The committee rose, and had leave to sit again, &c. and the house adjourned.

*Tuesday, Jan. 6.*—On motion of Mr. Holmes, of Mass. the several orders of the day, preceding the bill to fix the compensation of the members of the senate and house of representatives, were postponed, and the house resolved itself into a committee of the whole, Mr. Smith of Md. in the chair, on the said bill.

Mr. Ross, of Penn. to try the sense of the committee moved to strike out the word *nine* and insert *six*, as the daily compensation.

The question was loudly called for—when Mr. Desha, of Ky. rose and spoke in favor of *six* dollars. [In his speech he several times mentions the interruption caused by the want of order in the house.] He thought six dollars a day enough—and said that the depreciation of the value so much spoken of was occasioned by the multiplication of banks, in doing which congress had had its share, &c.

Mr. Ogle, of Penn. was in favor of nine dollars—he thought the sum small enough for a just recompense, and believed that his constituents would think it to be so.

Mr. Linn, of N. J. moved to strike out *nine* and insert *eight*—negated.

Mr. Bassett, of Va. moved to strike out *nine* and leave it *blank*—negated. The committee reported the bill to the house—

The motion to strike out *nine* and insert *six* dollars being renewed, was decided as follows:

YEAS—Messrs. Baldwin, Barbour, Va. Basset, Bellinger, Bennett, Blount, Boden, Boss, Burwell, Campbell, Comstock, Desha, Earle, Edwards, Ellicott, Gage, Harrison, Hendricks, Herber, Herick, Heister, Holmes Mass, Huntington, Johnson, Ken. Lewis, McLane, W. P. Maclay, Marr, Mercer, Moore, Morton, Murray, New, Parris, Patterson, Peter, Quarles, Reed, Rich, Rich, Ross, Sampson, Sawyer, Seauder, Settle, Seybert, Shaw, Sherwood, Silsbee, S. Smith, Balt. Smith, J. S. Smith, Soubard, Spangler, Stuart,

Tarr, Taylor, Townsend, Trimble, Tucker, S. C. Tyler, Walker, N. C. Walker, Ken. Westerlo, Whiteside, Williams, Conn. Williams, N. C. Wilson, Penn.—68.

NAYS—Messrs. Abbott, Adams, Allen, Mass. Allen, Vt. Anderson, Pa. Anderson, Ken. Austin, Ball, Barber, Ohio, Bateman, Bayley, Beecher, Bloomfield, Bryan, Butler, Claggett, Claibourne, Cobb, Colston, Cook, Crafts, Crawford, Cruger, Cushman, Darlington, Drake, Erving, S. C. Felger, Forney, Forsyth, Fuller, Garnett, Hale, Hall, Del. Hall, N. C. Hasbrouck, Heikover, Hitchcock, Hogg, Holmes, Con. Hopkinson, Hubbard, Hunter, Irving, N. Y. Jones, Kinsey, Kirtland, Lawyer, Linn, Little, Livermore, Lowndes, W. Maclay, McCoy, Marchand, Mason, Mass. Merrill, Middleton, Miller, Mosely, Mumford, J. P. Nelson, H. Nelson, T. M. Nelson, Nesbit, Ogle, Orr, Owen, Palmer, Parrott, Pawling, Pindall, Pitkin, Pleasants, Poindexter, Porter, Richards, Ringgold, Robertson, Ken. Robertson, Lou. Ruggles, Savage, Schuyler, Slocumb, Alex. Smyth, Speed, Spencer, Stoops, Strong, Strother, Tallmadge, Terrill, Terry, Tompkins, Tucker, Va. Upham, Wallace, Wendover, Whitman, Williams, N. Y. Wilkin—101.

So the motion was negated.

The question was then taken on striking out *nine* and inserting *six* dollars at the allowance for every 20 miles travel to and from congress; which motion was decided by year and nays, as follows:

For the amendment 93

Against it 76

So this amendment was carried.

Mr. Little, of Maryland, then moved to strike out *nine* and insert in lieu thereof *eight* dollars as daily pay.

Mr. Bassett said he had voted against *eight* dollars in the committee of the whole, because he preferred *six*. He should now vote for *eight*, because he could not succeed in obtaining *six*.

Mr. Poindexter, of Mississippi, said, that, as the travelling allowance had been reduced to six, the pay ought to be reduced to the same rate; for that certainly the travelling was the most laborious part of the duty to perform for those who lived at any distance from the seat of government.

Mr. Johnson, of Kentucky, concurred entirely in the opinion, that the travelling was the hardest part of the representative's duty, in a pecuniary view, and for which members had not heretofore been sufficiently paid. There were occasions on which we were under an obligation to perform gratuitous services for our country; but surely this was not one of them. He too, he said, should vote for the reduction of the pay, because he hoped the mileage and the pay, whatever they were fixed at, should be at the same rate.

The question on reducing the daily pay from nine to eight dollars, was then decided as follows.

YEAS—Messrs. Allen, Vt. Anderson, Pa. Austin, Baldwin, Ball, Barbour, Va. Bassett, Bateman, Bayley, Bellinger, Bennett, Bloomfield, Blount, Boden, Boss, Burwell, Campbell, Claiborne, Comstock, Cook, Crafts, Cruger, Desha, Drake, Earle, Edwards, Ellicott, Erving, S. C. Floyd, Gage, Garnett, Hale, Harrison, Hendricks, Herber, Heriker, Herick, Heister, Hitchcock, Holmes, Mass. Huntington, Johnson, Ken. Lewis, Linn, Little, Livermore, McLane, W. Maclay, W. P. Maclay, Marr, Merrill, Moore, Morton, H. Nelson, T. M. Nelson, New, Parris, Peter, Pleasants, Poindexter, Porter, Quarles, Reed, Rich, Richards, Robertson, Lou. Ross, Sampson, Savage, Scudder, Settle, Seybert, Shaw, Sherwood, S. Smith, Balt. Smith, J. S. Smith, Soubard, Spangler, Speed, Tarr, Taylor, Tompkins, Townsend, Trimble, Tucker, Va. Tucker, S. C. Tyler, Upham, Walker, N. C. Walker, Ken. Wallace, Westerlo, Whiteside, Williams, Conn. Williams, N. C. Willke, Wilson, Penn.—99.

NAYS—Messrs. Abbot, Adams, Allen, Mass. Anderson, Ken. Barber, Ohio, Beecher, Bryan, Butler, Claggett, Cobb, Colston, Crawford, Cushman, Darlington, Folger, Forney, Forsyth, Fuller, Hall, Del. Hall, N. C. Hasbrouck, Hogg, Holmes, Con. Hopkinson, Hubbard, Hunter, Irving, N. Y. Jones, Kinsey, Kirtland, Lawyer, Lowndes, McCoy, Marchand, Mason, Mass. Merrill, Middleton, Miller, Mosely, Mumford, Murray, Nesbit, Ogle, Orr, Owen, Palmer, Parrott, Patterson, Pawling, Pindall, Pitkin, Ringgold, Robertson, Ken. Ruggles, Sawyer, Schuyler, Silsbee, Slocumb, Alex. Smyth, Spencer, Stoops, Strong, Strother, Stuart, Tallmadge, Terrill, Terry, Wendover, Whitman, Williams, N. Y.—70.

So the daily pay was fixed at eight dollars.

Mr. Little, then moved to reconsider the vote by which the travelling expenses had been reduced to six dollars, with a view to fix it at eight; which would make it stand on the same footing as heretofore, but at a little higher rate.

A good deal of desultory debate followed—of no importance. The question on *reconsideration* was then taken, and decided in the affirmative, and the allowance for mileage was fixed at *eight* dollars for every 20 miles, by a considerable majority.

The question having been finally stated, "shall the bill be engrossed and read a third time?"—

And, after some speaking, the bill was ordered to be so engrossed.

The speaker laid before the house sundry depositions and documents on the subject of the contested election of Charles F. Mercer, a member of this house from the state of Virginia, which were referred to the committee of elections.

Mr. *Wendover*, from the committee on the subject, made a report, accompanied by a bill, to alter the flag of the United States; which was twice read.

*Wednesday, Jan. 7.* Mr. Mercer submitted two resolutions for the purpose of having the journals of the old congress down to 1783, and of the general convention that framed the constitution of the U. S. printed.

Mr. *Williams*, of North Carolina, rose and addressed the house in the following words:

"Mr. Speaker: I lay before the house a letter addressed and delivered to me by a person called colonel John Anderson. That man has mistaken me much. Wherever I am known, at this place, and in the country from whence I came, no attempt of the kind would have been made. I feel it a duty to lay the letter and the statement thereon, made by myself, before the house. My feelings are too much excited, nor would it be my duty, to make any remarks on the subject. It is for the house to determine what shall be done."

The papers handed by Mr. *Williams* to the clerk were then read as follows:

WASHINGTON, JAN. 6, 1818.

*The hon. William Lewis.*

Honored sir—I return you thanks for the attention I received to my claims to pass so soon. Mr. Lee will hand you some claims from the river Rasin, which will pass through your honorable committee; and I have a wish that the conduct of the British in that country may be related in full on the floor of congress; which will give you some trouble in making out the report, and supporting the same.—I have now to request that you will accept the small sum of five hundred dollars, as part pay, for extra trouble I give you; I will present it to you so soon as I receive some from government. This is *confidential*, that only you and me may know any thing about it; or in other words, I give it to you as a man and a mason: and hope you belong to the society. Sir, should it happen that you would not accept of this small sum, I request you will excuse me; if you do not accept, I wish you to drop me a few lines; if you accept I wish no answer. I hope you will see my view on this subject; that it is for extra trouble.

I will make out a statement, and present the same to the committee, which will be supported by gen. Harrison, col Johnson, Mr. Hubbard, Mr. Meigs, post master general, governor Cass's report as commissioner, and others. Relying on your honor as keeping this a secret, and your exertions in passing these claims as soon as possible, I need not inform you, that we are as poor unfortunate orphan children, having no representation in congress—so must look on your honorable body as our guardians. Pardon this liberty from a stranger.

I am, with high esteem, your most obedient and humble servant,

JOHN ANDERSON.

*Mr. Williams's statement.*

After breakfast this morning, George, a servant, came into the dining room, and told me that a gentleman was in my room, waiting to see me. I stepped into my room, and col. John Anderson was there. He handed me a letter, observing at the same time, that he had prepared that letter for me, and that perhaps it would require some explanation. I read over the letter with attention; and, having done so, observed to col. Anderson it was a very surprizing communication. I then started to Mr. Wilson's room, immediately adjoining my own. When in the act of opening my own door, he begged I would not show the letter. I made no reply to this, but stepped into Mr. Wilson's room, and asked him to do me the favor to walk into my room. This Mr. Wilson did, following on immediately behind me. After we had got into my room, in the presence of col. Anderson I handed the letter to Mr. Wilson, and, observing that it was a very extraordinary communication, requested him to read it. When Mr. Wilson had read, or was nearly done reading the letter, I told col. Anderson that I repelled with indignation and contempt the offer he made to me in the letter. Col. Anderson said, he asked my pardon; that it was designed only as a small compensation for the extra trouble he expected to give the committee of claims in examining the claims from Michigan territory, and exposing the conduct of the British during the war; that it was foreign from his intention to attempt any thing like a bribe; and requested me to burn the letter, or to give it to him. I told him I should do neither; that his offence was unpardonable, such as I could not forgive, and ordered him to leave the room instantly. Col. Anderson then begged pardon, and asked forgiveness with excessive earnestness. I told him I would listen to none of his apologies; that his offence was an attack upon the integrity of congress generally, and upon mine personally; that no one should ever have my pardon or expect my forgiveness who should suppose me capable of such an influence as he had attempted to practice upon me. Again I told col. Anderson to leave my room. He advanced to the door, where he stood for some time, endeavoring to obtain my pardon, *as he said*. I told him it was in vain to ask it; that as a member of congress and of the committee of claims it was my duty to examine his claims, and, if just to support them; that his offer was an attempt at bribery; was an attempt to influence my mind in opposition to my duty, and as such could not be forgiven. He then desired me either to burn the letter or give it to him. I replied that I should do neither, and again ordered him to leave my room. Whereupon he did leave my room. Mr. Wilson, after talking on the subject of the letter for some time, suggested to me the propriety of calling in Mr. Wm. P. Maclay; but, as Mr. Wm. P. Maclay was not in, I asked Mr. William Maclay, the room-mate of Mr. William P. Maclay, to come to my room. He complied with my request; and, shortly after he arrived in my room, Mr. William P. Maclay also stepped in. These gentlemen, Mr. Wilson, Mr. William Maclay, and Mr. Wm. P. Maclay, were in my room at the time the servant called to Mr. Wilson, and said a gentleman was below waiting to see him. Mr. Wilson walked out of the room, and was gone a few minutes. After he returned, he observed that col. Anderson was the person who had sent for him; that col. A's business was to obtain his interposition to put a stop to further proceedings on the subject of his letter to me. The precise conversa-



tion between Mr. Wilson and col. Anderson can be related by the former with minuteness.

LEWIS WILLIAMS.

January 7th 1818.

The papers having been read through, Mr. W. Wilson, of Pennsylvania, referred to in the above narrative, handed in a statement of the facts which fell under his observation, entirely corroborating those stated by Mr. Williams as far as they came under the observation of the former.

Mr. Forsyth, of Georgia, moved that the house do come to the following resolution:

*Resolved*, That the speaker do issue his warrant, directed to the sergeant at arms attending the house, commanding him to take in custody, wherever to be found, the body of John Anderson, and the same in his custody to keep, subject to the further order and direction of this house.

It appeared from the statement made by Mr. Harrison, that col. Anderson, with "all the agitation belonging to terror or of conscious guilt," had informed him and Mr. Johnson, of Ken. of what had happened with Mr. Williams—they told him that they would not justify his conduct or say any thing in extenuation of it. Mr. Johnson regretted that the suffering people of Detroit and Michigan had placed their confidence in one, whom, until this day, he had himself held in the highest estimation. Mr. Terry asked the forms of practice in a case like this. Mr. Clay said a warrant might issue to apprehend the party offending. Mr. Forsyth referred to a case in 1795 when a bribe in land had been offered to a member. Finally, the question on Mr. Forsyth's motion was taken and agreed to unanimously.

The order of the day, the bill for compensating the members, was announced. Mr. Harrison moved to recommit it for the purpose of fixing the pay of the present congress at six dollars per day, and of future congresses at eight dollars. This produced another debate—and the motion was negatived.—The question was then taken on the passage of the bill, and again there was much speaking. But at last it was decided as follows.

YEAS—Messrs. Abbot, Adams, Allen, Mass. Allen, Vt. Anderson, Pen. Anderson, Ken. Austin, Ball, Barber, Ohio, Bateman, Bayley, Beecher, Bloomfield, Bryan, Butler, Claggett, Claiborne, Colston, Constock, Cook, Crafts, Crawford, Cruger, Culbreth, Cushman, Darlington, Drake, Earle, Ellicott, Floyd, Fomey, Forsyth, Fuller, Gage, Garnett, Hale, Hall, Del. Hall, N. C. Herkimer, Hitchcock, Hogg, Holmes, Con. Hopkins, Hubbard, Hunter, Irving, N. Y. Johnson, Ken. Jones, Kinsey, Kirtland, Lawyer, Linn, Little, Lowides, W. Maclay, Wm. P. Maclay, M'Coy, Marchand, Mason, Mass. Merrill, Middleton, Moore, Moslev, Jer. Nelson, H. Nelson, T. M. Nelson, Nesbitt, Orr, Owen, Palmer, Parrott, Patterson, Pawling, Peter, Pindall, Pitkin, Pleasants, Porter, Rich, Richards, Ringgold, Robertson, Kea. Robertson, Lou. Ruggles, Savage, Schuyler, Seudder, Settle, Slocumb, Alex. Smyth, Spangler, Speed, Storrs, Strong, Stuart, Tailmadge, Tarr, Terrill, Verry, Tompkins, Townsend, Tucker, Va. Upham, Walker, N. C. Wallace, Wendover, Williams, N. Y. Wilkin, Wilson, Pen.—109.

NAYS.—Messrs. Baldwin, Barbour, Va. Bassett, Bellinger, Bennett, Blount, Boden, Boss, Burwell, Canpbell, Cobb, Desha, Edwards, Erving, S. C. Fulger, Harrison, Hasbrouck, Hendricks, Herbert, Herrick, Hester, Holmes, Mass. Huntington, Lewis, Livermore, St. Lame, Marr, Mezer, Miller, Morton, Munford, Murray, New, Ogle, Parris, Poindeexter, Quarles, S. Smith, Bal. Smith J. S. Smith, Southard, Spencer, Strother, Taylor, Trimble, Tucker, S. C. Tyler, Walker, Ken. Whiteside, Whitman, Williams, Con. Williams, N. C.—60.

So the bill was passed (at eight dollars per day, and eight dollars mileage) and sent to the senate for concurrence.

[Some who voted against the bill were in favor of a higher sum, and *vice versa*.]

The house then in committee of the whole, took up the bill making further appropriations for the public buildings. The blank was filled with 200,000 dollars, agreed to, reported to the house, and ordered to be engrossed for a third reading:

Some time was then spent on the bill to give effect to judicial records, &c. Nothing decided.

The "congress news" inserted having occupied more space than we expected, to the exclusion of some articles that we would have preferred to others that are inserted—and the space being limited, we must be very brief with *Thursday's* proceedings—

After other business, the speaker stated that John Anderson was in the custody of the sergeant at arms. On motion of Mr. Forsyth, a committee was raised for the purpose of reporting a mode of proceeding on the case—agreed to, after two hours debate.

The engrossed bill appropriating 200,000 for repairing the public buildings, was passed.

Sometime was spent on the bill prescribing the effect of certain judicial records, when the committee on the case of J. Anderson were ready to report. The report required that he should be brought to the bar to answer interrogatories. The report was agreed to—the prisoner was brought to the bar, and informed by the speaker that if he wished counsel, for reasonable time for witnesses, &c. that they would be granted. He stated that he desired counsel, and to summon witnesses.—He was remanded from the bar. It was ordered that he should be furnished with the charges against him, with liberty to engage such counsel as he thought fit, and subpoena such witnesses as he wished;—and appear before the house at 1 o'clock to-morrow.

The house adjourned at a late hour.

## CHRONICLE.

COTTON AND WOOL. The very great prices paid for cotton, is, to our southern brethren, far more productive of wealth than the mines of Mexico and Peru. The steady price of uplands has been about 30 cents, and it is stated that sales have been made at 35 for upland and 60 for Sea Islands. The export of the late year has been large, and its value probably exceeded *twenty millions of dollars!*—The greater part of it goes to England, where it is spun and wove into cloth, and returned to us at a much increased value. The British still talk much about supplying themselves with cotton from India—last year they received 30,000 bales, and they say they they expect 150,000 bales in 1818.

Cotton, to the value of about \$1,000,000, was brought to Augusta, Georgia, in waggons; in 11 days preceeding the 19th ult.

We are told that large quantities of sheep's wool have lately been bought up in the United States for the purpose of being shipped to England; which we shall have to repurchase at five or six prices! If it is sound policy to permit the existence of such a state of things, every nation in the world except "our noble selves," have fates to govern them; for none of them can see the *advantages* of it.

*Massachusetts claims.* It is stated as a serious fact that a certain Maj. Pearce has actually arrived at Washington, to ask the United States to remunerate the state of Massachusetts for her militia services in the late war!

*Our navy.* A writer in a New-York paper says—"At no period of the history of this country, either of peace or war, were there so great a number of officers and seamen in actual employment on the seas, as at the present moment."

An elephant, exhibited at New York, is very properly called a "great natural curiosity."

# NILES' WEEKLY REGISTER.

NEW SERIES. No. 21—Vol. I ] BALTIMORE, JAN. 17, 1818. [No. 21—Vol. XIII. WHOLE No. 533

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

## BANKS AND NEWS-PAPERS IN THE UNITED STATES.

We have already noticed a receipt of a list of the news-papers published in *Virginia*, through the politeness of the editors of the *Richmond Compiler*, with whom the project of listing all that issue in the United States originated. Since then we have received very neat tables of the banks, established by law, and of the news-papers published in the state of *New-York*, from Jesse Buel, esq. editor of the *Albany Argus*—and lists of the news-papers of *Kentucky* and *Ohio*, from the editors of the "Commentator," and of the "Scioto Gazette,"\* respectively. To those gentlemen we respectfully offer our thanks, assuring them that no pains will be spared to accomplish the purpose to which they have so promptly contributed. It is hoped, however, that the most useful information about the banks may not be neglected. The fact is, that a list of the chartered banks in the United States, with some general remarks on their condition, might justly be considered as an important article.

"A Kentuckian," through the Frankfort "*Argus*" of the 26th ult. has addressed a long letter to the editor of the *Weekly Register*, in respect to the colored population of the United States. It has received an attentive reading and is laid-by for insertion as soon as a needful attention to primary objects will afford room for it.

## "Financial Prosperity."

FROM THE AURORA.

Mr. Duane—I am surprised that you have not noticed an article in *Niles' Register* of the 27th of December 1817. That paper is a very valuable one, from the diligence and care with which the passing events and documents of every public kind, are preserved in it. Mr. Niles has presented at different times many discussions on political economy and statistics, and the opinion has prevailed, that on these subjects he was a good authority to be referred to, and his personal character has sanctioned this opinion.

In the paper to which I refer above, he has published what appear to be his opinions, under the title of *Financial Prosperity*, in which he either mistakes what *financial prosperity* is, or he must consider that kind of *prosperity* as a distinct existence from *political economy* and national prosperity.

I notice this occurrence, sir, because if Mr. Niles is right in his notions, I must have been mistaken through a long life; I recollect when the worthy Isaac Briggs brought before congress his admirable but neglected views of the true policy and economy of this nation, that Mr. Niles bestowed on it an attention which led me to believe he concurred in the opinions of Isaac Briggs; if he did concur, it appears inconceivable to me, how the late opinions of Mr. Niles are to be reconciled with those of national suffering, and a system which while it enables the administrative authorities to conceal their incapacity, and to expend millions without system or wisdom, and while the whole productive free indus-

try of the country in every branch, is either destroyed or paralysed, that still Mr. Niles, who professes to treat of *political economy* and *statistics*, should so strangely mistake or overlook, what must be plain to the commonest smatterer in such discussions.

Perhaps Mr. Niles finds that those opinions are better adapted than plain matter of fact, to the taste of his readers. He has a right to indulge in a taste of that kind, if all things within agree: but it is neither a reasonable nor a proper mode of estimating what is right or wrong in the United States, to contrast the affairs of monarchies with ours. In our private condition as a people, we owe nothing to our government on the score of prosperity; our situation bears something like the relations which subsist between a great estate, under the hands of a land steward, who has to overlook and pay the persons employed, and pay himself for services; but who instead of attending to his trust, and improving the trust reposed in him, had turned his attention to a little private farm of his own, and let the estate in his care go to wreck; the fences torn down; the roads without repair; the bridges fallen in, and not a new path, bridge, or road repaired: the negroes indeed go on and delve, and work as well as they can, the soil is fine, and it requires only a fostering eye to the improvement; but the overseer knows this, and knowing attends to his farm; he receives all the correspondence and answers letters, and what the negroes earn is paid in; but as to any care about the rising family of the owner of the estate, the steward cares very little; he must surrender his stewardship; and let those who are to follow repair the fences.

Exactly in this way, sir, do I consider our government administered; and while the great income from the negro labor only proves what the estate might become under free industry and good stewardship, I cannot by any means admit, that the steward shall have a merit ascribed to him which arises only from the natural riches of the state.

He appears not to know that there is any nation in Europe whose receipts are equal to its expenditure. Then he has not read enough to know the truth. England receives more in one year than her expenditure, besides debt; France receives more in one year than her expenditure: Sicily, Sweden, Prussia, and Russia, receive more in one year than is required by the expenditure of that year. Spain and Portugal are perhaps the only nations in Europe whose annual income is under the expense; and one of your correspondents, who writes under the signature of Colbert adds another, that is the Grand Seigneur, who has no public debt nor sinking fund, and whose treasury is always overflowing nevertheless.

I am an oldish man and my old notions stick to me—I have always supposed that the happiness of the people—their prosperous industry—the abundance of their means of supporting their progeny—were the true indications of national prosperity—but Mr. Niles appears to consider that all these things may be reversed\*—and that however the

\*The editor of the "Ohio Monitor" has also furnished a list.

\*The writer might as well have said that I appeared to have great affection for legitimate princes, and sighed for an "established church."—[ED. REG.



industry of the people may be cut up and disregarded—they must be very prosperous because the treasury is overflowing. COMMON SENSE.

REMARKS BY THE EDITOR OF THE REGISTER.

Having read the preceding, “says I to myself”—if I have said any thing that is in opposition to a firm belief that the “happiness of the people—their prosperous industry—the abundance of their means for supporting their progeny—were the true indications of *national prosperity*,” it is at open war with every thing that I ever said, or at least *meant* to say, in the whole course of my life. But I never said any thing like it.

The articles on political economy and statistics which have appeared in this work, it is very probable, have been more esteemed by some than they deserved to be, on account of the *rarity* of such things. Their compilation is laborious, and, indeed, it is not many of those who are pleased with such subjects that will take the trouble to *examine* them (when prepared) for themselves; and *results* on desired objects may be too freely accepted. But this is not *my* fault. Whatever I have said is open to *candid* investigation, and if error is pointed out I will hasten to correct it. I have only to ask that opinions may not be imputed to me that never were held or expressed. The writer’s ideas, as to *political economy*, have been familiarly used by me for several years past, and are as familiar to my readers as my name.—Leaving out what is said about the alleged “incapacity of the administrative authorities,” &c. as involving opinions that I do not feel freedom so discuss in the REGISTER, though, I apprehend that a difference of sentiment might be supported, I decidedly agree with “Common Sense,” and trust that I always shall do it. My essays have had for their chief, indivisible object, the encouragement of *national industry*, and a constant looking at HOME for the only certain means of *national prosperity*.

With my amiable and intimate friend, “the worthy Isaac Briggs,” I have the pleasure to continue on the best understanding—and if my opinions on political economy should have the *appearance* of variance from his, I would suspect their correctness from *that* circumstance, and most carefully weigh them before publication: so much do I admire the talents and respect the judgment of my friend. But I know not of any discrepancy in our opinions on this subject. Nor is there a discrepancy between the writer of “Common Sense” and myself, as to the leading points in his remarks, as I shall shew below. Yet he seems to have wished to whip *somebody*; and to have thought it most expedient to do it over *my* shoulders!

I had written thus far before I turned to the article which called forth the *grave* remarks of “Common Sense.” The reader will please to refer to it, page 282. So little had I thought of that article that I had really forgotten its

purport, and I was unable to gather it out of the observations upon it. It consists of a few common-place paragraphs, rapidly written, and published without reflection—because the case did not require much consideration, and an importance is given to it that it is not entitled to. What is its amount?—that the United States, and the several states, were *financially prosperous*. This is the entire *sum* and *substance*. Is not the fact so? “Common Sense” has either mistaken the meaning of the word “financial,” or *strained* for it an application that it was not intended to bear. I have been told that *finance* is a French word—meaning a sum or sums of money paid to the French king; but, by common acceptance, means also the revenues or treasures of any *state* or *government*. If, then, we are not in a state of “financial prosperity,” I have erred. But it seems, that if the treasury of any country is overflowing with money, that its *finances* must be considered prosperous. However, it is no less true that such *prosperity* may not be based on a sound *economy*. An excess of public money is not, *in itself*, evidence of a *nation’s* prosperity; though, in a liberal government where the people tax themselves, it is a strong presumption of it. *Common sense* taught me these things many years ago, and also assured me that *national* wealth depended upon the profitable employment of its people, especially at HOME. Those opinions I have felt it my duty to advocate and press upon my readers with unbounded zeal, though with less ability than their great importance merits; and, perhaps, I have done as much good in respect to such matters as the writer who assumes such an imposing signature.

The writer is pleased to declare that “*my personal character has sanctioned*” my opinions as being “*good authority*” on political economy and statistics. What a pity that such a pretty compliment should be so strangely mangled by the “*perhaps Mr. Niles finds those* [erroneous] *opinions better adapted than plain matter of fact to the taste of his readers. He has a right to indulge in a taste of that kind, IF ALL THINGS WITHIN AGREE.*” Light and darkness—honesty and fraud—oil and vinegar, are here united, and by “*common sense!*” The writer will excuse my freedom when I tell him that he knows nothing about my “*personal character*”—believing that if he did know it, he would not have thought me capable of the thing so ungenerously insinuated. Nothing has been stated by me in the REGISTER that I did not *believe* to be “*plain matter of fact,*” unless otherwise described; and this paper never has been directed by passion or rendered subservient to private views. Its pages have not been thrown open to the office-seeking factions that abound in the United States; hence no disappointment has occurred to sour its pages, and its course has been steady and consistent, in all its parts.

A few words as the facts stated about revenue and expenditure. "Spain and Portugal are, perhaps, the only nations in Europe whose annual income is under the expense," says "Common Sense." Now we know that the chancellor of the *British* exchequer got a grant to raise 12,600,000*l.* on exchequer bills to meet the *current* expenses of last year, without any reference at all to the public debt. See *W. R.* vol. XII. page 409—10. The king of *France*, in his speech published in the last number, demands a *vote of credit equal to that of last year* to meet the wants of the present.—*Russia* has afloat a quantity of paper money, said to amount to *six hundred millions of rubles*, that is at a depreciation of *seventy-five per cent.*; which, as it is the circulating medium of the empire, could hardly be the case if the revenues were greater than the expenditures. The estimated expenses of the kingdom of the *Netherlands*, is 74 millions of florins; the revenue is estimated at 67 millions, and a loan is required. And the *Austrian* government-money is about 3 for 1, if I rightly comprehend the meaning of a Vienna article dated Oct. 16, 1817. Are not those cases sufficient to support my general expression as to the state of European nations in respect to their *finances*? *Common sense* will say that they are.

**Baltimore—Bills of mortality.**

FOR THE YEAR 1817.

Abstracted from the official report.

	Males.	Females.	Total deaths.
January,	56	40	96
February,	55	50	105
March,	41	34	75
April,	36	37	73
May,	57	39	96
June,	52	37	89
July,	61	44	105
August,	127	86	213
September,	80	75	155
October,	81	58	139
November,	43	32	75
December,	57	45	102
	746	577	1323

Of whom there were,

248 males and 182 females were under 1 year	from 1 to 2	from 2 to 3	from 3 to 5	from 5 to 10	from 10 to 20	from 20 to 30	from 30 to 40	from 40 to 50	from 50 to 60	from 60 to 70	from 70 to 80	from 80 to 90	from 90 to 100	upwards of 100.
80	61	17	15	24	55	179	93	54	26	13	9	10	3	0

Of the aggregate, 1,323, there were 390 colored persons. The population of the city and precincts included in the preceding bills of mortality, may be estimated at from 60 to 65,000.

Fewest deaths in April, 73—greatest number in August, 213.

*Diseases, &c.* Consumption, 239! Cholera morbus, 214; still born 117; various fevers 111; fits 98; pleurisy 67; worms 61; old age 57; dropsy 42; casualty 35; drowned 38; sudden deaths 11, suicides 5; poisoned 1; croup 35, &c. &c.

**Pluviometrical Observations.**

The following account of the quantity of rain that fell at West Chester, Penn. was commenced on the 20th of June, 1817, and has been communicated on the supposition that it may not only "gratify the curious," but also "serve to illustrate the real character of our climate."—From a personal acquaintance with the gentleman who made those observations, we are perfectly satisfied of their accuracy, and will very cheerfully devote the needful space annually to an expected continuation of them.

1817.	Rain. Inches	REMARKS.
June, 20	0.1	shower in the evening.
21	0.5	gust of rain, at 1, P. M.
—	0.7	thunder gust in the evening, same day;
23	0.7	gust, A. M. before day.
26	2.5	heavy rain, all P. M.
29	1.0	showery in the afternoon—heavy in the evening.
	— 5.5	
July, 8	0.3	shower in the morning.
11	0.1	light showers.
13	0.15	showers, A. M. before day.
19	0.01	very slight shower.
20	0.8	smart gust, 3, P. M.
21	0.04	slight shower.
22	0.3	gust, P. M.
24	0.45	dull—showers through the day.
31	0.5	gust, about 9, P. M.
	— 2.55	
Aug. 3	0.2	dull—showery, A. M.
4	1.0	heavy gust in the evening.
7	0.15	showery, A. M.
9	2.6	heavy rain last night and most of this day.
11	2.4	heavy rain all day, and most of the ensuing night.
12	0.1	slight shower, P. M.
14	0.2	showery throughout the day.
17	0.1	showery.
24	0.3	rain last night.
	— 7.05	
Sept. 12	0.3	shower in the afternoon.
15	2.5	steady rain from the east—began on the evening of the 14th and continued till near the morning of the 16th.
22	0.5	rained before day; and showers through the day.
23	0.1	showery, P. M.
24	0.7	rain, A. M. before day, and forenoon.
27	0.1	shower, after night.
	— 4.2	
Oct. 1	0.1	shower, in the morning.
7	0.4	rain, in the forenoon.
14	0.6	rain, A. M. till noon.
16	0.05	slight shower, A. M.
18	0.02	very slight shower, early A. M.
25	0.2	dull—rain, P. M. after night.
26	0.1	dull—slight rain.
27	0.2	dull—rain after night.
31	0.4	dull—rain, P. M.
	— 2.07	
Nov. 1	2.4	heavy rain, most of the day.
6	0.25	rain, P. M. and in the night.
13	0.05	slight rain, morning and evening.
15	0.15	dull—rain in the morning.
17	1.6	heavy rain on the 17th, continued all night and forenoon of the 18th.
18	1.4	
	— 5.85	
Dec. 2	0.25	stormy—rain in the evening;
12	0.5	dull—castery rain.
14	0.8	rain in the morning, and evening.
15	0.7	smart rain, A. M.
25	0.6	rain, early A. M.
30	0.75	rain, A. M. and most of the day.
	— 3.6	
	— 30.82	

From the foregoing statement it appears that from the 20th June to the 30th December, inclusive, there were fifty rainy days; and that the quantity of rain amounts to almost 31 inches. This is probably an unusual quantity; but future observations must determine the fact.



## Manufacturers' Memorial.

The following memorial, signed by many, was forwarded to Washington city on the 8th inst.

To the honorable the senate and house of representatives of the United States of America in congress assembled—

The memorial of the subscribers, residents of Baltimore, manufacturers of woolen and cotton goods; and others interested in the support and promotion of domestic industry and the improvement of the useful arts in the United States, respectively representeth:

That while your memorialists acknowledge, with gratitude, the attention paid by the national legislature to the manufacturing interest of the country, in the wise regulations of the tariff, to favor their growth and prosperity, they have seen, with deep concern, the object of these regulations entirely frustrated, and most of their expensive establishments for the manufacture of wool and cotton, disabled, borne down, and their operations finally arrested, by the excessive introduction of foreign rival fabrics. It is a fact that will not be denied that foreign fabrics, to an extent nearly equal to the consumption of the country, were in the years 1815—16 and the early part of 1817, forced into the market at public auction, without regard to their cost, the duty or other charges, and were sold generally at prices below their cost, a mode of selling allowedly favorable to frauds on the revenue; and there is little doubt that frauds to a great extent were thus covered, and the owners of such goods thereby enabled to sell at reduced prices and defeat the honest efforts of the fair trader and the manufacturer. Thus were the works of the American manufacturer thrown idle, their costly machinery much injured for the want of use, the hands employed in manufacturing, a vast body of needy people, thrown out of employ and dispersed, and the capitals of the proprietors rendered worse than unproductive, by the sacrifices necessary to meet so unusual and unexpected a pressure on their business.

Your memorialists further represent, that the history of American commerce will shew, that at every period of our political existence as a nation, it has been encouraged, protected and defended, by the paternal care of the government; and through a protected commerce, the agricultural interest of the country has been encouraged and supported.—When ship-building and navigation were in their infancy in these states, such duties were imposed on foreign tonnage, and on goods imported in foreign ships, as gave the American tonnage a decided preference of our coasting and inland trade; and in the import and export trade of the country.

When the Barbary states disturbed our commerce in the Mediterranean, the government by an armed force, brought them to terms of just accommodation, and a respectable force is still kept in these seas for the protection of our trade. And when Great Britain made an insidious attack on our commerce, arrogating to herself the right of interdicting to our ships and goods the market of our choice, and carried on a war in disguise against our property on the high seas, the government, under an indignant sense of these outrages against our commercial rights, repelled the aggression by force of arms; and brought that proud nation to a sense of justice. A continued and heavy expense and many privations have accrued, and are still accruing to the nation for the protection of commerce,—although those of your memorialists immediately concerned in manufacturing had no direct interest in

the object, their interests being entirely at home, yet they co-operated with the government, made it a common cause with their commercial and agricultural brethren, they contributed their efforts, and bore their portion of the privations and expenses.

The interests of your memorialists are now attacked; their manufacturing establishments are prostrated, by foreign rivals; a war in disguise is carried on against them, by forcing into our market foreign fabrics far beyond the consumption of the country, which are sold, of course, generally at losing prices.

It cannot have escaped the notice of your honorable body, that a distinguished member of the British parliament has, in *his place*, avowed this hostility to our manufactures; after speaking of the probable loss on shipments to America, he said, "it was well worth while to incur this loss on the first exportations in order, by the glut, to stifle in the cradle the rising manufactures of the United States, which the war had forced into existence." We have no public avowal of this hostility to our manufactures, on the part of the merchants or manufacturers of England; but facts and circumstances go far to prove its existence; and there is little doubt but they would be as ready to discover and to avail themselves of the advantages their superior capital and skill in manufacturing gave them over our infant establishments, as Mr. Brougham, the member who made this declaration. The hostility thus avowed and inferred, has been severely felt by our establishments. But we rely with unshaken confidence on the magnanimity of the national legislature, to frustrate their designs. Your memorialists are citizens of the United States, bound to participate in its burthens and distresses; and their interests entitled to a common protection with the interests of other classes of the community; their prosperity is necessarily a component part of the national prosperity, and their depression diminishes and impairs its wealth and power;—to afford them protection would cost the nation no war, no money, nor sacrifice of any kind; the public revenue is drawn from the people through commerce; and if the price of articles, interfering with our domestic industry, be enhanced to the consumer by the protecting duties, the duty on other articles, that by habit have become articles of the first necessity, and which we cannot furnish at home, might be proportionably lightened to the consumer. But the avidity with which foreign fabrics of every description have been forced into the country, under the existing duties is, to your memorialists, a satisfactory evidence that these duties are not too high to comport with the wise objects of national policy in contemplation by their adoption.

Your memorialists beg leave further to observe, that the manufacturing interests of the United States, whether viewed as it respects the amount of capital occupied and circulated at home, the number and species of hands employed and supported, and its general benefits to society, or as a source of wealth and security to the nation, is important and inferior to none but the agricultural interest.—At a time when almost all the states of Europe are engaged in arrangements for the protection of their manufactures, by the prohibition of rival fabrics; and by duties prohibitory in their operation; and under the accumulated difficulties with which your memorialists have to contend, they indulge a hope that they will not be thought to ask too much, when they earnestly and respectfully pray, that the protecting duties of the tariff as now in operation, which by the existing law are limited to three years from the 30th day of June, 1816, be made perma-

nent; and that such further legislative provision may be made for the collection of the import, as in your wisdom shall be deemed best calculated to prevent frauds on the revenue.

### Domestic Manufactures.

*The following resolve, adopted by the Jefferson county (N. Y.) AGRICULTURAL SOCIETY, of which major JACOB BROWN is president, has been communicated by him for publication in the WEEKLY REGISTER*

Whereas it becomes all men, who profess to be engaged in promoting the great work of national economy, to be living examples of the doctrines or principles they teach—and as, in the opinion of this society, it is of vital importance to our country that her manufactures should be sustained, by those whose duty it is to legislate for us, by such wise and liberal provision as will effect the object—and as we believe we can best testify this interest by recommending to the members of this society to abstain from the use of all foreign fabrics and productions to the extent that may be found practically consistent with the respective duties they are called upon to perform in life, and by

*Resolving*, that each and every member of this society who shall, after the next stated meeting of this society, be in the habit of wearing cloth or cotton garments, not of the growth produce and manufacture of the United States, shall pay to the treasurer of this society five dollars annually, to be distributed in premiums for the encouragement of agriculture.

### Finances of Pennsylvania.

*Receipts at the state treasury, for the year commencing on the 1st day of December, 1816, and ending with the 30th day of November, 1817.*

Monies loaned to the United States, returned with interest thereon,	333,670 97
Dividends, &c. on bank and other stock,	200,571 00
Monies returned of the advances by the state in relation to the late war,	110,617 32
Auction duties,	78,826 13
Lands and fees on lands, &c.	62,661 70
Tax on banks,	29,535 23
Tavern licenses, &c.	25,692 38
Miscellaneous,	24,483 62
Tax on certain offices,	8,216 67
Court fines,	2,019 45
Fees of the office of the secretary of the commonwealth,	968 45
	<hr/>
	877,762 92
To which add the balance in the treasury, 1st December, 1816,	276,664 18

\$1,154,427 10

[The different items that form these aggregates are particularly stated in the pamphlet before us, but we have not room for them, and perhaps they are not of sufficient general interest to require insertion. Of the tax upon banks the lowest contribution is from the bank of Montgomery county, \$212 88—the highest, the Mechanics' bank of the city and county of Philadelphia, \$2,578 14.]

*Payments at the state treasury, for the year commencing on the 1st day of December, 1816, and ending with the 30th day of November, 1817.*

Improvements,	333,682 16
Loans per act of 11th March, 1815, to pay the militia of Pennsylvania in the service of the United States,	315,265 97

Expenses of government,	183,095 14
Miscellaneous,	46,308 23
Militia expenses,	34,240 61
Pennsylvania claimants,	21,337 09
Pensions, (old soldiers)	18,696 46
Expenditures consequent to the late war with Great Britain,	6,412 35
State capitol,	3,025 53

962,564 51

To which add the balance in the treasury 1st December, 1817.

\$1,154,427 10

[The items of expenditures are also given in detail. The amount for "improvements" is for roads, bridges, water courses—a long list of important matters, for many of which only certain *instalments* are taken into the account. The cost of the legislative department was \$83,969 14; of the executive 11,911 63; of the judiciary 52,747 10; treasury and auditory, 9,473 62; land office, 21,383 52;—and a variety of contingent and miscellaneous expenses.]

#### State's Capital.

Bank stock. Bank of Pennsylvania \$1,500,000; Philadelphia bank 523,300; Farmers and Mechanics bank 85,400, all at par	\$2,108,700 00
Turnpike stock,	404,863 04
Bridges and lock navigation	285,000 00
	<hr/>
	\$2,798,563 04

The appropriations made for roads and bridges in the session of 1816—17, amounted to	385,900 00
For rivers and creeks,	131,400 00
Piers, wharves, colleges and academies	13,700 00
	<hr/>
	\$531,000 00

A large amount of those appropriations and of others theretofore made, do not appear to have been called for at the treasury.

### Georgia.

POPULATION.—The constitution of the state of Georgia provides for a census of its inhabitants every seven years—for the purpose of apportioning the representatives of the people. This is a wholesome and truly republican provision, which we most sincerely wish had been adopted in the constitutions of Maryland and Virginia. By the census just taken in Georgia we have the following results.

White persons	175,981
Blacks	133,459
Total—1817—	309,440
The population in 1810	252,493
	<hr/>
Increase in 7 years	57,007

From seven counties, however, there were no returns, and the numbers put down for them was as in 1810—and shews an *increase* at the rate of 3½ per cent. per annum; which is a progress more rapid than we had anticipated, by one half per cent.

FINANCES. By the treasurer's abstract, submitted to the legislature of Georgia, the receipts of last year (including \$378,970 from the United States and the former balance in the treasury) amount to \$764,139



And that the disbursements (including \$29,060 for the Penitentiary, \$10,000 loaned the University, \$8,000 for internal improvement, and \$360,000 paid for bank stock) were,

455,275

Leaving in the treasury on the 31st of October,

\$298,855

Due from the general government, and subject to the order of the state.

377,042

The whole making an unappropriated fund of

\$665,897

This sum (says the Georgia Journal) judiciously applied, would go very far towards opening our navigable rivers, improving public roads, and establishing free schools throughout the state.

**IMPROVEMENTS.** The legislature of Georgia, (says the Savannah Republican of the 24th ult.) adjourned *sine die*, on Saturday morning last, after a session of nearly two months. Among the number of acts passed during the session, which are any way important, was an act appropriating large sums for internal navigation, as follows: For the Oconee river, 15,000 dollars; Ocmulgee, 18,000 dollars; Alatamaha, 5,000 dollars; Ogechee, 3,000 dollars; Savannah and Tugalo, 20,000 dollars; Broad River, 5,000 dollars; Brin Creek, 5,000 dollars.—An act to amend the penal code. An act to incorporate the Steam Boat company. An act to raise a tax for the political year 1818: a section in this act imposes on the notes of unchartered banks a tax of two and a half per cent. on the amount in circulation; and subjects the branches of the United States' bank in this state to the same tax paid by the banks chartered by the legislature, viz. thirty-one and a quarter cents on every hundred dollars of the capital stock. The taxes in general remain as heretofore, with the exception of the 50 per centum to reimburse the direct tax, which is continued. A permanent fund of 250,000 dollars for internal navigation; and the like sum for the support of free schools, has also been appropriated.

**TRIBUTE TO DEPARTED WORTH.**—Mr. Montgomery (of the legislature) from the committee on the state of the republic, to whom was referred the communication of his excellency the governor relative to the disposition to be made of the sword intended to have been presented to the late lieutenant Daniel Appling, of the United States' army, reported on the 13th inst. That whereas a former legislature, influenced by the distinguished bravery and gallant conduct of lieutenant colonel Daniel Appling, did authorise and direct the executive department to procure and present to that meritorious officer a sword suitable to his grade, a grateful expression of the public approbation of his native state; but as the worthy object of her applause was removed by death before this laudable design could be carried into execution, and inasmuch as there remains no male heir either to the fortune or honors of this deserving young soldier, into whose hands the state could commit this sacred pledge of its affection and respect: It is resolved that the state will assume to itself the guardianship of the fame and military reputation of her distinguished son the late lieutenant colonel Daniel Appling, and that the sword intended by her as the just reward of his military achievements, be deposited in the executive chamber, there to be preserved and exhibited as a lasting monument of his fame, and a grateful proof of the sensibility with which Georgia cherishes the patriotic services of her citizens.

## CONGRESS.

SENATE.

Jan. 9. Mr. Fromentin, of Louisiana, appeared and took his seat.

The resolution offered on a former day, by Mr. Campbell, respecting the nomination of certain officers to the senate, was taken up, modified by the mover so as to include the superintendent of indian trade, and, after some conversation between Messrs. Campbell, King, Tait, and Morrow, on the most proper mode of attaining the object, the resolution was passed in the following shape, the last clause thereof being added on the suggestion of Mr. Morrow:

*Resolved*, That the committee on military affairs be instructed to inquire into the expediency of requiring by law the nomination of superintendent of indian trade and of agents to indian tribes, as also of agents for trading house establishments, to be submitted to the senate for their consent and approbation, in like manner as the nomination of other officers now are; and generally to enquire whether any and what amendments are necessary to be made in the laws regulating intercourse, and for establishing trading houses with the indian tribes.

Jan. 12. The following resolution, offered some days since, by Mr. Burrill, was taken up for consideration:

*Resolved*, That the committee to whom was referred the petition of the committee of the yearly meeting of the society of friends at Baltimore, be instructed to enquire into the expediency of so amending the laws of the United States on the subject of the African slave trade as more effectually to prevent said trade from being carried on by citizens of the United States under foreign flags; and also into the expediency of the United States taking measures in concert with other nations for the entire abolition of said trade.

After debate, the question was taken by yeas and nays, and agreed to.

The bill from the house, making compensation to the members of congress, was taken up in committee of the whole, and an amendment made in the phraseology, which was agreed to by the senate; when,

Mr. Wilson, after observing, that he should enter into no discussion of a question on which every member had unquestionably made up his mind, but, in order to take the sense of the senate, moved to strike out *eight* and insert *six* dollars, as the daily pay, and also as the allowance for every twenty miles travelled.

This motion was negatived, without debate, by a large majority.

Mr. Dickerson, then moved to strike out *eight* and insert *six*, as the allowance for every twenty miles travelled, and made a few observations in support of his motion. Mr. Daggett briefly replied.

The question was taken, the motion lost, the verbal amendment made was ordered to be engrossed, and the bill to be read a third time; and

The senate adjourned.

Jan. 13. The president presented a memorial from the president and directors of the bank of the United States, stating certain inconveniences experienced from the provision in the charter requiring the president and cashier of said bank to sign all the notes issued by the several branches of said bank, and praying relief—which was read, and referred to the committee of finance.

The bill providing compensation for members of congress, was read a third time and passed.

Mr. Wilson submitted the following resolution:

*Resolved*, That the committee on military affairs be instructed to enquire whether any, and, if any, what further provisions by law are necessary to secure the heirs of soldiers who died, or were killed, in the service of their country during the late war, the bounty in land to which they are equitably entitled.

January 14.—But little business was done in the senate to-day. A bill was reported to divide the state of Pennsylvania into two judicial districts, and one or two reports on private claims were acted on.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 9. Mr. Harrison, from the select committee appointed on that subject, reported a bill to provide for organizing, arming and disciplining the militia; which was twice read and committed.

Mr. Harrison offered a joint resolution, proposing to the states an amendment to the constitution of the United States, to give to congress, concurrently with the states, the power to provide for training the militia according to the discipline prescribed for the purpose, &c. and to provide for teaching in the primary schools and other seminaries of learning in the several states, the system of tactics prescribed for the militia: which resolution was twice read and committed.

[In offering his resolution, Mr. Harrison remarked, that it would be recollected, he presumed, that a similar proposition had been laid on the table by him at the last session. In doing so then, it was not with an expectation that any thing would be done on the subject at that time, but it was to draw the public attention to the subject, and prepare the way for a decision at the present session. The bill which had been reported on the subject, embraced all the provisions within the power of congress respecting it which the committee had thought necessary; but as the constitution had expressly reserved to the states the right of training and disciplining the militia, the adoption of the resolution might be deemed necessary; and he wished therefore that it might be committed to the same committee to whom the bill had been referred, that the whole subject might thus be presented to it for deliberation, &c. &c.]

Mr. Spencer, of New York, then presented to the house the following preamble and resolutions:

The house of representatives, entertaining great doubts of its possessing the competent power to punish John Anderson for his contempt of the house and his outrage upon one of its members:

*Resolved*, That all further proceeding in this house against said John Anderson do cease, and that he be discharged from the custody of the sergeant at arms.

*Resolved*, That the attorney general of the United States be directed to institute such proceedings against the said John Anderson for his said offence as may be agreeable to the laws of the United States and of the district of Columbia.

*Resolved*, That the committee of the judiciary be instructed to enquire into the expediency of providing by law for the punishment of any contempt of the senate or house of representatives of the United States and of any breach of the privileges of either house.

Mr. Spencer opened a debate on the subject, which occupied the whole day; in which, besides the mover, Messrs. Anderson, Barbour, Robertson and Ervin, supported the resolutions, and Messrs.

Forsyth, Tucker and Mercer opposed them, all a considerable length.

The debate was one of unusual ability.

When Mr. Ervin concluded, on motion of Mr. Holmes, of Massachusetts, the house adjourned at past 4 o'clock, without having come to any decision on the question before them.

[The debate on the case of col. Anderson has been interesting, involving some constitutional points of much importance. We shall carefully preserve the sketches of the speeches of the members with the prospect of giving some of them at a future period, as it is impossible that we should afford room for them now.]

Saturday, Jan. 10.—The speaker laid before the house a letter directed to the congress of the United States from a certain Carl Theodor Mohr, residing in Wallendorf, in Germany, offering to come to America upon certain conditions, and to establish a manufactory of porcelain, which was read and ordered to lie on the table.

On motion of Mr. Sergeant, the committee of ways and means were instructed to enquire into the expediency of allowing a drawback upon refined sugar exported from the United States.

AMELIA ISLAND.

Mr. Middleton, from the committee on so much of the message of the president of the United States as relates to the illicit introduction of slaves from Amelia into the United States, made the following report:

The committee to whom was referred so much of the president's message as relates to the illicit introduction of slaves from Amelia Island, having carefully taken the matter committed to them into consideration, respectfully report:

That having applied to the department of state for information respecting the illicit introduction of slaves into the United States, they were referred by the secretary of state to the documents transmitted to this house by the president's message of the 15th December last, consisting of various extracts of papers on the files of the departments of state, of the treasury, and of the navy, relative to the proceedings of certain persons who took possession of Amelia Island in the summer of the past year, and also relative to a similar establishment previously made at Galvezton near the mouth of the river Trinity.

Upon a full investigation of these papers with a view to the subject committed to them, your committee are of opinion, that it is but too notorious, that numerous infractions of the law prohibiting the importation of slaves into the United States have been perpetrated with impunity upon our southern frontier; and they are further of opinion, that similar infractions would have been repeated with increasing activity, without the timely interposition of the naval force under direction of the executive of our government. In the course of the investigation, your committee have found it difficult to keep separate the special matter given into their charge, from topics of a more general nature, which are necessarily interwoven therewith: they therefore crave the indulgence of the house, while they present some general views, connected with the subject, which have developed themselves in the prosecution of their enquiry.

It would appear from what had been collected from these papers, that numerous violations of our laws have been latterly committed by a combination of freebooters and smugglers of various nations, who located themselves in the first instance upon an uninhabited spot near the mouth of the river



Trinity within the jurisdictional limits of the United States, as claimed in virtue of the treaty of cession of Louisiana by France. This association of persons organized a system of plunder upon the high seas, directed chiefly against Spanish property; which consisted frequently of slaves from the coast of Africa; but their conduct appears not always to have been regulated by a strict regard to the national character of vessels falling into their hands, when specie or other very valuable articles formed any part of the cargo. Their vessels generally sailed under a pretended Mexican flag, although it does not appear that the establishment of Galvezton was sanctioned by or connected with any government. The presumption, too, of any authority ever having been given for such an establishment, is strongly repelled as well by its piratical character, as by its itinerant nature; for the first position, at Galvezton, was abandoned on or about the 5th of April last, for one near Matagorda, upon the Spanish territory; and at a later period this last was abandoned and a transfer made to Amelia Island, in East Florida; a post which had been previously seized by persons, who appear to have been equally unauthorized, and who were at the time of the said transfer, upon the point, it is believed, of abandoning their enterprize, from the failure of resources, which they expected to have drawn from within our limits, in defiance of our laws. There exists, on the part of these sea rovers, an organized system of daring enterprize, supported by force of arms; and it is only by a correspondent system of coercion that they can be met and constrained to respect the rights of property and the laws of nations. It is deeply to be regretted that practices of such a character, within our immediate neighborhood, and even within our jurisdictional limits, should have prevailed unchecked for so long a time; more especially, as one of their immediate consequences was to give occasion to the illicit introduction of slaves from the coast of Africa into these United States, and thus to revive a traffic repugnant to humanity and to all sound principles of policy, as well as severely punishable by the laws of the land.

By the 7th section of the act prohibiting the importation of slaves, passed in 1807, the president is fully authorized to employ the naval force to cruise on any part of the coast of the United States, or territories thereof, where he may judge attempts will be made to violate the provisions of that act, in order to seize and bring in for condemnation all vessels contravening its provisions, to be proceeded against according to law.

By the joint resolution of the senate and house of representatives of 15th January, 1811, and the act of the same date, the president is fully empowered to occupy any part or the whole of the territory lying east of the river Perdido, and south of the state of Georgia, in the event of an attempt to occupy the said territory, or any part thereof; by any foreign government or power; and, by the same resolution and act, he may employ any part of the army and navy of the United States, which he may deem necessary, for the purpose of taking possession and occupying the territory aforesaid, and in order to maintain therein the authority of the United States.

Among the avowed projects of the persons who have occupied Amelia Island, was that of making the conquest of East and West Florida, professedly for the purpose of establishing there an independent government; and the vacant lands in those provinces have been, from the origin of this undertaking down to the latest period, held out as lures

to the cupidity of adventurers, and as resources for defraying the expenses of the expedition. The greater part of West Florida, being in the actual possession of the United States, this project involved in it designs of direct hostility against them; and as the express object of the resolution and act of 15th January, 1811, was to authorize the president to prevent the province of East Florida from passing into the hands of any foreign power, it became the obvious duty of the president to exercise the authority vested in him by that law. It does not appear that among these itinerant establishers of republics, and distributors of Florida lands, there is a single individual inhabitant of the country where the republic was to be constituted, and whose lands were to be thus bestowed; the project was therefore an attempt to occupy that territory by a foreign power. Where the profession is in such direct opposition to the fact; where the venerable forms, by which a free people constitute a frame of government for themselves, are prostituted by a horde of foreign freebooters, for purposes of plunder; if, under color of authority from any of the provinces contending for their independence, the Floridas, or either of them, had been permitted to pass into the hands of such a power, the committee are persuaded it is quite unnecessary to point out to the discernment of the house the pernicious influence which such a destiny of the territories in question must have had upon the security, tranquility, and commerce of this union.

It is a matter of public notoriety, that two of the persons who have successively held the command at Amelia Island, whether authorized themselves by any government or not, have issued commissions for privateers, as in the name of the Venezuelan and Mexican governments, to vessels fitted out in the ports of the United States, and chiefly manned and officered by our own countrymen, for the purpose of capturing the property of nations with which the United States are at peace. One of the objects of the occupation of Amelia Island, it appears, was to possess a convenient resort for privateers of this description, equally reprobated by the laws of nations, which recognize them only under the denomination of pirates, and by several of the treaties of the United States with different European powers, which expressly denominate them as such.\* It was against the subjects of Spain, one of the powers with which the United States have entered into stipulations prohibiting their citizens from taking any commission from any power with which she may be at war for arming any ships to act as privateers, that these vessels have been commissioned to cruise; though, as the committee have observed, no flag, not even that of our own country, has proved a protection from them. The immediate tendency of suffering such armaments, in defiance of our laws, would have been to embroil the United States with all the nations whose commerce with our country was suffering under these depredations; and, if not checked by all the means in the power of the government, would have authorized claims from the subjects of foreign governments for indemnities, at the expense of this nation, for captures by our people, in vessels fitted

\* See the treaty of peace with France, 1778, art. 21st. U. S. Laws, vol. 1, p. 88; with the Netherlands, 1782, art. 19, v. 1, p. 162; with Sweden, 1783, art. 23, vol. 1, p. 190; with Great Britain, 1794, art. 21, v. 1, p. 218; with Prussia, 1785, art. 20, v. 1, p. 238, and 1797, art. 20, p. 256; with Spain, 1795, art. 14, v. 1, p. 270.

out in our ports, and, as could not fail of being alleged, countenanced by the very neglect of the necessary means for suppressing them. The possession of Amelia Island as a port of refuge for such privateers, and of illicit traffic in the United States of their prizes, which were frequently, as before stated, slave ships from Africa, was a powerful encouragement and temptation to multiply these violations of our laws, and made it the duty of the government to use all the means in its power to restore the security of our own commerce, and of that of friendly nations upon our coasts, which could in no other way more effectually be done than by taking from this piratical and smuggling combination their place of refuge.

In order, therefore, to give full effect to the intentions of the legislature, and in pursuance of the provisions of the above recited resolution and acts, it became necessary (as it appears to your committee) to suppress all establishments of the hostile nature of those above described, made in our vicinity, the objects of which appear to have been the occupation of the Floridas, the spoliation of peaceful commerce upon and near our coasts by piratical privateers, the clandestine importation of goods, and the illicit introduction of slaves within our limits. Such establishments, if suffered to subsist and strengthen, would probably have rendered nugatory all provisions made by law for the exclusion of prohibited persons. The course pursued on this occasion, will strongly mark the feelings and intentions of our government upon the great question of the slave trade, which is so justly considered by most civilized nations as repugnant to justice and humanity, and which, in our particular case, is not less so to all the dictates of a sound policy.

Your committee anticipate beneficial results from the adoption of these measures by the executive, in the promotion of the security of our southern frontier and its neighboring seas; and in the diminution of the evasions, latterly so frequent, of our revenue and prohibitory laws. The experience of ten years has however evinced the necessity of some new regulations being adopted in order effectually to put a stop to the further introduction of slaves into the United States. In the act of congress prohibiting this importation, the policy of giving the whole forfeiture of vessel and goods to the United States, and no part thereof to the informer, may justly be doubted. This is an oversight which should be remedied. The act does indeed give a part of the personal penalties to the informer, but these penalties are generally only nominal. As the persons engaged in such traffic are usually poor, the omission of the states to pass acts to meet the act of congress and to establish regulations in aid of the same, can only be remedied by congress legislating directly on the subject themselves, as it is clearly within the scope of their constitutional powers to do.

For these purposes your committee beg leave respectfully herewith to report a bill.

Mr. Middleton also reported a bill in addition to the former acts prohibiting the introduction of slaves into the United States; and the bill was twice read and committed.

The report was not read, but ordered to be printed.

The Speaker laid before the house the following letter and enclosure, yesterday received by him from John Anderson:

January 9, 1818.

SIR—Unwilling to be deprived, by any circum-

stances whatever, of an opportunity to explain to the honorable house of representatives the motives which have actuated my recent conduct, I beg leave to announce my wish to wave, with that object, any constitutional or other question which may have arisen.

I enclose a letter which I had the honor this morning to prepare for the consideration of the house.

I am, sir, with profound respect,

JOHN ANDERSON.

Hon. Henry Clay,

speaker of the house of representatives.

Washington, Jan. 9, 1818.

SIR—Considering the honorable body before whose bar I am shortly to appear, as the guardian of those rights which, as a citizen I possess, and relying upon the generous feelings of its members, I have been induced to forego the privilege extended to me of employing counsel, lest it might be supposed that I was inclined to shelter myself by legal exceptions. As the novelty of my situation may, however, tend to surround me with embarrassment, it is my wish, should the rule of proceeding adopted by the house not oppose the course, that such questions as I have reduced to writing, be propounded to the respective witnesses by the clerk, and that he should read the explanation and apology which I have to make.

JOHN ANDERSON.

To the hon. Henry Clay, speaker of the house of representatives of the United States.

The letter having been read—

Mr. Forsyth moved that the resolutions under consideration be laid on the table, that the house might proceed to the examination of the accused person.

A brief debate took place on this motion (which will be given in its place) in which Messrs. Forsyth, Pitkin, Spencer, Harrison, Hopkinson, Poindexter, Desha, Rich, Beecher, and Pindall participated.

The motion was finally disagreed to, ayes about 30; and

The debate was then resumed on the resolutions offered by Mr. Spencer, and continued by Messrs. Poindexter, Holmes of Mass. Storrs, and Pindall, until after 4 o'clock; when

The house adjourned

Monday, Jan. 12. After other business of no present interest, the house proceeded to the consideration of the resolutions offered by Mr. Spencer, touching the case of col. John Anderson.

The debate on this subject was resumed by Mr. Quarles, and continued during the remainder of the sitting by Messrs. McLane, Alexander, Smyth, Lowndes, Livermore, Settle, Rhea, and Barbour.

When the house adjourned, a motion was pending, made by Mr. Rhea, (for the purpose he said, of putting an end to a debate on a negative proposition) to strike out of the preamble to the resolutions, the words, "entertaining great doubts of its," so as to make the preamble read, "this house possessing the competent power to punish John Anderson," &c.

The house adjourned a little after 4 o'clock.

Tuesday, Jan. 13.—Amongst the petitions this day presented, was one by Mr. Harrison, from col. Needham, and sundry other British officers, lately arrested and imprisoned at Philadelphia, on a charge of violating the neutrality of the United States between Spain and her colonies, but subsequently discharged from arrest and confinement, praying for the expense, trouble and inconvenience which they have suffered, such relief as congress



shall deem just and reasonable. The petition was referred to a special committee.

Mr. Johnson, of Ky. from the committee on military affairs, reported a bill providing for half pay pensions, invalid pensioners, and for other purposes; which was twice read by its title and committed.

[The provisions of this bill are substantially the following:

The first section gives to the secretary of war the power of placing upon the pension list all officers and soldiers of the revolutionary war, who are entitled to such by the provisions of the act making provision on this subject, in the year 1816. Rules and regulations in force, or hereafter to be made, and put in force, as to the admission of the officers and soldiers of the militia, and the regular soldiers, or the pension roll of the United States, are made applicable to the invalids of the revolution, and of the Indian wars, placing all entitled to pensions on an equality.

Second section extends the half pay pensions of five years to the widows and orphans of the officers and soldiers of the militia, and others, now entitled by law, for a further term of five additional years, which will make the pension if adopted, equal to half pay pensions to widows and orphans of ten years.

Section third provides half pay pensions, for the term of five years, for the widows of the soldiers of the regular army, who were killed in battle, or who died in the service, during the late war.

Section fourth extends half pay pensions to all such widows as lost their husbands after their return home from the military service of the United States, provided they died within six months after such return, and of diseases contracted in the service.

By the fifth section, indigent mothers, who have lost an only son in the military service of the United States, provided such son died without wife or children, are to be provided for.

Section sixth provides that every widow, whose husband was killed in battle, or died in the service of his country, during the revolutionary war, shall receive a half pay pension for five years.]

The speaker laid before the house a letter from the secretary of state, transmitting a list of names of such persons as have obtained patents during the last year; which was ordered to be printed.

Mr. Hopkinson moved the adoption of the following resolution:

*Resolved*, That the committee of the judiciary be instructed to prepare and report a bill of fees for the officers of the United States, in the courts of the United States.

Mr. Hopkinson, observed, in offering this resolution, that it was well known there was no uniform rule on this subject in the different courts of the United States. It was not, however, to establish uniformity only, but something like justice also, that he offered this motion: for, if his information was correct, there were in some of the states impositions practised which were a disgrace to the United States. In one which he would mention, in the state of New York, a degree of outrageous impositions existed which would shock every member who heard him. In that state, Mr. H. said, if he was truly informed, there had been one thousand prosecutions upon (the reporter understood him) license bonds; upon each of these cases, untried, the fees of the district attorney were sixty dollars, amounting to the sum of 60,000 dollars in the whole.

These were the fees of the district attorney alone, but, including those of the marshal and clerk, each case was burthened with about 140 dollars costs. If such practices are legal, said Mr. H. they ought to be no longer so—if they are illegal, they ought to be suppressed.

The resolution was agreed to *mem. con.*

*Amelia Island.*

The following message was transmitted, by the president of the United States, to both Houses of congress:—

*To the senate and house of representatives of the United States.*

I have the satisfaction to inform congress that the establishment at Amelia Island has been suppressed, and without the effusion of blood. The papers which explain this transaction, I now lay before congress.

By the suppression of this establishment, and of that at Galvezton which will soon follow, if it has not already ceased to exist, there is good cause to believe that the consummation of a project fraught with much injury to the United States, has been prevented. When we consider the persons engaged in it, being adventurers from different countries, with very few, if any of the native inhabitants of the Spanish colonies—the territory on which the establishments were made—one, on a portion of that claimed by the United States, westward of the Mississippi, the other, on a part of East Florida, a province in negotiation between the United States and Spain—the claim of their leader, as announced by his proclamation, in taking possession of Amelia Island, comprizing the whole of both the Floridas, without excepting that part of West Florida which is incorporated into the state of Louisiana—their conduct while in the possession of the Island, making it instrumental to every species of contraband, and in regard to slaves of the most odious and dangerous character—it may fairly be concluded, that if the enterprize had succeeded on the scale on which it was formed, much annoyance and injury would have resulted from it to the United States.

Other circumstances were thought to be no less deserving of attention. The institution of a government by foreign adventurers in the Island, distinct from the colonial governments of Buenos Ayres, Venezuela, or Mexico, pretending to sovereignty, and exercising its highest offices, particularly in granting commissions to privateers, were acts which could not fail to draw after them the most serious consequences. It was the duty of the executive, either to extend to this establishment all the advantages of that neutrality, which the United States had proclaimed, and have observed, in favor of the colonies of Spain, who, by the strength of their own population and resources, had declared their independence, and were affording strong proof of their ability to maintain it, or to make the discrimination which circumstances required. Had the first course been pursued, we should not only have sanctioned all the unlawful claims and practices of this pretended government, in regard to the United States, but have countenanced a system of privateering in the Gulf of Mexico, and elsewhere, the ill effects of which might, and probably would, have been deeply and very extensively felt. The path of duty was plain from the commencement; but it was painful to enter upon it while the obligation could be resisted. The law of 1811, lately published, and which it is, therefore, proper now to mention, was considered applicable to the case from the moment that the proclamation of the chief

of the enterprise was seen, and its obligation was daily increased by other considerations of high importance, already mentioned, which were deemed sufficiently strong in themselves to dictate the course which has been pursued.

Early intimations having been received of the dangerous purposes of these adventurers, timely precautions were taken, by the establishment of a force near the St. Mary's, to prevent their effect, or it is probable that it would have been more sensibly felt.

To such establishment, made so near to our settlements, in the expectation of deriving aid from them, it is particularly gratifying to find, that very little encouragement was given. The example so conspicuously displayed by our fellow citizens, that their sympathies cannot be perverted to improper purposes; but that a love of country, the influence of moral principles, and a respect for the laws, are predominant with them, is a sure pledge, that all the very flattering anticipations, which have been formed of the success of our institutions will be realized. This example has proved, that if our relations with foreign powers are to be changed, it must be done by the constituted authorities, who, alone, acting on a high responsibility, are competent to the purpose, and until such change is thus made, that our fellow-citizens will respect the existing relations, by a faithful adherence to the laws which secure them.

Believing that this enterprize, though undertaken by persons, some of whom may have held commissions from some of the colonies, was unauthorised by, and unknown to the colonial governments, full confidence is entertained that it will be disclaimed by them, and that effectual measures will be taken, to prevent the abuse of their authority, in all cases, to the injury of the United States.

For these injuries, especially those proceeding from Amelia Island, Spain would be responsible, if it was not manifest, that although committed in the latter instance, through her territory, she was utterly unable to prevent them. Her territory however ought not to be made instrumental, through her inability to defend it, to purposes so injurious to the United States. To a country, over which she fails to maintain her authority, and which she permits to be converted to the annoyance of her neighbors, her jurisdiction for the time necessarily ceases to exist. The territory of Spain will nevertheless be respected, so far as it may be done, consistently with the essential interests and safety of the United States. In expelling these adventurers from these posts, it was not intended to make any conquest from Spain, or to injure in any degree the cause of the colonies. Care will be taken that no part of the territory contemplated by the law of 1811, shall be occupied by a foreign government of any kind, or that injuries of the nature of those complained shall be repeated; but this it is expected will be provided for, with every other interest, in a spirit of amity, in the negotiation now depending with the government of Spain.

JAMES MONROE.

[The documents consist of letters from Capt. J. D. Henley and Major Bankhead, announcing the occupation of Amelia, and the manner of it; letters from the department of War to Maj. Bankhead, and from the navy department to Capt. Elton and Capt. Henley, &c. They occupy a considerable space, and, received late in the week, are not deemed sufficiently important to derange the whole matter of this sheet by inserting them. The following is the most interesting; the rest shall be inserted

next week. It is the reply of Com. Aury to the summons of Com. Henley and Maj. Bankhead for the delivery of Amelia.

*Head quarters, Fernandina, Dec. 22d, 1817.*

Gentlemen—I have received your official letter of this day, by which, in the name of the government of the U. States, you summon us to evacuate this place with the troops under my command under certain conditions specified in said letter.

Neither this republic, that of Mexico, nor any other of South America, being at war with the U. States, obliges me to state to you, that the contents of your letter greatly surprised this government and the people of this state. You have nevertheless, intimated that in case of our acquiescence in your demand, we shall be permitted to evacuate this island, which neither is nor ever has been a part of the U. States.

Allow me to observe to you, gentlemen, that from the moment we took Fernandina by the force of our arms, we entered into the full possession of all the rights at the risk of our lives and fortunes.

The boundaries between the Floridas and the U. States having been fairly settled on the 27th October, 1795, we are at a loss how to ascertain your authority to interfere in our internal concerns.

Our surprise increases when we reflect that your communication comes as authorized by the government of a people who, in this respect, glory in the right of nations, whether great or small, and who, no doubt, sympathize with their southern brethren in the struggle for liberty and independence, in which they are engaged, as were the United States, forty years ago.

On the other hand, you promise to hold sacred such of our property as unquestionably belongs to our citizens. Who is to be the judge in that case? The United States? They can by no means claim any kind of jurisdiction, from the source of the river St. Mary's down the ocean, on this side the channel. We entertain too much veneration to believe for a single moment, that you (supposed already in possession of this island, which has never been ceded by the king of Spain, or by its inhabitants, to the United States,) can bring with you a competent tribunal to decide upon this question. The only law you can adduce in your behalf is that of force, which always is repugnant to a republican government and to the principles of a just and impartial nation. The same observation may be applied to your interference for the property of the inhabitants, which we have always respected.

You order us, also, as if we were subjects of your government to leave behind, when Fernandina is evacuated, all the public property that was found at its surrender. This demand is directly contrary to the public right, by which public property captured from the enemy is avowedly that of the captors, when not otherwise stipulated. Are you acting in the name of the king of Spain or of his allies? As we consider the people of the United States to be unquestionably the only free people on the surface of the globe, we cannot admit that you have already arrived to such a point of degradation.—Otherwise, your demand is admissible and unjustifiable in the eyes of the world, and if we must submit to it, all the blame rests upon you.

Permit me, therefore, gentlemen, to request you to lay before the president of the United States these remarks, in order that a matter of so serious tendency may be duly considered. We have read his excellency's message at the opening of congress with the utmost concern, and have concluded that



the political situation of this republic has been greatly misrepresented in the United States through the intrigues of our enemies. We have a right to be heard; for which purpose, I shall have the honor of forwarding to your government the necessary documents. If you are not disposed to let the thing remain in statu quo, until the president's farther determination be known, I am authorised to assure you that we respect and esteem too highly the people of the U. States to carry matters to extremities. I have the honor to remain with the highest consideration, Gentlemen, Yours, &c.

(Signed)

AURY.

S. L. Holmes, Secretary.

*Case of John Anderson.*

The house having resumed the consideration of this subject,

Mr. *Spencer* rose, and (for reasons given in the debate) withdrew the preamble to the resolutions he had offered—leaving alone for consideration the resolution, directing all further proceedings against the accused to cease, directing the attorney general to institute proceedings against him, and instructing the judiciary committee to enquire into the expediency of providing for the punishment of contempt of either house, for breach of privilege, &c.

On the general question, previously discussed, the debate was renewed, and continued with unabated animation to the close of the sitting. Messrs. Tallmage, Hopkinson and Sergeant delivered their sentiments at large on the subject.

In the course of the debate, Mr. *Rhea*, with some incidental remarks on the resolutions, proposed a substitute to them, by way of amendment, in the following words:

*Resolved*, That this house possesseth the competent power to punish John Anderson for his contempt of the house, and his outrage upon one of its members; and, therefore,

*Resolved*, That the sergeant at arms be directed to conduct the said John Anderson to the bar of the house.

This motion was undecided, when, at a late hour, The house adjourned.

*Wednesday, Jan. 14*—On motion of Mr. *Tarr*, it was

*Resolved*, That the committee appointed on so much of the president's message as relates to roads and canals and seminaries of learning be instructed to enquire and report to this house, whether any, and if any what further provisions are necessary by law for completing that part of the United States' turnpike roads lying between Cumberland in the state of Maryland, and Wheeling in the state of Virginia.

The house resumed the consideration of the proposed proceedings in the case of Col. John Anderson, and the debate was continued.

Messrs. *Clagget*, *Whitman*, *Ross*, *Rhea*, *Beecher*, *Spencer*, *Forsyth*, and *Burwell*, addressed the chair on the main question, and Mr. *Hopkinson* and Mr. *Storrs* on incidental points.

The sitting was prolonged to a late hour, the question being loudly called for in the interval between each member's speech; but an adjournment finally took place, without having come to a decision, on the motion of Mr. *Burwell*, who, with many others, wished to have the present shape of the proposition so varied as to enable the house, in voting on it, to express a definite opinion.

*Thursday, Jan. 15*.—The *National Intelligencer*, after apologizing for the omission of the usual detail of congressional proceedings, from the lateness of the hour at which the house adjourned, says—

The senate did not transact any important public business.

The proceedings of the house of representatives were, however, far from uninteresting. They came to a decision on the part of Col. Anderson, so far as passing by a direct vote respecting their own power to refuse to discharge him, by a majority of 119 to 47, and by a like majority to direct him to be brought forthwith to the bar. He was accordingly brought to the bar; and, being interrogated, acknowledged his name and the delivery of the letter, &c. When questioned whether he had any thing to offer in defence, he intimated that he had a defence in writing, which he wished to offer to the house.

A number of witnesses were then called and examined, touching the character heretofore sustained by Col. Anderson; of which they testified, as far as their knowledge extended, in very high terms. Among these witnesses were two members of the house, (Gen. Harrison and Col. Johnson.)

A question put to one of the witnesses as to his knowledge and belief of money having been given for hastening claims—produced a discussion which ended in an adjournment to allow time to consider the course to be pursued.

The prosecutions mentioned by Mr. *Hopkinson*, on Tuesday, in the state of New York, were not, as it was apprehended, on "license bonds," but against retailers of spirits, for not taking out their licenses. The penalty for that omission is \$150, which has been remitted by the secretary of the treasury, almost as a matter of course, on the parties taking the license and paying the costs accrued in the prosecution. It was in these cases, it appears, that the fees referred to had been charged.

## MR. DICKERSON'S PROPOSED AMENDMENT TO THE CONSTITUTION.

*Resolved by the senate and house of representatives of the United States of America in congress assembled, two-thirds of both houses concurring therein*, That the following amendment to the constitution of the United States, be proposed to the legislatures of the several states, which when ratified by the legislatures of three-fourths of the said states, shall be valid, to all intents and purposes, as a part of the said constitution:—

That, for the purpose of choosing representatives in the congress of the U. States, each state shall, by its legislature, be divided into a number of districts equal to the number of representatives to which such state may be entitled. The districts shall be formed of contiguous territory, and contain, as nearly as may be, an equal number of inhabitants, entitled by the constitution to be represented. In each district the qualified voters shall elect one representative, and no more. That, for the purpose of appointing electors of president and vice president of the United States, in each district entitled to elect a representative in the congress of the United States, the persons qualified to vote for representatives shall appoint one elector, and no more. The additional two electors to which each state is entitled, shall be appointed in such manner as the legislature thereof may direct. The electors, when convened shall have power, in case any of them, appointed as above prescribed, shall fail to attend for the purposes of their said appointment, on the day prescribed for giving their votes for president and vice president of the United States, to appoint another, or others, to act in the place of him or them so failing to attend. Neither the districts for choosing represen-

tatives, nor those for appointing electors, shall be altered, in any state, until a census and apportionment of representatives under it, subsequent to the division of the states into districts, shall be made. The division of the states into districts hereby provided for, shall take place immediately after this amendment shall be adopted and ratified as a part of the constitution of the United States; and successively, immediately afterwards, whenever a census and apportionment of representatives under it, shall be made. The division of each state into districts, for the purposes both of choosing representatives and appointing electors, shall be altered agreeably to the provisions of this amendment, and on no other occasion.

## Foreign Articles.

ENGLAND, &c.

We have a strange account in the British papers that a certain person named *Develneaux*, who lived recluse and was little known, having taken a liking to a youth that he occasionally saw passing and re-passing to school, and without any further knowledge of him or his family, willed him his estate, which is spoken of as amounting to more than 700,000*l* a year, regular income! It consists of several millions in the funds, a property in Spain that produces 100,000*l* per annum, an immense estate in Scotland, and others of great value in the West Indies—debts due from every sovereign in Europe with vast claims on private property in Great Britain—the whole is called a property of a “dangerous amount, for it is more than sufficient to overturn the state.” It is feared the youth has been rather affected in his mind, by his good fortune.

One would believe that the preceding must be fabulous—is it possible that any man could possess so much wealth in England, and be so little known?

A London paper of Oct. 29; states that “some poor wretched paupers went to a brick clamp, for the benefit of the warmth having no other place of refuge,” where one of them was burnt to death—a young man, 21 years of age.

The British ports are shut, and American flour had advanced to 70s per bbl.

The funeral procession of the princess Charlotte took place on the 19th Nov. by torch light. It is stated to have been exceedingly impressive and solemn. It was attended by a long procession, and concluded with a funeral service. The body of the princess was placed in a mahogany coffin, that inclosed in one of lead, which was put in an outer coffin of mahogany, covered with crimson velvet, and formed into pannels with white plated nails, the lining of white satin. An urn containing the heart of the princess was placed in a mahogany case.—The coffins of the infant were like those of the parent.

The prince of Coburg is said to have been averse to the embalming of the body of the princess.—After the evening of the interment, he decended into the mausoleum alone, and wept over the remains of his departed consort upwards of an hour. On the day following, he presented Mrs. Griffiths, the nurse of the princess, with 150 guineas and dismissed her.

The British papers tell us that the countess of Albrmarle died of a mis-carriage, in consequence of the shock she received by the death of the princess Charlotte, and that the hon. Mrs. Cavendish died in the same way. Is death to become “*fish-annable*”?

It is stated as a singular fact, that the several lunatics in the asylum in Castlebar, Ireland, male and female, have been taught to spin fine yarn, and are now constantly and cheerfully employed in doing so.

*London, Nov. 5.*—The captain of the Spanish government brig, which attacked the United States' schooner *Firebrand*, some months ago, had been tried by a court martial at the Havana, and broke; The captain of a frigate who assisted in the attack, has been sent home to old Spain to have his conduct investigated.

FRANCE.

The *projet* of a law has been submitted to the chamber of deputies by the keeper of the seals, for suppressing *books* and other works of an objectionable nature.

A decree of the king reduces the officers of the navy so that they shall consist of—6 vice admirals; 16 rear admirals; 20 captains of the 1st class; 40 do. of the 2nd do.; 80 do. of frigates; 40 lieutenants having rank with the chiefs of battalions; 260 lieutenants with companies; 400 ensigns, and 300 midshipmen.

A Paris paper of Oct. 7, gives a splendid account of the operation of casting an equestrian statue of Henry IV.—40,000 lbs. of metal were melted for the purpose, and the casting was performed in the presence of the ministers of state, &c. and a numerous assemblage of ladies. It was cast at Roule's furnace, under the direction of Messrs. Gelli and Piggian, the furnace department being managed by Mr. Gonon,

*The Bag-Fox.*—Lady Morgan says, “that the friends of the old regime in France accuse England of all their misfortunes; of originating the revolution; sending the emigrants to be slaughtered at Quiberon; and of letting loose Bonaparte from Elba. Even still they consider the ex-emperor, as a sort of *Bag-Fox*, to be let loose, whenever the English ministry may be inclined to *show sport* to Europe.”

The wolves are making dreadful depredations in the department of Yonne. They have carried off several children, and, by united efforts, a girl 17 years old, who however, was rescued. Such things could hardly happen in the rudest parts of the United States—but here the freeman is armed.

A Paris paper of Oct. 26, says—Lt. General count de Girardin, Capt. of the king's chase, has given a statement of wolves killed in the 86 departments of the kingdom, from the 1st January 1816, to the 1st July, 1817, in which are designated those of the Lieuts. of the wolf-hunting, who make it their principal occupation for their destruction; the result was that 1894 male, and 522 female wolves, total 2,416, were killed.

*Paris, Nov. 8.* The answer of the chamber of deputies to the king's speech, is a very dignified and spirited state paper. Speaking of the treaties of Nov. 20th, 1815, they say,

“Your people, Sir, submitted to them with grief, but in silence. After having made the greatest efforts faithfully to execute them; after calamitous years have infinitely added to the severity of their explicit conditions, we cannot but believe that they conceal exorbitant consequences, which none of the contracting parties could have anticipated. The wisdom of your majesty will be understood and seconded by the enlightened policy which presides over the destiny of the other nations of Europe, an equitable limit will be fixed to enormous sacrifices; the period of the too oppressive occupation of our country will be diminished; our territory will be liberated. Then alone, France will taste of peace;



her credit will be consolidated, her internal prosperity restored, and she herself will resume her rank among nations."

The king's reply was firm, dignified and consolatory.

An English letter says there have been warm debates in the French chamber of deputies. Mr. Bignon proposed to inform the king of the impossibility under which France lay, of paying the imposts of 1818, and to pray him to require that the allied troops should evacuate France. These propositions were rejected. Mr. Laine said, "the demands of foreign powers were constantly increasing—we must rid ourselves of such insatiable oppressors."—These expressions were reproved as indiscreet.

#### BONAPARTE.

An American vessel, lately boarded off St. Helena, brings intelligence that Napoleon was in good health; but still guarded with unremitted care. A ship of the line and 2 sloops of war lay at and off the Island, and continued to row guard round it. A British gun brig is said to have been lost on Tristram de Cunha, and every one on board to have perished.

#### NETHERLANDS.

The minister of war resigned in consequence of a dispute with the prince of Orange, but the king refused permission for him to retire. The prince appears to be "legitimately" impetuous and overbearing.

The Dutch revenue for 1818 is calculated at 67,500,000 florins; the expenditures at 74,000,000. A loan is necessary.

The king has ordered 100,000 florins to be advanced to the linen manufacturers to buy stock.

#### SPAIN.

A London paper of the 18th of October stated that the royal Vales (paper money) of Spain were at a discount of 74 per cent. notwithstanding the new plan of finance and the frequent deliberations of the council of ways and means.

The board of health at Alicant, under the sanction of the supreme board, has decreed the punishment of death to all that clandestinely land from the coast of Africa. Other penalties, from 1 to 10 years imprisonment in one of the Spanish settlements in Africa, are inflicted for other violations of the quarantine laws.

A ship of the line, the Asia, and 2 frigates at Cadiz, and 2 frigates at Carthage, are fitting out to act against the South American insurgents.

The Spanish frigate Sabina has at length arrived at Cadiz from Vera Cruz, with a cargo of 3,314,795 piasters, 223 bars of silver, 12 chests of wrought silver in plate, besides cochineal and other valuable articles.

A letter published in the *Aurora*, dated Madrid, Nov. 11, says, that the Asia is the only ship of the line remaining to Spain of the best built navy that was in Europe 40 years ago! The few seamen that are employed, wretchedly paid, and in almost a state of starvation, are nearly in open mutiny—and parties of them have formed themselves into bands of robbers, and infest the whole country between *Seville* and *Cadiz*.

It is stated that the troops last sent to South America were shipped by force—they have justly considered it as the voyage of death. Great efforts have been made to get even volunteer officers to serve under Morillo—400 were wanted, but not one had volunteered.

This letter pictures Spain in the lowest state of degradation and misery—"every one consuming and

none producing." *Ferdinand* may yet take the galley out of the hand of a "patriot" that he sent to them. O! that such a fate may speedily be the lot of the ingrate.

#### ITALY.

Maria Louisa, dutchess of Parma, has issued an edict forbidding her subjects to kneel to her—a homage which she justly says is due only to God. She calls upon the clergy in her dominions to make her subjects sensible of this, which hitherto she has been unable to do.

The researches at Pompeii and Pozzuoli are very successful. At Pompeii several edifices of superb architecture have been discovered, and at Pozzuoli a great number of tombs in the Roman style.

The French brig Neptune has arrived at Civita Vecchia from Havre. She had on board 476 chests, containing part of the pontifical archives.

#### INDIA.

A London paper says—The apprehensions excited lately, by the reports of the commencement of a formidable war in India, have subsided, intelligence having been received at Bombay that the Peshwa and his adherents had submitted to the terms offered by the governor general.

The expected general war in India seems quieted for the present—The British have accomplished their purposes without it. But they have carried the "Pattah and Ghurry of Douranmal," by storm. It was defended by 300 Arabs.

#### CHINA.

A *St. Petersburg* paper says—According to the last intelligence from China, the emperor having testified his desire to have at his court, ministers from foreign powers to reside there constantly, the emperor Alexander, has, it is said, determined to send a minister plenipotentiary to Pekin, on account of the commercial relations which increase every year between the two courts. M. de Langsdoff is designated for the mission, who is at present Russian consul at Rio Janeiro, and who has been in China.

#### PERSIA.

Russia is negotiating for a port on the Persian Gulph.

A *St. Petersburg* paper of Oct. 7, says—Count Zerimoff is commissioned to engage at Cabul and Ispahan a number of workmen, who are to establish, under very advantageous conditions, manufactories of shawls and carpets, at Gavan. That this is an important object is evident from the fact, that 80,000 shawls are annually exported from Basorah, which cost, on an average, 1000 rubles each; so that from 60 to 80,000,000 of rubles came into the country for this one article of luxury.

#### BRAZIL.

The archduchess Leopoldine has arrived in Brazil—she was received with great joy by the people, who hope her superior address may tame her surly and tyrannical husband.

The U. S. ship Ontario, captain Biddle, touched at Rio Janeiro, on her way to the south seas; whether she is bound to protect our fishermen against the Lima cruisers.

#### BRITISH AMERICA.

A salt spring, said to be of an excellent quality, has been discovered near the village of St. Catharine's, Upper Canada—on which the Canadians very highly congratulate themselves.

#### "SPANISH AMERICA."

The ship Grace, for South America, sailed from Portsmouth, Eng. on the 22nd of Nov. She has on board a corps of 400 lancers, which had been raised to join the Spanish independents.

Tucuman, a strong post in Chili, is said still to be held by the royalists. But the patriots with 8 or 9000 troops, in good order, were expected to make an attack upon Lima, the possession of which would probably end the contest in that quarter.

The Portuguese remained at Montevideo, still blocked up by Artigas. They expected reinforcements when active operations would be commenced.

## CHRONICLE.

### WAR DEPARTMENT

Pension office, Dec. 23.

The following evidence will be required in all militia cases, and in cases of the regular army, where the discharge and surgeon's certificate have been lost or destroyed, or where they have never been originally granted, to enable the secretary of war to grant pensions, viz:

In cases where the regular discharge and the surgeon's certificate for disability, cannot be had, the applicant for a pension, whether he has been a soldier of the regular army, or a militiaman in the service of the United States, must produce the sworn certificate of his captain, or other officer under whom he served, stating distinctly the time and place of his having been wounded, or otherwise disabled, and that the same wound or disabilities arose while in the service of the United States, and in the line of his duty, with the affidavit of one or more surgeons or physicians, whether of the army or citizens, accurately describing the wound, and stating the degree of disability to which the soldier may be entitled under it: these documents to be sworn to before a judge of the United States' court, or some state judge or justice of the peace; and if a state judge or justice of the peace, then under the seal of the clerk of the county in which such judge of justice may reside, and the name of the paymaster who last paid the soldier as belonging to the service of the United States, to be in every instance furnished by the applicant, in order to determine the date of commencement of his pension.

The port of *Mobile* is crowded with vessels—among them is one from *Liverpool*. The house-room of the town has been insufficient to accommodate the great influx of strangers.

*South Carolina.* The salary of the governor has been fixed at \$4000, and that of the judges advanced from \$2372 to 3500. The president of the state bank receives 3000.

*Earthquake.* About eleven o'clock on the night of the 10th of last month (December) a smart shock of an earthquake was felt at the same instant in nearly all the towns and settlements in the upper part of South Carolina and Georgia.

**INDIAN TREATIES.** Treaties of peace and friendship have lately been entered into and duly ratified between the United States and the Menomenee, Ottos and Poncarar tribes of Indians. Their conditions are to forgive and forget past acts of hostility—to preserve peace in future, confirm cessions of land heretofore made, with an acknowledgment of being under the protection of the United States. Among the chiefs who have signed those treaties we observe the names, *Roaring Thunder, Fat of the Bear, Running Wolf, Big Horse, Eldest Daughter, Broken Arm, the Bear and Small Bear, Buffalo Hump, the Smoaker, Handsome Man, He who stands fire, &c.*

There is also a long treaty with the *Cherokees* of considerable importance, which we wish we had

room for. It appears that the upper Cherokees have expressed their desire to become agriculturists, the lower Cherokees to continue the hunters life, and both parties have requested the president to aid them in their views. This treaty contains some cessions of land, the country of the (lower Cherokees, we presume) for other lands belonging to the United States on the Arkansas and White rivers, west of the *Mississippi*—regulates, on the number of population, the payment of the annuity heretofore granted by the United States to the whole tribe.—makes some provisions in favor of the migrating Cherokees, and secures to those that remain the possession of their lands. It appears that this treaty is really advantageous to the three parties to it. All improvements on the ceded lands are to be paid for by the United States.

*Vaccination.* It is stated that Dr. *Fansher*, of Connecticut, has vaccinated forty thousand persons, not one of whom died.

*Charcoal.* The people seem to require the death of several persons *per annum* to make them sensible of the deleterious effects of burning charcoal in a close room. Two persons went to sleep at Carlisle, Pa. a few days ago, with a pot of it burning, and never wakened any more.

*North Carolina sugar.* The following interesting article is from a Raleigh paper:—Among the numerous productions to which the soil and climate of N. Carolina are favorable, it is found that the sugar cane may now be added.—Several fine stalks, raised in Brunswick county not far from Wilmington, are now in the possession of Col. Wm. Polk, of this city. They are from seven to eight feet in height, and although considerably dried, remained about two inches in diameter. The present is the second year of the experiment—only a few plantings having been at first obtained; but the enterprising gentleman who has made the attempt, calculates on making sugar his staple crop for the approaching year. The stalks that I have seen are certainly very luxuriant; and I have understood from gentlemen, acquainted with the culture and growth of the article, that there can be no doubt of its complete success in the lower parts of the state.

*High pressure steam engine.* Mr. Oliver Evans has built a steam engine for the purpose of raising water to supply the city of Philadelphia. The contract was that it should raise 3,500,000 gallons of water, ninety eight feet, in 24 hours. On the 26th and 27th ult. she was worked without interruption 20 hours, during which it was estimated that 3,556,401 galls. were raised, in doing which only 10 cords of oak wood were consumed: It seems that about 100 galls. were raised at every stroke, and that the average working was 24½ strokes in a minute. The experiment was so satisfactory to the watering committee that they have reported the contract as fully completed by Mr. Evans.

*Gov. Snyder.* The republican members of the legislature of Pennsylvania gave a public dinner to Mr. Snyder, at Harrisburg, on the 20th ult. in testimony of their respect and attachment to him. The speaker of the senate presided. The following were among the volunteer toasts given on the occasion:

By the late gov. Snyder—Virtue, liberty and independence; and their concomitants, peace on earth and good will to mankind.

By gov. Findlay.—The legislative branch of our government; to their patriotism, the people look for the security of their rights, and to their wisdom for the advancement of their interests.



By the president—The plough, the support of all classes.

By Colonel Hill—Balance of power, the puzzling irons for European politicians—May the people of America ever keep the balance in their own hands.

*Delaware.* A question is started by a writer in the "Delaware Watchman," whether it would not be for the advantage of the inhabitants that the state be dissolved?

*The Susquehannah.* The bridge at Port Deposit, over the Susquehannah, together with the road leading to the same, has been so far completed as to admit the passage of waggons and other carriages with perfect safety. This is a very important improvement, and we are now freed from the danger and delays that heretofore attended the direct communication between Baltimore and Philadelphia.

*Another!* Died on the 8th inst. in the 64th year of his age, at his seat in Prince George's county, Maryland, Gen. *Robert Bowie*, a gallant soldier of the revolution, and formerly governor of Maryland; much beloved and respected for his public and private virtues, as a whig and a man of honor: for his practical charity, and rigid integrity. The house of delegates by an unanimous resolve, agreed to wear crape during the remainder of the session in respect to his memory.

Died on the 4th December, ult. at the entombment, *Passé Christianne*, capt. *Alexander Brownlow*, of the 8th regt. U. S. infantry. He was one of the heroes who defended fort Bowyer on the memorable 15th Sept. 1814, and distinguished himself then as much by his cool, undaunted spirit as he had previously done by his correct and gentlemanly deportment.—During the hottest of the action the flag-staff of the fort was shot away, and fell outside the wall—Brownlow threw himself after and recovered it, then returning into the fort, he climbed the staff, amid showers of shot, and nailed the colors to the stump.—When the army was disbanded at the close of the war, he was retained as a captain in the 8th, where he gained the esteem and confidence of his new associates—and never can the *Old Second* forget the brother officer or the soldier's friend.

*Longevity.* A Mrs. Edwards has lately died at Boston, who was born at Salem in Jan. 1715—aged nearly 103 years. She enjoyed considerable vigor of intellect and could enjoy life until after she had entered her hundredth year.

*Good.* The legislature of Vermont has passed a law imposing a fine of from one to seven dollars, for passing a bill of any bank not payable in specie.

*Mammoths!* A St. Louis paper ventures an "it is said" that living mammoths have lately been seen near the rocky mountains.

*Counterfeiters.* We frequently hear of gangs of counterfeiters detected. The fault is equally in the people, in suffering so many banks to be, or their folly in receiving notes that they are unacquainted with. They will be whipped into a regard of self-interest, and be taught to feel that the banking business is becoming a *public nuisance*—moral as well as political.

*Packets.* A commercial house in New York, having every thing prepared, have started a line of packets, to sail early in every month, for the conveyance of passengers and goods, between that port and Liverpool!

FRANKLIN GAZETTE.—As it is not consistent with the plan of the REGISTER, to insert Mr. Bache's prospectus, we cannot better notice his intended publication than by borrowing the language of

the National Intelligencer, which says—Proposals are issued in Philadelphia, by *Richard Bache*, for the publication of a new daily newspaper, under the title of the FRANKLIN GAZETTE. This association of names reminds us of two departed patriots, veterans in printing and politics.

*The Holy Alliance.*—The following is the opinion of the celebrated *Jeremy Bentham*, of London, of this association of kings—"In the modern *Holy League*, which in its spirit is so congenial to that of the original one, it is a fundamental principle—that, in the hands of the ruling and *subtling few*, the nearer the condition of the *subject many* can be brought to the condition of the beasts of the field, the better it will be for the interests, eternal as well as temporal, of all parties."

PATRICK HENRY. Mr. Scott submitted the following resolution to the house of delegates of the state of Virginia, which was adopted—The general assembly of Virginia, highly appreciating the unrivalled eloquence, inflexible integrity, unyielding political firmness, and superior talents of their distinguished fellow citizen, *Patrick Henry* who first fearlessly dared to suggest those measures which eventuated in the emancipation of his country from the yoke of foreign oppression, deem it their duty to adopt some means by which to manifest to the world and future generations their veneration and esteem for the memory of this orator and patriot.

*Resolved*, therefore, that the executive be and they are hereby requested to obtain a Marble Statue of *Patrick Henry*, to be placed in the capitol of this commonwealth; the expense of obtaining the same to be paid out of any money in the treasury not otherwise appropriated.

The *Florida Centinel* speaks of an extensive destruction of the cotton, by the rot—saying that the planters will not average in gathering more than 500 of seed cotton to the acre, instead of 1500lbs their expected crop. It is said however, that Madison county, in the Alabama territory, will this year export 8000 bales!

*Christmas.* The different manner in which the anniversary of the nativity is observed in different parts of the United States, is worthy of remark: in Boston it seems to have been partially observed, on the 25th ult. by a recommendation in the public papers to abstain from business and by some concerts of sacred music in the evening. In New York, some of the stores were shut up, but the theatre was open in the evening and Mr. Cooper played *George Barnwell*. In Philadelphia about one half of the people paid some attention to the day—but in Baltimore and to the southward of it, the stores were generally shut up, the banks closed, and business suspended as on a Sunday. The churches, also, were for the most part opened in the morning, and the afternoon was given to refreshment and mirth, being an almost universal holiday. The only daily papers published in the United States northward of New York are two at Boston—and they only, I believe, were published on the day.

TOBACCO. From the *Petersburg Intelligencer* The last year was deemed very unfavorable for tobacco. We have correct returns from the three principal depots of the state up to the 1st of October, which is considered the close of the tobacco year:

At Lynchburg there were received	-	10,935
At Richmond and Manchester united	-	10,517
Petersburg	-	12,805

Total hhls. 33,257

We have not heard from the *Norfolk inspections*—nor do we know whether there be any established.

# NILES' WEEKLY REGISTER.

NEW SERIES. No. 22—Vol. I ] BALTIMORE, JAN. 24, 1818. [No. 22—Vol. XIII. WHOLE No. 334.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

SUSQUEHANNA BRIDGE AND BANK COMPANY.—The editor of the WEEKLY REGISTER has received a long letter from a director of this institution, to which he prepared a proper reply, intending to have published both of them in this paper—but a disposition to “spare” an institution which has effected such a splendid improvement as the bridge over the Susquehanna river, has induced him to refrain from it.

The law for establishing this corporation was quoted for the sole purpose of fixing its date. By an “additional supplement” the powers of banking were made co-existent with the business of building the bridge. Influenced by the consideration just stated, the editor hopes that the directors and stockholders will be content to let the matter rest where it is. The solvency of the bank, and its ultimate ability to meet its engagements, is, we believe, undoubted. But the facts stated in the REGISTER of the 27 ult. must not be invalidated.

“COMMON SENSE.”—Wednesday’s *Aurora* has two columns of remarks on the observations made in our last paper respecting an article (which was quoted entire) signed “Common Sense.” As, in respect to the chief things referred to, there is no difference of opinion between that writer and myself, I cannot discover any good as likely to result from a continuance of the controversy, and shall decline it; to this I am also induced by the denial of *common justice*, which would have granted an insertion to my articles precedent to any remarks upon them.

COL. ANDERSON.—The imprudent conduct of col. *Anderson* has started several questions as to the rights and privileges of the house of representatives that yet seem unsettled, though the case that originated the discussions respecting them has been dismissed, without, perhaps, having satisfied either party. The doctrine of *contempt* may easily be extended to a most dangerous length—yet the members of the legislature must be protected from insult. We shall make an effort to preserve the substance of the debate on those subjects, by inserting Mr. *Spencer’s* speech on one side, and some other gentleman’s on the other.

We would hope, from the facts stated, that col. *Anderson* meant only to expedite a settlement of the claims with which he was charged. The testimony in his behalf is interesting and affecting—and the history of his sufferings and services cannot be read with indifference by any. And, we trust, that any resentment which may have been excited by his conduct towards Mr. *Williams*, which was certainly improper, and properly resented and exposed, will not be suffered to operate to the injury of those who have confided their business to his care.

PUBLIC OFFICERS AND CLERKS. An important public service may be rendered if a thorough investigation of the often repeated insinuations of corruption in the public officers and clerks at Washington city, shall grow out of the late proceedings of congress on the subject. I have no personal knowledge that any such corruption exists; but charges of it have been familiar to me for nearly twenty

years past, and almost every body seems to believe that it exists extensively there. If this, which I take to be a general impression, is erroneous, the people ought to be undeceived—if it is well founded, the guilty should be exposed and punished.

Col. *Anderson’s* silly, or infamous, proposal to Mr. *Williams*, was in the true spirit of what *common fame* has said was the best way to get an account settled at Washington; and he seems to be somewhat excusable on that account. I do not know that it has been apprehended that money was paid to pass accounts which were in themselves *unjust*—but it was understood as having been paid to get them through promptly; and the necessity of “currying favor” with some subordinate, I have heard spoken of as a matter of course. The *National Intelligencer*, speaking on this matter, says—“It appears, that rumors have been afloat in the country of such practices: we can only say, the information is new to us—and we trust and believe the enquiry will result in a conviction that nothing of the sort has occurred, more blameable than the receiving a compensation for labor done at hours when the offices were not open, and when the time and labor of the clerks employed in them are of course their own property.”

The time when the clerks are not employed in the offices, is certainly their own, and they have a right to dispose of it as they please—but the suspicion is, that they purposely delay settlements of certain accounts during office hours, for the employment of that time most advantageously.

I mention these things, not because I pretend to know any thing about them, (for if I did I would frankly state it at once)—but to give information of what appears to me to be the public sentiment on the subject; that, if it is thought worthy of it, the enquiry may be directed so as to meet it—and it is a great grievance that men of honorable minds, as I know some of the clerks to be, should be liable to censure so humiliating and oppressive, even if some few are really deserving of them.

NAVAL DEPOT IN THE CHESAPEAKE. We have been furnished with a copy of a very able report, delivered by Mr. *Hughes* to the corporation of the city, entitled—“*Annapolis considered as a suitable situation for a great naval depot, and arsenal for marine stores.*” Without violating the fundamental rules on which the WEEKLY REGISTER is conducted, we could not have given place to the essay in the present sheet; and indeed, at this season of the year we are always pressed for room to dispose of the public current matter that immediately belongs to the work: we shall, however, soon give an abstract of this ingenious essay, if we do not insert it entire,—presuming that copies of it have been transmitted to all who have influence in a consideration of the interesting question, as to the location of a naval depot in the *Chesapeake Bay*. The editor does not pretend to an acquaintance with the subject treated of, but the arguments in favor of *Annapolis* seem irresistible, the whole facts being considered, except on account of the bar at the mouth of the river, which it seems to be ascertained may be removed so as to admit ships of the largest class, at a very trifling expense.



NEWSPAPERS.—We have, since our last, only received a list of newspapers published in Vermont. On the subject of our proposed list, the *Aurora* has the following remarks:

“We would propose when the list is completed, that Mr. Niles would commence an investigation into the following particulars.

How many of those newspapers are conducted with judgment and capacity, such as should characterise the free press of a free nation.

How many with an honest regard to republican principles.

How many of them are sufficiently well read in the history of their own country, or in history generally, to be qualified to inform a people to whom *knowledge* and *virtue*, are above all things, most precious and necessary.

How many whose editors are competent to write with common sense on any subject.

How many of them use the scissors to extract other men's labor, and feed upon others men's brains.

How many of them are really free and independent of official power or influence.

How many of them exist by their baseness and servility, to men in power, to faction, or to ambitious individuals.

How many of them are a disgrace to a free state and a free press.”

☞ No doubt there are too “many” editors and newspapers that would be seriously affected by a just answer of several of those queries—and perhaps, few of us would escape the suspicion, at least, of being liable to discredit from one or another of them—and we decline any attempt at such an “investigation”—those who *read* must each one make it for himself, and it is right and proper that he should do so.

### Virginia Armory.

Operations for the year ending Nov. 30, 1817.

Amount of materials on hand—list of materials purchased—cost of workmanship—contingencies—repairs and improvements—officers' salaries, rent of water from the canal, \$95,618 02

By materials on hand and repairs of many old muskets, pistols, and swords—making 292 rifles at \$17 50 and 4536 muskets at 11 30, nearly, 95,618 02

A proposition was laid before the legislature to sell or lease the factory, or to discontinue the operations of the establishment after October 1818.

The public arms on hand at the armory are as follows:

29,316 Muskets in order for service, composed of new arms, and of old arms which have been repaired.

406 Old muskets newly stocked but not finished.

2,637 Old muskets in the very worst order, and of very inferior quality.

1,125 Rifles in order for service, composed of new rifles, made at the armory, and by contract, and of old rifles which have been repaired.

108 Old rifles out of repair.

811 Pistols in order for service.

3,993 Cavalry swords.

783 Artillery do.

243 Old cutlasses.

6 Pieces brass cannon, 24 pounders.

6 Iron ditto 12 do.

14 do do 4 do.

- 1 Brass 13 inch mortar, mounted.
- 1 do 16 inch do unmounted.
- 45 Tons cannon shot, assorted sizes, from 4 prs. to 32 prs.
- 3,700 lbs. Grape shot, for 32 pounders.
- 2,700 lbs. do do for 24 do.
- 1,250 lbs. do do for 12 do.
- 334 13 inch bomb shells, and 644 16 inch do.
- 297 Screw-drivers, 1,138 ball screws.
- 295 Melting ladles, and 1 set wheels heavy cannon.
- 1 Gin and sledge for mounting cannon.

### Trade of Boston.

Arrivals and clearances for the year 1817.

VESSELS ARRIVED	VESSELS CLEARED.	FROM AND FOR.
86	30	England.
23	22	France.
41	50	East-Indies and China.
305	236	West Indies and Spanish Maine
29	16	Russia and North of Europe.
13	29	Holland.
17	14	Brazils and South-America.
4	8	Africa.
14	5	{ Cape de Verds, Madeira, and } Canaries.
187	184	British provinces in America.
39	50	Gibraltar and Mediterranean.
17	21	Spain and Portugal.
775	685	

Total arrivals and clearances.

	ARRIVED.	CLEARED.
Foreign ports, . . . . .	775	685
Coastwise, . . . . .	1690	1994

The vessels that arrived and departed, in the same time, laden with lumber, &c. which are not required to enter or clear, are estimated at 2000—making a grand total of 7103 arrivals and departures for that port in the year 1817.

The vessels that arrived from foreign ports were—

American . . . . .	520
English . . . . .	251
French . . . . .	2
Danish . . . . .	1
Swedish . . . . .	1
	775

[The facts stated above are derived from the books of the “Merchants’ Hall,” at Boston. We have thrown them into tabular form for more easy use and reference.]

The “Palladium” gives the names of *fifty-eight* ships and *twenty-two* brigs, now absent from that port, on voyages to India, China, North-West Coast and South Seas.

### Amelia Island.

DOCUMENTS ACCOMPANYING THE MESSAGE OF THE PRESIDENT TO CONGRESS, ON THE 12TH INSTANT.

Department of war, January 12th, 1818.

Sir—I have the honor to transmit copies of the orders which have been given by the acting secretary of war to major Bankhead, in relation to taking possession of Amelia Island, and copies of the communications which have been made to this department by that officer, which embrace all the information in my possession.

I have the honor to be, sir, with the highest respect, your most obedient servant,

J. C. CALHOUN.

*The President of the United States.*

*U. S. ship John Adams, off Amelia, Dec. 22, 1817.*

SIR—We have received orders from our government to take possession of Amelia Island and to occupy the post of Fernandina with a part of our force, which will be moved over as soon as it will be convenient for your troops to evacuate it.

To avoid unnecessary delay, we think proper at this time to inform you, in the event of your acquiescence in this demand, that you will be at liberty to depart with the forces under your command, and such property as belongs unquestionably to them will be held sacred.

You are to leave the public property found by gen. McGregor at Fernandina, in the same condition it was taken, and the property of the inhabitants of Amelia Island must be restored to them, where they have been forcibly dispossessed of it, and no depreciations on private property from this period will be permitted with impunity.

Should you, contrary to the expectations of the president of the United States, refuse to give us peaceable possession of the island, the consequences of resistance must rest with you.

We have the honor to be, very respectfully, your most obedient servants,

J. D. HENLEY,

Capt. in the navy and comd. in chief of the naval forces of the U. S. off Amelia.

JAS. BANKHEAD,

Maj. 1st battalion artillery, comd. land forces.

*Gen. Aury, commander in chief  
of the forces at Fernandina.*

*Head-quarters, Fernandina, Island of Amelia,  
Dec. 22d, 1817, and 8th of the Independence.*

GENTLEMEN—I have had the honor to receive your official letter of this day. The nature of its contents requiring mature deliberation, I have submitted the same to the representatives of the republic, and, as soon as I shall have obtained their opinion, it shall be immediately sent to you.

I can, however, state to you, gentlemen, that no opposition will be made to surrender the island of Amelia, on the part of this government.

I have the honor to remain, with consideration, gentlemen, your obedient and humble servant,

AURY, commander in chief.

*Com. J. D. Henley, and maj. Bankhead. &c. &c.  
on board the United States' ship John Adams.*

[Here follows the letter from com. Aury, inserted in our last paper, page 339.]

*U. S. ship John Adams,  
off Amelia Island, Dec. 23d, 1817.*

SIR—We have had the honor to receive your communication of 22d inst. and will briefly remark that, as officers in the service of the United States, we are bound to obey the orders emanating from the authorities of our government, without any discussion or animadversion on our part as to the correctness of them. We have been ordered by the president of the United States to take possession of Amelia Island, and, as the president has expressed his solicitude that the effusion of blood may be avoided, if possible, it must be gratifying to us to be informed by you that no resistance will be made to us.

We will again remark that private property will be sacred, and that our orders extend only to the

public property captured by gen. McGregor at Fernandina.

We propose to land a force to-day, and to hoist the American flag. Under that flag no oppressive or unjust measures will ever be witnessed; and we feel assured that there will be no difficulties in the arrangement made by us.

The squadron will immediately sail into the harbor, when the commanding officer of the land forces will wait on the commander in chief to make the necessary arrangements for the landing of the troops.

We have the honor to be, very respectfully, sir, your most obedient servants,

J. D. HENLEY,

Captain in the navy, and commander in chief of the U. S. naval forces off Amelia.

JAMES BANKHEAD,

Major 1st battalion of artillery,

and commander of the land forces, &c.

*Gen. Aury, commander in chief  
of the forces at Fernandina.*

*Head-quarters, Fernandina, Island of Amelia,  
Dec. 23d, 1817, and 8th of the independence.*

I have had the honor to receive your letter of this date. I am ready to surrender this place to the forces under your command, whenever you may judge proper to come and take possession thereof.

I have the honor to be, very respectfully, your most obedient servant,

AURY, commander in chief.

*J. D. Henley, esq. captain in the navy, &c.*

*Jas. Bankhead, esq. major 1st bat. &c.*

*Department of war, 17th July, 1817.*

SIR—Circumstances having made it necessary to occupy without delay, Point Petre, and the St. Mary's river, by a military and naval force, I have to request that you will instruct the officer whom, in pursuance of the order issued through the adjutant general, you may detail to take command at Point Petre, to co-operate with the officer commanding the naval force on that station, in such measures as may be deemed necessary for the preservation of the peace and tranquility of that section of the country, which there is reason to apprehend may be disturbed in consequence of the contest between the Spanish royalists and patriots, for the occupation of the adjacent territory. The officer will be instructed to use due vigilance to prevent the violation of the revenue laws of the United States, and in particular to prevent the illicit introduction of slaves into the United States; and in order to do this the more effectually, he will prohibit all vessels freighted with slaves from entering the river St. Mary's.

I have the honor to be, &c.

GEO. GRAHAM.

*The officer commanding at Charleston, S. C.*

*Extract of a letter from George Graham, acting secretary of war, to major James Bankhead, Charleston, S. C. dated Nov. 12th, 1817.*

"I am instructed by the president to direct you to repair immediately to Point Petre, with the effective force under your command, leaving only an officer and a few men as a guard at forts Moultrie and Johnson. Captain Wilson has been ordered to repair with his company, now at fort Johnson, North Carolina, to Point Petre, and a detachment of new recruits, under the command of captain Hook, who was on his route to join the 4th infantry, has also been ordered to that place. The troops enumerated above, and those now stationed at Point Petre, will constitute a force of more than two hundred



men, of which you will take the command until the arrival of general Gaines. A remittance of five thousand dollars has been made to your battalion quartermaster, whom you will take with you: and you will make requisitions for the necessary supply of provisions, on the contractor's agents. It will be advisable to take from Charleston a supply of salt meat, and a sufficient quantity of flour and hard bread, to serve two hundred and fifty men for thirty days at least."

*Department of war, Nov. 12th, 1817.*

SIR—It appearing to the satisfaction of the president, that the persons who have lately taken possession of Amelia island have done it without the sanction of any of the Spanish colonies, or of any organized government whatever, and for purposes unfriendly to, and incompatible with, the interests of the United States, he has decided to break up that establishment, and take temporary possession of Amelia island: for this purpose, the troops ordered to assemble at Point Petre, will co-operate with the naval force which has been ordered to St. Mary's, under the command of captain Henley.

It is the anxious wish of the president that this should be accomplished without the effusion of blood; and he confidently hopes, that the force destined for the purpose will be of such an imposing character, as to induce those persons who now have the military occupation of the island, to abandon it without the exercise of force; but if it should be found to be indispensably necessary, force must be used. You will, therefore, immediately on the arrival of captain Henley at St. Mary's, and, in conjunction with him, despatch an officer to demand the abandonment of the island, by those who now exercise authority there, and take such other measures as may be deemed proper to obtain the peaceable possession of it; also for the preservation of the property of those persons who were residents of the island when it was first captured by general M'Gregor. Should your demand for the evacuation of Amelia be complied with, you will then occupy with a part of your force the position of Fernandina, and take care that the cannon and other implements of war which belonged to the port when captured by gen. M'Gregor, are not taken off.

If peaceable possession of the island, however, cannot be obtained, and should it be the opinion of captain Henley and yourself, that your joint forces are not competent to the prompt and certain reduction of the naval and military forces which may then occupy the harbor and post of Fernandina, you will, in that event, make a requisition on general Floyd, or such other officer as may command that division of the militia of Georgia in which Point Petre is situated, for a force not exceeding five hundred men, to be held in readiness to march at a moment's warning, and await the arrival of general Gaines, who has been ordered to Point Petre, for ulterior measures.

You will take with you from Charleston the necessary military stores, and such heavy cannon as may be required for the reduction of the fort on Amelia island, in the event of resistance.

As no answer has been received to the communication addressed to you from this department on the 17th July last, it becomes necessary that the receipt of this should be acknowledged, and that you also advise this department regularly of your movements.

I have the honor to be, &c. GEO. GRAHAM.

*Major James Bankhead,*  
*commanding at Charleston, S. C.*

*Fernandina, Amelia Island, Dec. 24th 1817.*

SIR—I have the honor to lay before you the correspondence held with general Aury, the late commander of this place, and to inform you, that the American flag was raised here yesterday afternoon.

Several days will elapse before gen. Aury can withdraw his followers, but I have taken every measure to ensure tranquility, by ordering all his black soldiers to be embarked on board one of the ships lying in the port, and by not suffering any person to appear in the town with arms, but his officers; and the moment their vessels are prepared to receive the whole of them, they shall depart.

Most of the inhabitants of this place, at this time, are followers of Aury, and those persons who have been drawn here from motives of speculation, who are, I suspect, of that profligate character generally engaged in the violation or evasion of our revenue laws. I shall, therefore, consult with commodore Henley, and will enforce such regulations as may be most likely to preserve order, until I receive orders from government.

Until this place is completely evacuated by this band of negroes and privateersmen, I have deemed it prudent to keep the whole of my force here. On their departure I shall move all but one company to Point Petre.

I have the honor to be, very respectfully, your most obedient servant, JAMES BANKHEAD,  
Major 1st battalion artillery, S. D  
commanding detachment U. S. troops.  
*George Graham, esq. acting secretary of war.*

*Fernandina, Amelia Island, Dec. 27, 1817.*

SIR—I had the honor to forward to the war department, on the 24th inst, a copy of the correspondence with gen. Aury, previous to the landing of the troops under my command; and I herewith send a duplicate of the same.

Some difficulty has arisen from a want of competent authority, to settle the disputed claims of the residents of this place against the late government and the followers of Aury, who do not seem disposed to comply with their engagements.

One or two vessels have arrived here with cargoes, which the owners are desirous to land, and it might be improper to permit it without obtaining security for the duties which the laws of the United States require; and other vessels loaded in this port have met with some delay in clearing for their destination; but the counsel of gen. Gaines, who arrived here last night, will regulate my conduct, and will, in a great measure, relieve my anxiety.

I have been obliged to exercise my authority, as commanding officer at this place, to preserve order; and I am happy to say, that nothing unpleasant has occurred. I cannot say when gen. Aury and his party will sail. Their vessels are much out of order and their arrangements to that effect progress but slowly. The morning after I landed, I ordered all the black and French troops to be embarked on board some of their vessels; but the crews of their privateers, and many others of all nations, whom it is difficult to restrain from violence and excess, are still here.

Until I am honored with your instructions, I hope that the course I may pursue may meet the approbation of the president.

Gen. Gaines leaves this for the western frontier of Georgia the day after to-morrow.

I have the honor, &c. JAS. BANKHEAD,  
Maj. 1st bat. art. and command'g this post.  
*To the hon. the secretary of war.*

*Navy department, Jan. 13th, 1818.*

SIR—I have the honor to enclose, herewith, copies of orders to capt. John H. Elton, and commodore John D. Henley, in relation to Amelia island: also a letter from the latter officer, communicating information of the surrender of that place to the military and naval force of the United States, together with the correspondence which took place on that occasion.

I have the honor to be, with the highest respect, sir, your most obedient servant,

B. W. CROWNINSHIELD.

*To the president of the United States.*

*Navy department, July 16, 1817.*

SIR—Proceed immediately with the United States' brig Saranac under your command to the river St. Mary's in Georgia, and inform the military commander of your arrival, and of the objects specially designated to you in these orders.

The recent occupation of Amelia island by an officer in the service of the Spanish revolutionists, occasions just apprehensions, that from the vicinity to the coast of Georgia, attempts will be made to introduce slaves into the United States, contrary to the existing laws; and further attempts at illicit trade in smuggling goods in violation of our revenue laws.

You are hereby directed to detain and search every vessel, under whatever flag, which may enter the river St. Mary's or be found hovering upon the coast under suspicious circumstances, and seize every vessel freighted with slaves, or whose doubtful character and situation shall indicate an intention of smuggling.

In the execution of these orders you will take special care not to interrupt or detain any vessels sailing with regular papers, and of a national character, upon a lawful voyage to or from a port or ports of the United States.

The traffic in slaves is intended to be restrained, and, in the performance of this duty, you will exercise your sound judgment in regard to all vessels you may visit.

Communicate frequently to this department, every event connected with this service, and, if it shall be found necessary, a farther naval force will be sent, either to strengthen your command, or to relieve you so as to pursue your original destination. If you find it necessary upon your arrival at St. Mary's to employ a good pilot well acquainted with the coast, rivers, and inlets, you are authorized to do so.

I am, very respectfully, your obedient servant,

B. W. CROWNINSHIELD.

*Captain John H. Elton, commanding*

*United States' brig Saranac, New York.*

*Navy department, Nov. 14, 1817.*

SIR—Having been appointed to the command of the United States' ship John Adams, you are hereby ordered, in conformity to the wishes of the president of the United States, to proceed *forthwith* to the port of St. Mary's, in Georgia, taking with you the United States' brigs Enterprize and Prometheus, and the schooner Lynx, if the two latter have arrived in New York, and are in a state of readiness to accompany you; but you will not procrastinate the departure of the ship John Adams on account of these vessels, as any of them not fully prepared to proceed with you shall be ordered to join you as soon as practicable at St. Mary's, at which place you will find the United States' brig Saranac, captain John H. Elton, and gun-boat No.

168, lieutenant commandant R. McCall, both of which vessels will act under your orders.

The object of the president of the United States in ordering this naval force to the St. Mary's, is to remove from Amelia island the persons who have lately taken possession thereof, and, as it is understood and believed, without authority from the colonies, or any organized government whatever, and to the great annoyance of the United States. It has therefore been determined that these persons shall be removed from that island, and that possession shall be taken for the present, by the land and naval forces of the United States.

On your arrival at St. Mary's, you will consult with the officer commanding the military force, who is instructed to co-operate with you in the performance of this service.

It is hoped that these persons will withdraw without bloodshed; and you will, for this purpose, should your relative rank be superior to that of the commanding officer of the land forces, make known to the chief commanding in Amelia, the determination of the government of the United States to take possession of the island, and if the said chief, and the armed forces under his command, will peaceably quit the island, you will permit them so to do, taking special care that no depredations be committed on the inhabitants, whom it will be your duty to protect from violation or injury, either in their persons or property.

Should the force, however, now in command of the island, contrary to all expectations, resist and refuse absolutely to give up and abandon the same, you are, in co-operation with the military force of the United States, to proceed and take possession of the island, in the name and by the authority of the United States.

Should you fall in with, on your way to St. Mary's, or find in Amelia, any vessels from the United States, armed and equipped by American citizens, acting as privateers, contrary to the laws of the United States, you will capture such, and send them to Savannah, in Georgia, to be dealt with according to law.

You will detain all prizes, or other vessels, having slaves on board, as the presumption is strong that they are intended to be smuggled into the United States. You will report, from time to time, to this department, the operations of the force under your command.

I am, very respectfully, &c.

B. W. CROWNINSHIELD.

*Com. J. D. Henley.*

P. S. These orders are not to be delivered to any person.

*U. S. ship John Adams, off Amelia, Dec. 24, 1817.*

SIR—I have the honor to transmit a copy of the correspondence with general Aury, late commander of this place, and to inform you that the American flag was yesterday hoisted at Fernandina, and the Island of Amelia taken possession of by the land forces under major Bankhead, of the United States artillery.

The black troops of general Aury have been embarked on board one of their ships lying in the port, and the remainder of his followers will be sent off the Island, as soon as the necessary arrangements can be made for the purpose. They are now engaged in watering their ships, and in the course of a week I hope to see all of them over the bar.

Most of the respectable inhabitants of this place retired on its capture by M'Gregor, and those now here are principally adventurers who have been at



racted by motives of speculation, and, as I suspect and have every reason to believe, been engaged in the violation of our revenue laws, to prevent which in future, such precautions will be taken as are within my power, and which will I presume be adequate to the purpose.

This will be sent by an express to Darien, the mail leaving this place but once a week.

I have the honor to be, &c. J. D. HENLEY.  
*Hon. B. W. Crowninshield, secretary of the navy.*

*U. S. ship John Adams, off Amelia, Dec. 30. 1817.*

Sir—Since my arrival here I have been so much engaged that I have not had one moment to write to my friends. You no doubt, however, have some idea of my situation; and from my official reports know that the American flag is now flying on Amelia island. As there are many novel cases which must present themselves, I should have been better pleased had my instructions been full; but we are now left to act as circumstances may require; and I am fearful that Aury and his followers will give us much trouble before they quit the island. I am sorry to add that the Americans appear to be much worse than any others. Should we be able to get through this business so as to meet the approbation of the department, I shall feel much gratified; but I trust that should I err in any steps that I may take, it will be considered by the president as an error of judgment; for I do assure you that nothing would be so pleasing to me as to have my conduct here approved by the executive. I have endeavored to keep as close to the letter of my instructions as possible, and have avoided every difficulty that I possibly could. I regret very much the difficulty of communicating with the government. We have only one mail per week, and that does not remain in St. Mary's long enough to enable us to answer letters that we may receive by it.

The situation of my ships you are no doubt acquainted with, as I have written several times to the secretary on that subject. I, however, do not wish to leave this place until every thing is settled, and the government have established some kind of police for the better government of this place, which I am in hopes will take place ere long. I am fearful that Aury expects that the American government will relinquish Amelia; which impression will retard his departure.

I have the honor to be, &c. J. D. HENLEY.  
*Hon. B. W. Crowninshield, secretary of the navy.*

"Extract from the capitulation of the Island of Amelia," dated at Fernandina, 29th June, 1817, and signed by "Francisco Morales and Joseph de Yribarren," attested by "Bernardo Segin" and "approved" by "Gregor MacGregor."

"Brigadier General MacGregor, commander in chief of all the forces, both naval and military, destined to effect the independence of the Floridas, and authorized by the constituted authorities of the republics of Mexico, Buenos Ayres, New-Grenada, and Venezuela, offers to Don Francisco Morales, *Capitán del regimiento de Cuba*, and commandant, civil and military, of the Island of Amelia, the following terms, &c. &c.

Extract from a proclamation of Gregor MacGregor, dated head-quarters, Amelia Island, June 30, 1817, and signed "Gregor MacGregor," attested by "Jos. Yribarren, secretary."

"PROCLAMATION.

"Gregor MacGregor, Brigadier General of the armies of the united provinces of New-Grenada and

Venezuela, and general in chief of the armies of the two Floridas, commissioned by the supreme directors of Mexico, South America," &c. &c.

"In the name of the independent governments of South America, which I have the honor to represent, I thank you for this first proof of your ardor and devotion to her cause, and I trust that, impelled by the same noble principles, you will soon be able to free the whole of the Floridas from tyranny and oppression."

Extract of a letter from gen. Aury to capt. J. D. Henley, commanding the United States naval forces off Amelia island and to major James Bankhead, commanding the United States military forces off the same place, dated at "Head-quarters, Fernandina, Island of Amelia, December 22nd, 1817."

"Allow me, gentlemen, to observe to you, that from the moment we took Fernandina by the force of our arms, we entered into full possession of all the rights appertaining to our enemy, and that to this day we have supported these rights at the risk of our lives and fortunes. The boundaries of the Floridas and the United States, having been fairly settled by the treaty of friendship, limits, and navigation, on the twenty seventh of October, one thousand seven hundred, and ninety-five, leave us at a loss to ascertain your authority to interfere in our internal concerns."

The following, though not submitted to congress, may be considered as belonging to the history of the establishments at Galvezton and Amelia.

FERNANDINA, Dec. 12.

*From the commander in chief, to the honorable assembly of representatives.*

GENTLEMEN—Some remarks having of late been made in the United States, and the message of the president tending to create suspicions on the legality of the first establishment formed in the bay of Galvezton, province of Texas, anxious to remove any doubt that might exist in the mind of the public, relative to the authority under which I acted, and to prove that from its very commencement, all my cares were directed towards aiding and sustaining the cause of the independence of Mexico, and not to serve my private views or interest, or those of any other; I have now the honor to lay before this honorable body, the original documents concerning the same, and beg leave to state briefly the following facts, well known to all who were with me; some of whom are sitting in this assembly, who can correct me if I err.

After the evacuation of Carthage, (S. A.) by the few republicans, who preferred forcing their way through the Spanish fleet, or perish sword in hand rather than surrender to general Morillo; I proceeded with the squadron under my command to the island of St. Domingo to obtain provisions.—My brave followers seeing all hopes lost of rendering any assistance to the cause of New-Grenada, whose liberties were crushed in the fall of Carthage, now looked around whither to direct their steps to offer their services, and to spill their blood in the cause of American independence and freedom. The patriots under generals Cadenas and Gutierrez, who were at that time struggling for their rights in the province of Texas, attracted their attention, and it was determined that we should proceed as soon as possible to the bay of Galvezton, where we arrived with several prizes some time in July. I immediately wrote D. Manuel de Herrera, minister plenipotentiary of the republic of Mexico

to the United States, then at New-Orleans, who answered me, and hailed my arrival as the means of accelerating the execution of plans for establishing forever the independence of Mexico. Mr. Herrera shortly after arrived, and at a meeting of the officers, to whom he exhibited his credentials from the congress of Mexico, an act or convention was signed on the 12th of September, 1816, and Galvezton was declared and acknowledged *Puerto Habilitado* of the republic of Mexico. I was appointed civil and military governor, and instructions were left me to be observed unless contrary orders were given by the congress itself, with whom I was to communicate monthly or as often as I possibly could. Mr. Herrera, after having established the government, appointed a court of admiralty, named an administrator of public revenues, and collector of customs. &c. &c.—and duly sworn all the officers, civil and military, sailed in the armed schooner general Morelos, captain Bouquier, for Boquilla de Piedras, from whence he was to proceed to meet congress, report his proceedings, and concert plans for future operations. This vessel, a private armed one, was lost in the service of the republic. In the beginning of December, I despatched the private armed schooner, the Galvezton, captain Salain, with colonel Garcin on board, with instructions to lay himself personally before the executive my transactions, and receive further instructions; also to report the arrival of general Mina, with several vessels, arms, ammunition, troops, &c. &c. the distressed situation in which he was placed from want of funds, and that I would continue to supply him with what he might require as long as it lied in my power. This was effected, although at that time I had made considerable advances to the Mexican government. The Galvezton convoyed a schooner with arms and ammunition, which I sent over, having contracted in the name of the government for the same, conformably to my instructions. These vessels found Boquilla de Piedras, and all the coast in possession of the royalists, thereby cutting off all communication between this new establishment and the other Mexican chiefs, with whom alone a correspondence could have been held, as the general congress had been dissolved some time before by general Teran, and the new one had not as yet met.

Captain Bouquier with the existing part of his crew, arrived at Galvezton some time in January from Nautla, taken by the republicans under general Victoria, and gave information of the loss of Boquilla, where colonel Villapinto was killed at the commencement of the action, which occasioned his troops to disband, leaving captain Bouquier with his crew to defend a small battery. Overpowered by numbers, wounded himself, his first officer killed, and thirty of his men either killed or wounded, he was compelled to retreat to the head quarters of general Victoria, who upon his safe arrival prepared an expedition against Nautla: that fell into his hands. Upon this, a vessel was immediately sent to inform general Victoria of the situation of things, of the number of troops I had united together, &c. The place had once more fallen into the hands of the royalists, who took two men and the captain, who had gone on shore in the boat.—The vessel returned and gave gen. Mina and myself, the disagreeable certainty that all hopes were lost of being able to communicate with the interior through this channel.

The bar of Galvezton, during our stay, having proved extremely dangerous, and gen. Mina being ready and desirous to effect his landing, in order to penetrate into the interior of Mexico and com-

mence operations, I determined upon abandoning this establishment, and seek a more convenient place to answer the views and purposes of my government, and give all the aid and assistance I was able to the patriots. I took on board my vessel what troops and ammunition that could not be put on board the Cleopatra and Neptune, belonging to gen. Mina, and conveyed them to Soto la Marina, where his landing was effected, and, after seeing the disembarkment of all those arms, ammunitions, &c. proceeded again to Galvezton to take with me several vessels that I had left behind and repair to Matagorda, which, as reported by officers sent for the purpose of examining the harbor, was said to be far more advantageous than any other along this coast.

On my arrival what was my astonishment to find the place very different from what I had been made to understand, for instead of 18 feet of water on the bar, only 10 were found. Still considering that the present position might be advantageous, I remained until experience taught that this point afforded no safety whatever as an entrepot, even in the finest season of the year, for a north wind that blew a short time during the month of June drove 4 vessels on the bar, and the people on board the Champlain privateer were only saved by the wind's shifting of a sudden, and driving these who had laid hold of parts of the wreck on the beach, where ten days previous to our arrival, the cannibals had massacred the crew of a vessel cast away on the coast. Placed in this dilemma, having scarcely 5 weeks of provision for those who were with me, the merchants in New Orleans refusing to furnish any upon the credit of the government, destitute of funds, even of my own, and hearing gen. M'Gregor was to come to Amelia, I determined upon coming here, and in case he was not in possession, to take Fernandina with the force under my command.

On the passage I touched at Galvezton to join other vessels that had sailed before me from Matagorda, to whom I intimated my intentions of abandoning that establishment, giving them orders to follow the division to Amelia. I wrote in consequence to com. Patterson at New Orleans, and to the collector of the custom house, giving them timely notice, that any transactions in Galvezton after the 31st of July were unauthorized by me. On my arrival gen. M'Gregor had abandoned the place attacked by the enemies, and the garrison harassed by fatigues, was on the point of evacuating, if some arrangements could not be made or any affectual measures taken. An agreement was entered into between the late governor Hubbard, col. Irwin and his officers, and myself, under the express condition that the Mexican flag should fly, being authorized to hoist the same as a chief of the Mexican republic. This was effected.

What could have been my motives in coming to the Floridas? Those that always guided my conduct as a superior officer in the Mexican service. Unable to give any immediate assistance to the other republican chiefs, I came to assist gen. M'Gregor in liberating the Floridas, thereby drawing the attention of our common enemy, and attacking the tyrant in his other possessions; convinced, that the independence of the two Floridas once occurred, forces could be raised, which united with those of the other chiefs, might strike a decisive blow to tyranny. My conduct since my arrival at Amelia is so well known to you all, gentlemen, that it requires no mention to be made of it. I will only ask whether in any one single instance,



I have deviated from the principles which might insure liberty to our oppressed brethren, and give succour to Mexican patriots, who in spite of repeated disasters still rise with redoubled enthusiasm in defence of their sacred rights.

I flatter myself, that in this narration of facts, and by the documents I have presented, I have proved beyond a doubt that the establishment of Galvezton was legally formed, and that all that was done by the existing authorities there, was not for private motives or views as said, but for the welfare and aiding by every possible means the patriotic cause.

I submit the whole to your wisdom, for you in your prudence to determine what is most appropriate to be done under existing circumstances.

I have the honor to remain, honorable gentlemen,  
AURY.

## CONGRESS.

### SENATE.

Jan. 14, 15. The chief thing done those two days, except executive business, was an agreement to the resolution offered by Mr. Wilson, on the 10th inst. to instruct the committee on military affairs to enquire whether any, and if any, what further provisions by law are necessary to secure to the heirs of soldiers who died, or who were killed, in the service of their country, during the late war, the bounty in land to which they are equitably entitled.

Jan. 19 A letter was laid before the senate, by the president, from Madame Planton, proposing to make sale to congress of an allegorical painting from her own pencil, representing the glory and triumph of the United States in the ratification of the treaty of Ghent; which letter was referred to the committee of commerce and manufactures. [Mad. Planton was born in Philadelphia, her painting is 11 feet by 7, and is spoken of as a splendid performance, worthy of the native city of the celebrated West.]

Mr. Barbour submitted the following resolution:

Resolved, That the committee on naval affairs be instructed to enquire into the expediency of establishing such naval depots, in such numbers and such places, as may in their opinion be advantageous to the United States.

Mr. Macon communicated to the senate the concurrence of the legislature of the state of North Carolina, in the amendment proposed by the state of New Jersey, to the constitution of the United States, to establish an uniform mode (by districts) throughout the union, of electing electors of president and vice president of the United States.

The resolution for printing the journal of the convention, was amended and ordered to a third reading.

Mr. Williams, of Ten. from the committee on military affairs, reported the bill from the house of representatives, to provide for the surviving officers and soldiers of the revolutionary army, with amendments.

[The principal and only material amendment proposed by the committee, limits the benefit of the act to such as served to the end of the war, on the continental establishment.]

The bill to allow John Thompson interest on a revolutionary claim heretofore granted and paid to him, was rejected.

The president laid before the senate a letter from the secretary of the navy, transmitting the annual statement of the disbursements made from the navy

pension fund, the state of the fund, list of pensioners, &c.

Jan. 20. Mr. Williams, of Tenn. from the committee on military affairs to whom the subject had been referred, reported a bill directing the manner of appointing Indian agents, and continuing the act for establishing trading houses with the Indian tribes; [providing that the superintendant of Indian trade, and agents and assistant agents for Indian affairs, be hereafter appointed by nomination to the senate, and requiring of each of those officers bond with two securities in the sum of 10,000 dollars, for the faithful discharge of their respective duties.]—The bill was passed to second reading.

The following resolution submitted yesterday by Mr. Barbour, was taken up, and, after a few explanatory remarks by the mover, and some observations by Mr. Tait, approbatory to the object of the motion, it was agreed to without opposition:

Resolved, That the committee on naval affairs be instructed to enquire into the expediency of establishing naval depots in such numbers, and in such places, as may in their opinion be most advantageous to the United States.

January 21.—Mr. Williams, of Ten. submitted the following resolution:

Resolved, That the president of the U. States be requested to inform the senate in what manner the troops in the service of the United States, now operating against the Seminole tribe of Indians, have been subsisted, whether by contract or otherwise, and whether they have been furnished regularly with rations.

The senate took up and concurred in the report of the committee of pensions unfavorable to the petition of Ephraim Shaler, De La Fayette Wilcox, and Alphonso Wetmore, first lieutenants of the sixth regiment United States infantry, stating that, during the late war, while engaged in action with the enemy, they received several severe wounds, which occasioned to each the loss of an arm; that the loss and wounds subject them to daily pain and inconvenience, although the performance of their duty as officers of the army has not been suspended on that account since their wounds healed; and soliciting the aid of congress so far as to confer on them a compensation equal to their sufferings and expense by granting to them pensions from the date of their several wounds.

The report of the committee of commerce and manufactures, unfavorable to the proposition of Madame Planton, was taken up and agreed to.

The president laid before the senate a letter from Mr. Fisk, of Vermont, resigning his seat in the senate, he having accepted an office from the executive of the United States: when

On motion of Mr. Fromentin, it was

Resolved, That the president of the senate be requested to notify the executive of the state of Vermont of said resignation.

The bill making provision for the surviving revolutionary officers, &c. was further postponed to this day week.

### HOUSE OF REPRESENTATIVES.

[We have appropriated a large space to detail the proceedings on the case of col. John Anderson, as well on account of any immediate interest they may have as to spread the whole facts before our readers, as a matter involving many questions of considerable importance.]

Thursday, Jan. 15.—The house resumed the consideration of the case of col. Anderson. The following resolutions, moved by Mr. Rhea, by way of amendment, being yet under consideration.

"Resolved, That this house possesseth competent power to punish for contempts of its authority.

Therefore, *Resolved*, that the sergeant at arms be directed to conduct John Anderson to the bar of the house."

Mr. *Rhea*, with a view to put his amendment in a shape more acceptable to gentlemen, modified his motion for amendment, so as to make the first resolution read as follows:

"*Resolved*, That the house possesses adequate power to punish for contempts against it.

Mr. *Pitkin* assigned the reasons why he wished to avoid placing on the journal any thing affirming the authority of the house on the one hand, or denying it on the other: and, to escape the alternative presented to the house by the proposed resolution and amendment, he moved to *postpone indefinitely the consideration of the main question and the amendment proposed thereto*.

After some questions to the chair, and explanations therefrom, respecting the effect of such a postponement, that effect was pronounced from the chair to be, to place the question in the state in which it was when the motion of Mr. *Spencer* was first made; and, if this course were pursued, that the house would be at full liberty to take any course in respect to John Anderson, which in its opinion was within the scope of its constitutional powers.

After explanatory remarks from various members, among whom were Messrs. *Rich*, *Rhea*, *Tallmadge*, *Ballard*, *Smith* and *Culbreth*.—

The question was taken on the *postponement*, and decided as follows:

For indefinite postponement	117
Against it	42

The propositions before the house were indefinitely postponed.

Whereupon Mr. *Tallmadge* offered the following resolution for consideration.

"*Resolved*, That John Anderson, be forthwith brought to the bar of this house."

Mr. *Rich* proposed to amend the resolution by adding thereto the following:

"And that he have an opportunity of offering to the house any explanation of his alleged offence, which he may think proper.

This motion Mr. *Rich* supported by observations regarding the general question, in which he opposed the expediency of proceeding further than he had suggested in the present case.

After a few observations from Mr. *Sergeant*, however, Mr. *Rich* withdrew his proposition.

Mr. *Rich* subsequently moved to insert an amendment, denying the power of the house to judge or punish any individuals, its own members excepted, which motion was negatived by a large majority.

Mr. *Culbreth* then moved to strike out the whole of Mr. *Tallmadge's* resolution, and to substitute by way of amendment the following:

"Whereas John Anderson is in custody for an offence which this house does not possess the constitutional power to try, or right to punish: Therefore,

"*Resolved*, That the said John Anderson be discharged from the custody of the sergeant at arms."

And the question was taken on the amendment thus proposed, and decided as follows:

YEAS.—Messrs. Allen, Mass. Anderson, Ken. Ball, Barbours, Va. Barber, O. Bassett, Beecher, B.linger, Cruger, Culbreth, Edwards, Erving, S. C. Forney, Fuller, Garnett, Hale, Hall, N. C. Herkimer, Herick, Hitchcock, Hogg, Johnson, Ken. Kinsey, Kirtland, Lawyer, Linn, Livermore, Merrill, T. M. Nelson, Poindexter, Porter, Quarles, Rich, Robertson, Ken. Robertson, Lou. Ross, Sawney, Shaw, Silsbee, Smith, Bal. Speed, Spencer, Tarr, Trimble, Tucker, S. C. Walker, Ken. Williams, N. Y.—47.

NAYS.—Messrs. Abbot, Adams, Allen, Vt. Anderson, Pen. Austin, Baldwin, Bateman, Bayley, Bennett, Bloomfield, Blount, Boden, Boss, Bryan, Burwell, Butler, Campbell, Claggett, Claiborne, Cobb, Colston, Cook, Crafts, Crawford, Cushman, Darlington, Desha, Drake, Ellicott, Floyd, Folger, Forsyth, Gage, Hall, Del. Harrison, Herbert, Hiester, Holmes, Mass. Holms, Con. Hopkinson, Hubbard, Hunter, Huntington, Ingham, Irving, N. Y. Jones, Little, M'Lane, W. Maclay, Wm. P. Maclay, M' Coy, Marchand, Marr, Mason, Mass. Mason, R. I. Mcree, Middleton, Miller, Moore, Morton, Moseley, Mumford, Murray, Jer. Nelson, Hugh Nelson, Nesbitt, New, Ogden, Orr, Owen, Palmer, Parris, Parrott, Patterson,

Pawling, Peter, Findall, Pitkin, Pleasants, Reed, Rhea, Richards, Ruggles, Sampson, Savage, Schuyler, Seudder, Sergeant, Settle, Seybert, Sherwood, Sloumb, S. Smith, Alex. Smyth, J. S. Smith, Southard, Storr, Strong, Strother, Stuart, Tallmadge, Taylor, Terrill, Terry, Tompkins, Townsend, Tucker, Va. Tyler, Upham, Walker, N. C. Wallace, Wendover, Westerlo, Whiteside, Whitman, Williams, Con. Williams, N. C. Wilson, Pen.—119.

So the house refused to agree to the amendment proposed by Mr. *Culbreth*.

The question was then taken on the motion that "John Anderson be forthwith brought to the bar of this house," and decided in the affirmative, by yeas and nays: 118 to 45.

Whereupon the sergeant at arms brought the prisoner to the bar, and the speaker propounded to him the following interrogatories, to which he made the replies thereto:

1. Do you acknowledge yourself to be John Anderson? *Answer*. Yes.
2. Did you write and deliver to Lewis Williams, a member of this house, the letter of which a copy has been furnished to you by the clerk? *Ans*. I did.
3. From what part of the city did you write the letter? *Ans*. I wrote it at Mr. Bestor's, where I board.
4. What is the amount of your own claims, which you are attempting to liquidate? *Ans*. About 9,000 dollars.
5. What is the amount of those of others which you are soliciting? *Ans*. About 21,000 dollars.
6. Have you any interest in the letter? *Ans*. None, of a pecuniary kind, but am influenced in their pursuits by motives of charity.
7. Had you any authority from the persons you represent to make the offer contained in your letter? *Ans*. I have a general power of attorney to do for them as I would do for myself, but had no instructions to make that or any other offer.
8. Are you acquainted with any persons now in the city soliciting the claims of others? if so, name them. *Ans*. I am: there is a Mr. Pomeroy, who is soliciting his own claim, and col. Watson, who is a general agent.
9. Have you made any other offer to any person. *Ans*. No.
10. Did you consult or advise with any person before you wrote and delivered the letter? *Ans*. I did not.
11. Who is the Mr. Hullard you mention in the letter? *Ans*. He is a gentleman I became partially acquainted with during the troubles at the river Raisin. I have not seen him since that time, till I arrived in this city at the present session of congress, and did not recognize him until he made himself known to me.
12. Has he any claims to solicit? *Ans*. None, to my knowledge.
13. Have you any witnesses to examine, or defence to make, in justification or explanation of your conduct? If you have, the house is now ready to hear you.

The prisoner at the bar then called upon his witnesses, viz. gen. *Harrison*, col. *Johnson*, members of the house; Mr. *R. J. Meigs*, post master general; capt. *Gray*; Mr. *Cyrus Hubbard*; capt. *Larvabec*; col. *Jos. Watson*; Mr. *John H. Piatt*; capt. *S. D. Richardson*; Mr. *Pomeroy*; lieut. *Conroy*; who, all being previously sworn, delivered in their testimony.

The testimony was uniform, as far as the knowledge of the witnesses extended, in giving the accused a high character for probity, correct deportment and patriotic conduct. It was too diffuse for publication entire; that of colonel *R. M. Johnson* is selected as a specimen of the general tenor of the evidence.

Mr. *Johnson*, having been called on by the prisoner to give to the house any information in his possession, touching his character and conduct, testified to this effect: that his knowledge of the character of col. John Anderson was not derived so much from personal intercourse as from the information of others; but, so far as his personal information extended, was corroborated by it. When col. J. was on the north-western frontier, colonel Anderson was a fugitive from Detroit, on the River Raisin, as col. J. had understood; and being well acquainted with the frontier of that part of the United States, attached himself to the mounted regiment. How long he acted in that capacity, Mr. J. did not recollect. As far, said Mr. J. as his conduct came within my own knowledge, I considered him a very gallant and a very brave man. In relation to the information he had from other quarters, there was a general consent of opinion that, during



the war, col. Anderson had been considered not only a gallant and patriotic man, but a man of integrity, who had made uncommon sacrifices, of nearly all his property, from his devotion to the cause of the country. Mr. J. said he did also understand, from several sources, that col. Anderson, at the risk of his own life did, at the river Raison, rescue individuals from the hands of the savages. Col. J. had further understood, he said, that col. Anderson had refused the command of a regiment, offered to him by the British commander, when the enemy had possession of that country; and col. Elliot, on being pressed to repeat the offer, answered, that he knew the character of col. Anderson fully, and that he knew he would as soon submit to have his head chopped off as to accept of it. Of John Anderson, said, Mr. J. in relation to his conduct to me at the last session and at this, I can say, without prejudice to the merits of others, I have never known an individual, whose losses were so great, and who knew I was disposed to advocate his claims, to take up so little of my time, and to be as modest in urging his claims. All these circumstances together had given to Mr. J. a high idea of the integrity, of the gallantry, and of the patriotism of col. Anderson.

Other facts than those above mentioned were established by ample testimony, descriptive of the sufferings and steadfastness of John Anderson in the cause of the country during the war, &c.

In the course of the examinations of witnesses in the sitting of this day, in the case of col. Anderson, the following incidents arose:

Col. Jos. Watson, one of the witnesses, being called a second time by the speaker, was questioned and answered as follows:

*Question*—I thought I understood you to say that you had some claims on the government yourself?

*Answer*—No, sir, I am agent for the settlement of claims, for which purpose I have opened an agency in this city, where I receive claims from every part of the country.

*Q.* Has it been customary, do you know, in any cases whatever, that any of the officers of the government, in settling claims, have received from the claimants any compensation for extra services?

*A.* I presume the question is expected to be answered from personal knowledge: I have no personal knowledge of any such compensation having been received.

*Q.* Have you received any information of such practices, and if you have, from whom?

*A.* I have heard such things intimated.

*Q.* By whom and as to whom?

*A.* I have heard it intimated that clerks in some of the public offices were in the habit of transacting business as agents, and of receiving a commission for so doing.

*Q.* Specify, if you can, who gave you the information, and what clerks were named.

*A.* Information of that sort was received by me in a letter from a person of the name of Samuel How, who resides near Presquisle, who said he had engaged to pay a particular clerk five dollars for obtaining a land warrant for him.

*Q.* Do you recollect the name of the clerk?

*A.* Not accurately enough to repeat: but the letter is at the disposal of the house, if it chuses to call for it. I have an impression as to the name, but not so clear and distinct as to give it in evidence.

*By the Speaker.*—Bring the letter with you to the house tomorrow.

The witness then retired, but was again called and interrogated.

*The Speaker.*—Is that single instance you have referred to, the only one you have heard of?

*Witness.*—I would state to the house, that I am very willing to afford it all the information in my power to afford, which it may require. But I cannot but state, that I feel a delicacy in mentioning the names of persons who have been reported to act as agents. Being myself an agent, I might be suspected of improper motives for making such a disclosure. But, being under oath, if the house insists, I must obey.

*The Speaker.*—The house insists on your reply to the question.

*Witness.*—I proceed, then, to perform what is now my duty.—Understanding now, that I am held under an obligation to state every thing, even as general intimations that I have heard, I proceed. I have understood, that, in the land bounty office, there

Thus far had the witness proceeded, when he was interrupted,

{By Mr. Cobb, who doubted the propriety of such "hearsay" evidence being given to the house. Mr.

Holmes also thought the manner of the enquiry was too "loose." Mr. Strother held a similar opinion. The Speaker explained that he had put the question at the request of a member—he did not think "rumor would be a fit ground to act upon, but it might develop a source from whence correct information could be obtained." Mr. T. M. Nelson pressed the house to proceed in the enquiry. Mr. Tallmadge was opposed to the course that things had taken, but expressed his determination to submit a motion for a regular enquiry into the subject. The Speaker called upon the house to decide whether it would proceed to the enquiry or not. After some further remarks from Messrs. Strother and Holmes the house adjourned without a decision.]

*Friday, January 16.* After some other proceedings which shall be noticed below more particularly, a resolution was adopted to appoint a committee to enquire whether any of the clerks or other persons in the offices of government have conducted themselves improperly or corruptly in the discharge of their duties.

#### *Case of col. Anderson.*

John Anderson was then remanded to the bar of the house, and proceeded in the further examination of his witnesses.

General P. B. Porter, Wm. O'Neale, and W. P. Rathbone, were then examined as witnesses in behalf of the accused, whose testimony was to the same effect as that given yesterday.

Mr. Williams, of North Carolina, was then called upon by the accused, who put to him this question:

*Question*—Did I ever directly or indirectly, by any verbal communication, offer you any reward or inducement, to influence your good opinion in favor of my claims or any other claims?

*Answer*—You never made me any verbal offer of the kind?

*Col. Anderson*—That is all I wished the house to know from your testimony.

*Mr. Williams*—I presume, if you had made me any such offer, the house would have known it, without your asking it.

Mr. Wilson, of Pennsylvania, being also called upon, testified that col. A. had disclaimed, on finding the letter had offended Mr. Williams, any intention of offering the money to him with any other view than as a compensation for extra trouble.

On further questions by the speaker to John Anderson, it appears that the accused is a native of Scotland, came to this country at three years old, and is a naturalized citizen.

The speaker then said he had been instructed to propound to the prisoner the following interrogatory, to which col. Anderson made the reply subjoined.

*Question*—In writing the letter to Lewis Williams, a member of this house, from North-Carolina, in which you offer to him the sum of five hundred dollars, for services to be performed by him in relation to claims for losses sustained during the late war, had you or had you not any intention to induce him to support your claims against his own convictions of their justice, or to interfere with the discharge of his legislative duties, or to offer any contempt to the dignity of the house of representatives?

*Answer*—No, sir! I call God to witness to that, which is the most sacred appeal I can make. I repeatedly assured him, that the offer was made without any wish to influence his opinions in any degree.

The accused was then questioned whether he had other witnesses to examine: he replied in the negative. The Speaker then called upon him for the defence which he had intimated it was his intention to offer.

The prisoner, then addressing the chair, with much earnestness, in a brief manner, stated that the same palliations of the offence with which he stood charged, as are explained more at large in the following address, which he concluded by delivering to the clerk, by whom it was read:

"Arraigned at the bar of the highest tribunal of the nation, for an alleged infringement of its privileges, an attack upon its dignity, and the honorable feelings of one of its members, to express the sincere regret I experience, and to apologize for the error I have committed, ought not to suffice. To that body and to myself, I owe



an explanation of the motives which governed my conduct. That I have been found in the ranks of our country's defenders, is known to many; that I have sustained a character, unblemished by any act which should crimson my withered cheeks, has been amply proven to you, by men, whose good opinions are the greatest boon of merit. The commencement of the late war found me environed by all the comforts of life; blessed with a sufficiency of property to enable me to wipe from the face of distress the falling tear, and to flatter myself that want was not to salute me before the return of peace. The fallacy of my hopes have been too clearly demonstrated, by the ravages of the war on the borders of Raisin, (my residence) and the destruction of all the property which my industry had amassed. After having seen the streets of Frechtown overgrown with grass; sighed unavailingly over the ashes of my own and my neighbors' houses, and witnessed their necessities; reduced to sustain life by means of wild animals, (muskrats) whose very smell is repulsive to the stomach; I gladly hailed the beneficence of my government in the enactment of the law, usually called the property act, and, in the month of January, 1817, I took leave of my friends and fellow-sufferers, and repaired to this city to manage their claims; on my arrival, I found that the act under which they expected relief had been suspended, and I was forced to return with this unwelcome information; tears of disappointment suffused the countenances of every one—my heart sympathized with theirs, and I then determined to prosecute their claims to a result. With this view, I had been in this city more than a month; over-anxious to accomplish my object, exalted with the success which had attended some of the claims, and convinced that the committee of claims was overwhelmed with business, my inexperience in reference to legislative proceedings induced me to suppose that, to insure despatch, I might without impropriety approach the chairman of that committee with a proposal to compensate him for "extra trouble." That I have erred, grossly erred, I am convinced, and my only consolation is, that error is no crime, when it is of the head not of the heart. Had I acted with less precipitation, and consulted the views of others, I should not at this time find myself in the disagreeable dilemma that I am. I should have acted more consistent with myself: Whatever semblance my request of secrecy may assume, I can with truth aver that its basis in my mind was a desire that those for whom I act should have to acknowledge their increased gratitude for the promptitude with which their claims should have been acted upon.

It cannot be denied, that, after being assured that my own claims would be allowed, I had less cause to think of obtaining by corruption the payment of claims which I almost knew the justice of congress could not refuse in the sequel—despatch, then, was all I wished for, all I could gain; and I think that the world and this honorable body, will admit that the benefit of the relief would be in proportion to the time which should elapse in affording it; at least, that in this view it would be appreciated by those who have yet fresh in their recollection that a husband, a wife, a father, a child, a brother, or sister, was tomahawked, shot, or burnt alive by the savage enemy, their hearts inhumanly torn from their bodies, and whilst yet smoking with the vital heat, were triumphantly exhibited to their weeping eyes. Let it be recollected that they have witnessed, whilst wandering without shelter, and almost unclothed, the heart-rending scene, dead bodies exposed to the voracious appetites of the swine, and these animals eagerly contending for a leg or an arm. Lest this picture may be supposed to be exaggerated, I annex the correspondence which took place between the hon. A. B. Woodward and general Proctor, in the year 1817, and shortly after the event occurred. Let it be known that most, if not all, the articles they could collect from the ruins of their houses, were generously, most generously, appropriated in the purchase of prisoners of war, for the purpose of screening them from the bloody tomahawk; that these purchases were made under such circumstances as not to entitle them to reimbursement under the "act relating to the ransom of American captives of the late war" and let it also be known that such are the sufferers, such the merits of the claimants I represent—and I feel confident that the clouds of indignation which, for a moment, threatened to burst over my frothy head, will be dispelled by the benign influence of philanthropy—an influence which has ever, and I trust ever will characterise my conduct.

That I should be anxious to afford a prompt solace to the sufferings of my fellow-citizens, will not be wondered at, when it is known that they extended every kindness and protection to my family, (from whom I was separated during most of the war) and at a time when the Indians were accustomed to dance before the door of my house, calling upon my wife to come out and select her husband's scalp.

Relying upon the maxim, that "to err is human, to forgive divine," I throw myself upon the indulgence of this honorable body, and the magnanimity of the honorable gentleman whose feelings I have had the misfortune to wound. If my services form no claim to indulgence, perhaps my sufferings and those of my family may. I stand here prepared to meet all the consequences of an error committed without any sinister intention.

In conclusion, I must be permitted to remark that, during a confinement, from which I have forborne to adopt any legal measures to extricate myself, the only feelings of pain which have had access to my breast, were those produced by the knowledge that an opinion was prevalent that, presuming on the misfortunes of my fellow sufferers, I had bought up their claims at a very reduced price. If this honorable body would permit, I would, under the solemnity of an oath, call upon God to bear testimony that this opinion is without basis.

JOHN ANDERSON."

Jan. 1818.

The prisoner, being asked if he had any thing further to say, and answering in the negative, was taken from the bar: and the house proceeded to

deliberate on the course now proper to be pursued.

Mr. Forsyth offered for consideration a motion in substance like that which was ultimately adopted, but which proposed *Wednesday* next as the day on which John Anderson should be brought to the bar.

A variety of propositions, suggestions, and remarks, were made on this occasion, which it would be difficult, if it were important, accurately to report.

One motion on which the yeas and nays were taken, is worthy of particular notice. It was made by Mr. Poindexter, to strike out that passage which charged John Anderson of being guilty of a contempt against the privileges of the house, the words "the privileges of," thus denying the house to have any privileges not conferred on them by the constitution.—This motion was negatived, 108 to 54.

The will of the house was ultimately consummated by the passage of a resolution in the following words:

*Resolved*, That John Anderson has been guilty of a contempt and a violation of the privileges of the house, and that he be brought to the bar of the house this day, and be there reprimanded by the speaker for the outrage he has committed, and then discharged from the custody of the sergeant at arms.

Whereupon John Anderson was brought to the bar of the house, and addressed by the speaker as follows:

"John Anderson: You have been brought before this house upon a charge of having committed a breach of its privileges in attempting to bribe one of its members filling a high and responsible situation. The house has patiently heard you in your defence, and, in proportion to the pleasure which it has derived from the concurrent testimonies in support of your character and good conduct heretofore, is its deep regret that you have deliberately attempted to commit a crime so entirely incompatible with the high standing you have heretofore maintained. You have the less apology for the attempt which you made, because you had yourself experienced the justice of this house but a few days before, by the passage of two bills in your favor, founded on petitions presented to the house. Your attempt to corrupt the fountain of legislation, to undermine the integrity of a branch of the national legislature, is a crime of so deep a dye that even you must acknowledge and be sensible of it. And if, John Anderson, you could have been successful in such an attempt; if it were possible that representatives of the people could have been found so lost to their duty as to accept your offer, you must yourself see the dreadful consequence of such a deplorable state of things: In your turn you might fall a victim: for your rights, your liberty, and your property, might in the end equally suffer with those of others. The house has seen with pleasure, that, at a very early period after making your base offer, you disclaimed, with symptoms of apparent repentance and contrition, any intention to corrupt the integrity of a member; and, in directing me to pronounce your discharge, the house indulges the hope that, on your return home, you will be more fully convinced of the magnitude of your offence, and by the future tenor of your life endeavor to obliterate, as far as it may be possible, the stain your conduct on this occasion has impressed on the high and honorable character you appear to have previously sustained. You are discharged from the custody of the sergeant at arms."

Whereupon John John Anderson was discharged from custody:

And the house adjourned to Monday.



*Other proceedings on Friday.*

The following message received from the president of the United States, was read, as follows, viz. *To the senate and house of representatives of the United States.*

The claims of the representatives of Caron de Beaumarchais, having been recommended to the favorable consideration of the legislature by my predecessor, in his message to congress of the 31st of January last; and concurring in the sentiments therein expressed, now transmit copies of a representation relative to it, received by the secretary of state from the minister of France, and of correspondence on the subject between the minister of the United States at Paris and the duke of Richelieu, enclosed with that representation.

JAMES MONROE.

Washington, January 12, 1818.

This message, together with the petitions of J. A. Chevallie, attorney for the heirs of Caron de Beaumarchais, and the documents on file in the clerk's office, relating thereto, were referred to the committee of ways and means.

*The public offices.*

The speaker laid before the house the following letter which he had received from Joseph Watson, the witness who was yesterday interrogated on the subject referred to in the letter:

Washington 16th Jan. 1818.

SIR—I comply with the injunction of the house, in placing at its disposal the letter alluded to in the answer given by me yesterday to a question which was unexpectedly propounded. Although the letter will speak for its self, yet in reference to myself, I should observe that at the time the question was answered, my impression was that the letter particularly mentioned that the person therein named was attached to the office of the secretary of war: that impression must have originated at the time of reading the letter, from the similarity of names.

I beg leave, sir, to avail myself of this opportunity to explain the cause of my hesitating to answer the question above alluded to. I then consider it as irrelevant to the subject about which I had been sworn to testify, and hesitated for the purpose of canvassing my right to refuse an answer, and the expediency of subjecting myself to the implications which would have been the concomitants of that refusal.

Unwilling to be dragged before the eye of the public, on a question to which, (adverting to my pursuits) so much delicacy is attached, I trust it will not derogate from the high respect I entertain for the honorable body over which you, sir, have the honor to preside, that I would state that the information which I have been called upon to afford, may be officially obtained from the treasurer's warrant book, and the report of the secretary of war, which was some time since called for by the house. I will add, however, that, regardless of the consequences, I shall endeavor to acquit myself of any duty which the injunction of the honorable house of representatives may require from from me. I cannot refrain to express my belief that there are clerks who transact agency business, whose small salaries and large families cannot fail to palliate the impropriety of the course.

I have the honor, sir, to salute you with the highest sentiments of individual respect, and to be, yours, &c.

JOS. WATSON.

[The letter enclosed states merely that he had employed Mr. L. Edwards to procure certain claims for him at five dollars each, &c.]

The letter having been read—

Mr. *Holmes*, of Mass. offered for consideration the following resolution:

*Resolved*, That a committee be appointed to enquire whether any or what clerks, or other officers in either of the departments or in any office at the seat of the general government have conducted improperly in their official duties; and that the committee have power to send for persons and papers.

This motion gave rise to a desultory debate of considerable length, which the narrowness of our limits compels us to omit—the question was at length taken and agreed to by a large majority.

The house adjourned to Monday.

*Monday, January 19* On motion of Mr. *Taylor*, Armistead, T. Mason had leave to withdraw his petition, contesting the election of C. F. Mercer, a member of this house.

On motion of Mr. *Harrison*, the committee on the public lands were directed to enquire into the expediency of authorizing the state of Ohio to sell thirty-five sections of land heretofore granted to the said state for the support of the Sciota Salt Works but which are no longer useful for that purpose.

On motion of Mr. *Hopkinson*, it was

*Resolved*, That the committee on the judiciary be instructed to enquire what fees have been charged and received by the district attorney of the southern district of the state of New York, in prosecutions brought by him against retailers of spirits, for vending them without license; and, also, what fees have been received and charged in the same cases, by the other officers of the United States, in the courts of the United States, in the said southern district of the state of New York, and that the said committee have power to send for persons and papers.

The amendments of the senate to the bill fixing the compensation of the senators, representatives, and delegates in the congress of the United States, were read and agreed to.

On motion of Mr. *Lowndes*, the house having resolved itself into a committee of the whole on the bill making appropriations for the support of the military establishment for 1818: the several appropriations passed without opposition, except one which provides for the appropriation of 35,000 dollars to compensate such brevet officers as may be placed in service in such situations as to entitle them to pay according to their brevet rank.

This provision Mr. *Lowndes* moved to strike out of the bill.

Whereupon a debate arose on the expediency of continuing this allowance. The debate was of so considerable length, that even a brief sketch of it would exceed our limits.

Those who supported the motion to strike out this section, were Messrs. *Lowndes*, *Clay*, *Sergeant*, *Reed*, of Md.; and those who opposed it were Messrs. *Mercer*, *Harrison*, *Ogle*, *Baldwin*, and *Smyth*. Mr. *Culbreth* and Mr. *Taylor* also expressed their views of it.

The motion was founded on the absence of any necessity for employing brevet officers in situations, entitling them to pay beyond that attached to their lineal rank, and was supported on that and other grounds. It was opposed on the ground that, as the law now authorizes the employment and extra pay of such officers when commanding separate posts, &c. it contains a compact which the government ought not to annul, between it and the officers

and also on the ground, that, whilst the law exists, the appropriations ought to be made accordingly.

The motion to strike out this clause prevailed by a large majority.

The remainder of the bill having been gone through, the bill was reported to the house, and was ordered to be engrossed.

And the house adjourned.

*Tuesday Jan. 20.* Mr. *Sergeant*, having obtained leave, reported a bill to amend the act incorporating the United States' Bank, (authorizing the company to dispense with the signatures of the president and cashier of the principal bank, from all notes issued from the several branches, and authorizing the president and cashier of the branches to sign and countersign the bills issued from their respective offices, &c.)

Mr. *Harrison* offered the following resolution for consideration:

*Resolved*, That a committee be appointed jointly with such committee as may be appointed by the senate, to consider and report what measures it may be proper to adopt, to manifest the public respect for the memory of general Thaddeus Kosciusko, formerly an officer in the service of the United States, and the uniform and distinguished friend of liberty and the rights of man.

[Mr. Harrison introduced this motion by some feeling remarks on the subject of it, and by a view of the principal events of gen. Kosciusko's life.]

The speaker presented a letter from the secretary of the treasury, transmitting, in obedience to a resolution of the house of February, 1817, a report on such measures as may be necessary for the more effectual execution of the laws for the collection of the duties on imports.

The speaker also presented the annual report from the navy department, of the state of the navy pension fund, the disbursements therefrom, a list of the pensioners, &c.

Also, from the same department a statement respecting the condition and management of the navy hospital fund.

On motion of Mr. *Bassett*, the message of the president transmitting the claim of the representatives of Caron de Beaumarchais, which had been referred to the committee of ways and means in the first instance, and afterwards transferred to the committee of claims, was now referred to a select committee.

In the conversation which took place respecting the reference of this claim, one gentleman estimated its amount at four or five hundred thousand dollars, and another at near a million.

The house then resumed the consideration of the report of yesterday's committee of the whole, on the military appropriation bill for the year 1818.

The question to concur in the amendment which strikes out the allowance of \$35,000 dollars to defray the expense of extra pay to brevet officers, who hold separate commands of districts or posts, according to their brevet rank—gave rise to much debate, of considerable interest, and was at length decided by yeas and nays. Messrs. Mercer, Ingham, Harrison, Robertson and Palmer opposed the amendment: and Messrs. Lowndes, Pitkin, Johnson of Ky. and Forsyth, supported it.

On the question, the house agreed to concur with the committee in striking out the provision for brevet pay, by a vote of 130 to 30, being a very decisive expression of the opinion of this house on the subject.

The bill was then ordered to be engrossed and read a third time.

*Wednesday, Jan. 21.*—The house took up for consideration an amendment to the rules of the house, proposed by Mr. *Bassett*, the object of which was to designate more distinctly the orders of the day, and to make them peremptory (that is, the assignment of particular business to particular days.)—A considerable conversation took place on the expediency of the new rule proposed, which was ultimately rejected.

The engrossed bills making appropriations for the military service, were read a third time, passed, and sent to the senate for concurrence.

The remainder of the day was spent in committee of the whole, Mr. *Smith*, of Maryland, in the chair, in debating the bill prescribing the effect of certain judicial records.

Mr. *Parwing*, Mr. *Pindall*, and Mr. *Storrs*, delivered speeches of considerable length against the bill, and Mr. *Spencer* replied, also at considerable length.

The committee having risen, and the bill being before the house—

Mr. *Forsyth*, to try the principle of the bill, which, having been so largely debated, must by this time be perfectly understood, moved to postpone the bill indefinitely.

The question on this motion was taken without debate, and decided in the affirmative by a large majority.

So the bill, after so much learning, labor, and ability displayed upon it, was finally rejected.

*Thursday, Jan. 22.* Mr. *Johnson*, of Va. after an introductory explanation of his views, introduced a resolution, which, after being subsequently modified, was agreed to, in the following words:

*Resolved*, That the committee on naval affairs be instructed to enquire whether any, and, if any, what alterations are proper to be made in the several laws for the government of the navy."

Connected with this motion, Mr. *Johnson* submitted the following, which was also agreed to:

*Resolved*, That the secretary of the navy be directed to report to this house the proceedings of a certain court martial, ordered by commodore Isaac Chauncey, on the Mediterranean station, for the trial of captain Oliver H. Perry; also the proceedings of a court martial, on the same station, ordered by the same officer, for the trial of captain John Heath, of the marine corps."

Mr. *Harrison* offered a resolution as a tribute of respect to the memory of Kosciusko, which shall be noticed in our next, with all the proceedings on the subject.

On motion of Mr. *Johnson*, of Ky. the house proceeded to the consideration of the bill, now lying on the table, for the commutation of soldiers' bounty lands, with the amendments proposed there-to.

After debate, a motion to postpone the subject indefinitely was lost by the casting vote of the speaker—77 being for and 77 against it. Some amendments were then offered to the bill.

## Congressional Reports.

### PUBLIC LANDS.

*Report of the committee on the public lands, on the subject of increasing the price at which the lands of the United States shall hereafter be sold.*

JANUARY 5, 1818.

The committee on the public lands, to whom was referred a resolution, instructing them to inquire into the expediency of increasing the price at which the public lands, shall be sold hereafter,



have had the same under consideration, and respectfully report:

That the lands of the United States are carefully surveyed and divided into sections of 640 acres, quarter sections, and in certain cases of eighths of sections; that they are advertised for, and set up at public sale, and disposed of to the highest bidder, at any price above, two dollars per acre—if they are not sold, they are returned to the register's office, and may be entered for, in the office, at two dollars per acre, with a credit, after the payment of one fourth, of two, three, and four years; the effects of this part of the system has been heretofore, deemed beneficial, both to the public and to individuals. It is beneficial to individuals, because the price is so moderate, that the poorest citizen may place himself in the most useful and honorable situation in society, by becoming a cultivator of his own land; and the fixed value is so high, connected with the abundance of our vacant territory, as to prevent individuals from purchasing with a hope of advantage, unreasonably extensive and numerous tracts, to be held for purposes of speculation; that this is the case, that lands sold by the United States, are not held by speculators, may be fairly inferred by a consideration of the following facts:

From the opening of the land offices in the northwest territory, as it was then called, to the 30th September, 1810, 3,167,829 acres of land were sold; this amount, compared with the population in 1810, is in the ratio of something less than 12 acres for each individual; the free white inhabitants of Virginia in 1800, amounted to 518,674, the lands of the state, valued in 1798, amounted to 40,458,644 acres; this divided among the inhabitants, gives to each individual, upwards of 76 acres of land, but it will not be contended, that the lands of Virginia are held by speculators; and with much less truth can it be so said of the lands northwest of the Ohio. Again, to show by inference, that the public lands are not disposed of at too low a price, the committee have thought proper to inquire into the estimated value of the lands in several of the states, and they find, that in the year 1786, the lands of New Hampshire, amounting to 3,749,061 acres, were valued at 19,028,108 dollars, or \$5 7 per acre.

In Pennsylvania, 11,959,865 acres were valued at \$62,824,852, or \$6 9 per acre.

In Maryland 5,444,272 acres were valued at \$21,634,004; or \$3 77 per acre.

In Virginia, 40,458,644 acres were valued at 59,976,860 dollars, or \$1 48 cents per acre; and finally, in the sixteen states, at that time composing the United States, the land amounted to 163,746,686 acres, valued at 479,293,263 dollars, or \$2 92 cents per acre; now if the lands of the U. States, settled and peopled as they were have been thus valued, it may safely be concluded that the uninhabited wilds of our forests are not disposed of at too low a price.

Indeed the committee feel somewhat apprehensive that the United States, so far from being enabled to increase, will find themselves compelled to lessen the price of the public lands, or to forego the golden dreams they indulge in, of enormous revenue to arise from their sale. It will be recollected by the house, that heretofore, the public has been the monopolist of land—that, notwithstanding this advantage, not more than eight or nine millions of acres have been disposed of, for a sum less than 19,000,000 of dollars, and that too, during a space of 13 or 20 years.

They will now take into consideration the fact,

that five or six millions of acres have been given as bounty to the soldiers of the late war, and now are or soon will be in the market to meet the demand which the United States alone could heretofore supply. The committee will not obtrude upon the house, the deductions or reflections which grow out of this state of things, they content themselves with the justification it affords of the resolution which they respectfully submit:

*Resolved*, That it is inexpedient, at the present time, to increase the price at which the public lands are required to be sold.

#### NATIONAL FLAG.

*Report of the select committee, appointed on the 16th ult. to enquire into the expediency of altering the flag of the United States.*

JANUARY 6, 1818.

*Accompanied with a bill to alter the flag of the United States.*

The committee appointed to enquire into the expediency of altering the flag of the United States, beg leave to report:

That they have maturely considered the subject referred to them, and have adopted substantially, the report of the committee, to whom was referred the same subject, at the last session of congress, as forming a part of this report.

The committee are fully persuaded that the form selected for the American flag, was truly emblematical of our origin, and existence as an independent nation; and that as such, it having met the approbation and received the support of the citizens of the union, it ought to undergo no change that would decrease its conspicuity, or tend to deprive it of its representative character; the committee however believe that an increase in the number of the states in the union, since the flag was altered by law, sufficiently indicates the propriety of such a change in the arrangement of the flag as shall best accord with the reasons that led to its original adoption and sufficiently point to important periods of our national history.

The original flag of the United States was composed of thirteen stripes, and thirteen stars, and was adopted by a resolution of the continental congress on the 14th of June, 1777. On the 13th of January 1794, after two new states had been admitted into the union, the national legislature passed an act, that the stripes and stars, should, on a day fixed, be increased to fifteen each, to comport with the then number of independent states. The accession of new states since that alteration, and the certain prospect that at no distant period the number of states will be considerably multiplied, render it in the opinion of the committee, highly inexpedient to increase the number of stripes, as every flag must in some measure be limited in its size, from the circumstance of convenience to the place on which it is to be displayed, while an increase would necessarily decrease their magnitude and render them proportionably less distinct to distant observation. This consideration has induced many to retain only the general form of the flag, while there actually exists a great want of uniformity in its adjustment, particularly when used on small private vessels.

The national flag being in general use, by vessels of almost every description, it appears to the committee of considerable importance to adopt some arrangement calculated to prevent, in future, great or expensive alterations. Under these impressions they are led to believe no alteration could be made more emblematical of our origin, and present ex-

istence, as composed of a number of independent and united states, than to reduce the stripes in the flag to the original number of thirteen, to represent the number of states then contending for, and happily achieving their independence, and to increase the stars to correspond with the number of states now in the union: and hereafter to add one star to the flag, whenever a new state shall be fully admitted.

These slight alterations will, in the opinion of the committee, meet the general approbation, as well of those who may have regretted a former departure from the original, and such as are solicitous to see in it, a representation of every state in the union.

The committee cannot believe that, in retaining only thirteen stripes, it necessarily follows, they should be distinctly considered in reference to certain individual states, inasmuch as nearly all the new states were a component part of and represented in, the original states—and inasmuch, also, as the flag is intended to signify numbers, and not local and particular sections of the union—nor can the committee view the proposed inconsiderable addition, to be made on the admission of a new state, in the light of a departure from that permanency of form which ought to characterise the flag of the nation.

#### ARMING THE MILITIA, &c.

*Report of the committee, on so much of the president's message as relates to the militia.*

JANUARY 9, 1818.

*Accompanied with a bill to provide for organizing, arming and disciplining the militia, &c. &c.*

The committee to whom was referred so much of the message of the president as relates to the militia, have had that subject under consideration, and beg leave to report:

That the constitution grants to congress the following powers in relation to the militia, to wit: To provide for organizing the militia; for arming them; for disciplining them; for calling them into the service of the United States; for governing them therein; and for compensating them for their services, which powers the committee have considered separately.

1. The committee are of opinion, that in organizing the militia, it would be a great improvement to divide them into two classes, with a view to train diligently, and to provide to arm immediately, the young men, and exempt the elderly men from that sacrifice of time which effective training would require—the organization of the militia might remain in all other respects nearly as heretofore established.

2. The constitution having made it the duty of congress to provide for arming the militia, this power is not duly exercised by merely enacting that the militia shall arm themselves. A law to that effect, unsanctioned by penalties, will be disregarded, and if thus sanctioned, will be unjust, for it will operate as a capitation tax, which the opulent and the needy will pay equally, and which will not be borne by the states in the proportion fixed by the constitution. The committee do not approve of putting public arms into the hands of the militia, when not necessary. That mode would expose the arms to be lost and destroyed. They conceive that congress should provide arsenals, from which the militia of every part of the United States could draw arms when necessary, which would be a sufficient exercise of the power to provide for arming the militia.

3. Congress having power to provide for governing the militia only when they are in the service of the United States, and the authority of training them belonging to the state governments, the committee have not deemed it proper that congress should prescribe the time to be devoted to training, or the manner in which that object will be best effected. It is the duty of the state legislatures to enact the necessary laws for that purpose. The committee deem it a sufficient exercise of the power to provide for disciplining the militia, to direct the appointment of the necessary officers, to prescribe their duties, and to provide a system of discipline, comprehending the camp duties, instruction, field exercise, and field service, for the militia.

4. The committee are of opinion, that the regulations for calling forth the militia may remain substantially as at present existing: that the president should, in all cases, address his orders immediately to some officer of the militia, and not to the executive of any state. The governor of a state is not a militia officer, bound to execute the orders of the president; he cannot be tried for disobedience of orders, and punished by the sentence of a court martial.

5. In providing for governing the militia in the service of the United States, it has appeared to your committee, that the senior class might be exempted from being marched out of the state to which they may belong; that the junior class, composed of ardent and vigorous men, the efficient force of the nation, should, when called into service, continue therein some time after having acquired the knowledge and habits of soldiers; that the officers should, by their own consent, be continued still longer in service, as military knowledge, principles and habits, are most essential to the officers, who are the souls of an army. It has also appeared to your committee, that those principles would be best acquired by the officers of the militia, in serving with officers of the regular troops on courts martial, for the trial of offenders either of the regular troops or militia.

6. The compensation to the militia for their services, consisting of pay and allowance for clothing, and of pensions in case of disability by wounds received in the service, the committee would allow to remain nearly as heretofore fixed by law.

The committee acting according to the foregoing principles, report a bill to provide for organizing, arming, and disciplining the militia; for calling them into the service of the United States; for governing them therein; and for compensating them for their services.

## Foreign Articles.

*Summary of late news—London dates to the 8th of December, inclusive.*

Parliament has been further prorogued to the 27th of January. It is intimated that England has resolved to maintain a strict neutrality between Spain and her revolted colonies—a proclamation has been issued forbidding the service of British subjects in the military force of either party—with an exception in favor of those at present in Ferdinand's service, but they are not to act against the colonists. Austria is recruiting her army by a *conscription*—the first class, those between twenty and twenty five years of age, are to be drafted into the regiment of the line. The Russian squadron, bound for Cadiz, has arrived at Deal. A report prevails that Lucien Bonaparte had escaped in the American brig Gos-



samer, of eight guns, and was on his way for Boston. The Prussian ambassador at Paris has very peremptorily demanded an explanation of a passage of Louis' speech, and of the reply of the deputies.—There is a report that the duke of York, being presumptive heir of the crown, will resign the command of the army.

## ENGLAND, &amp;c.

The *Boston Gazette* has three and an half huge columns, filled with a very small type, detailing the ceremonies, &c. that took place at the funeral of the princess *Charlotte*, and the "still-born male infant!" The world will not come to an end because that woman (though she may have been a good one) and her child are deposited in the "narrow house."

The English seem so much alarmed lest they may not have a full blooded *Guelph* to ride them, that there is some talk of legitimatizing the marriage of the duke of Sussex with lady Murray, strumpetized, by an act of parliament, in 1794. Lady Murray was honestly and fairly married to the duke at Rome, and is said to have more virtue and intelligence than belongs to the whole of the royal family. It is said that she is a native American, daughter of lord Dunmore, and born in Virginia. She has a son about 21 years of age and 2 daughters, nearly out of their teens.

Frequent meetings of the cabinet have caused considerable fluctuations in the price of stocks. The 3 per cent. consols fell from 84 to 80, on an alarm of hostilities between Spain and Portugal; but they had again nearly recovered their highest price.

The season has been so fine in England that a second crop of strawberries were said to be growing on the 26th Nov. in a certain garden at Prescott.

## "SPANISH AMERICA."

We are compelled to express a belief that *Mina* has been captured and executed, and his party destroyed or dispersed. It is stated that he was put to death in the neighborhood of Mexico. The town of *Campeachy* was illuminated on the news of it. A letter, however, from Vera Cruz noticed in the *Aurora*, dated November 11, states that he was organizing the communities in the very centre of Mexico, &c.

We have several proclamations, &c. from Venezuela. A proclamation by Bolivar, supreme chief, dated at Angostura, Oct. 17, announcing the discovery of the treachery of Gen. *Piar*, and his execution—it would seem that his ambition and avarice combined to cause him desert the banners of the republic. 2. A despatch from the royal Col. Roque, of the regiment of Navarre, announcing the defeat of a detachment of the patriot forces at Hogaza, in which "the whole of their infantry and 400 of the cavalry perished"—that they lost 2 pieces of artillery, and all their ammunition and stores, &c. 3. A letter from Angostura containing a favorable account of the forces and proceedings of the patriots, and stating that they would pacify all the provinces "before the end of the year." A supreme council has been established at Angostura, and the affairs of the republic appear to be well regulated—an expedition of 1800 men, in 51 small vessels, was about to sail from thence. 4. An address from Gen. Bermudez to the people of Cumana, announcing that his army is approaching to bring the "olive of peace with the laurel of victory." An opinion prevails that a decisive battle will speedily be fought which may probably decide the fate of Venezuela, and stop the oceans of blood that have flowed in that most unfortunate country. It is reported that some troops were expected from Spain.

## AMELIA.

It is stated that a Spanish officer had reached Fernandina to ascertain whether the United States had taken possession of the island as friends or enemies; at the same time expressing his satisfaction that the nest was broken up.

Com. *Aury* has denounced a certain *William P. Moore* as running away from Amelia with a certain prize vessel, of about 70 tons, armed with 5 guns, with an intention to commit depredations on the high seas—saying that he is unauthorised, and requesting that he may be brought to trial as a pirate.

It was expected that *Aury*, with his fleet, &c. would leave Amelia about the 20th inst. Some of the U. S. troops were embarking to join gen. *Gaines* at fort Scott, for which place the general, as before noticed, had departed.

## CHRONICLE.

EMIGRATION. A gentleman at New York has favored the editor of the *WEEKLY REGISTER*, with the following list of emigrants arriving at that port, from the 1st of January to the 31st Dec. 1817, both inclusive, and assures us that its correctness may be relied upon.

England, Scotland and Wales, - - -	3,131
Ireland, - - - - -	1,703
France, - - - - -	674
Germany and Holland, - - - - -	252
Spain and Portugal, - - - - -	64
South America, - - - - -	40
West Indies, - - - - -	464
British Possessions in North America	1,273
East Indies 15, Italy 14. - - - - -	29
Russia, Denmark and Sweden, - - -	4

Total 7,634

*Indian war.*—Accounts from our Southern frontier, state that major Muhlenburg, who was ascending the Flint river with three vessels, having on board a detachment of U. S. troops, provisions, &c. was attacked 30 miles below Fort Scott by twelve hundred Indians and negroes, on the 16th ultimo.

When the express left, which was on the 18th, the firing from both parties continued; at which time major Muhlenburg had three men killed and thirteen wounded; but there was not the least apprehension of any the vessels being taken that were under his command. The troops so defended themselves in the vessels, from the enemy, that they were perfectly safe. No man was killed or wounded except when in the act of warping or casting anchor. Capt. M'Intosh, who commanded a post 12 miles from Fort Scott, with 40 men, was attacked on the 15th ult. by between 2 and 300 indians. Captain M. defeated them without losing a single man, and has since been relieved. There had also been a skirmish between the friendly and hostile savages, in which the chief of the former was killed, in consequence of which a number of the party under his command are said to have deserted and joined the hostile indians.

We learn by a sick soldier who has just returned home from the army, that the detachment of militia from this state had reached Flint river and commenced erecting the fortifications directed by general *Gaines*. He also states, that the indians had sent deputies to sue for peace on the conditions formerly rejected by them, and that it was believed in camp, that hostilities would cease without the further effusion of blood. We have no late intelligence from the regulars at fort Scott.

[*Milledgeville Journal*, 6th inst.]

# NILES' WEEKLY REGISTER.

NEW SERIES. No 23--VOL. I.] BALTIMORE, JAN. 31, 1818 [No. 23--VOL. XIII. WHOLE No. 335.

THE PAST--THE PRESENT--FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

To dispose of some articles in type, the present number has been made to consist of twenty pages—and we have matter enough yet lying-over to make 40 more.

The GENERAL INDEX is in progress, and will be published early in the spring. A confidence is felt that it will meet the wishes and expectations of the friends of the WEEKLY REGISTER; and, that by it, immediate reference may be to any article in the twelve volumes now published. Additional subscriptions are solicited, as not many copies more than are engaged will be printed.

The prospect respecting the volume of REVOLUTIONARY SPEECHES, &c. is not so flattering. Many contributions expected for it have not been received, and the editor is yet undetermined on the course he shall take respecting it. A little more time may designate that course—but, in any event, the valuable articles collected shall not be lost.

CONNECTICUT. A Mr. Converse, who publishes a newspaper at New-Haven, has affected to laugh at my "ignorance" for having said that there "had been an established church in Connecticut"—but he kindly excuses it, because I am "living in Baltimore." The editor of the New-Haven Herald has politely interfered, and demonstrated that either the said Mr. Converse or myself have spoken foolishly,—by publishing the following extract from the laws of that state:

"This assembly do declare their great approbation of such a happy agreement, [to wit, the Saybrook Platform,] and do ordain that all the Christian churches within this government, that are or shall be thus united in DOCTRINE, WORSHIP, and DISCIPLINE, be, and for the future shall be, owned and acknowledged as ESTABLISHED BY LAW." Vide Stat. ed. of 1750, p. 169.

MANUFACTURES. The editor of the REGISTER was favored with and has attentively read, a pamphlet addressed to the president of the United States, by John Mellish, on "the necessity of protecting and encouraging the manufactures of the United States." It is an interesting little work, and, so far as we are judges of what is true political economy, a very excellent one. Its leading principle is bottomed on what must forever constitute the wealth of a nation—which is, the profitable employment of its population; and he also clearly shews us that we cannot long continue to pay the present heavy difference between the value of our exports and imports, in favor of Great Britain. There is nothing new in those positions; but Mr. Mellish's elucidations of the facts appertaining to them are pleasing, and it is impossible that they should be too often enforced until we have agreed to act upon them as we ought to do. We shall probably interweave some extracts from this pamphlet in the remarks that we had in a state of preparation on the same subject before we received it, and which we designed to publish under a hope that congress would not rise without doing something to ensure a sufficient protection to our manufactures. Much has been done, many millions have been spent for commerce—and we are content to say it is well; but manufactures, many times more important, have been suffered to struggle for themselves; the duties upon foreign goods having been levied for the only purpose of raising a revenue.

VOL. XIII.—24.

## James Otis.

The editor of the WEEKLY REGISTER, and the public, is much indebted to President ADAMS for the following sketches of the character and services of that distinguished patriot JAMES OTIS—a name dear to the history of American freedom. Mr. Otis lived to see the independence of his country established, but not to enjoy it. The wounds he received in the "assassination" mentioned by Mr. Adams, were not mortal, but they destroyed his reason, and he lived several years after—"a great man in ruins." In a lucid interval he is said to have forgiven his assassins, and to have relinquished the sum of £5000 sterling which the chief of the gang was adjudged to pay for the injury done to him. [EDITOR.

QUINCY, January 14, 1818.

Mr. NILES—In a former letter I hazarded an opinion that the true history of the American revolution could not be recovered. I had many reasons for that apprehension; one of which I will attempt to explain.

Of the determination of the British cabinet to assert and maintain the sovereign authority of parliament over the colonies, in all cases of taxation and internal policy, the first demonstration which arrived in America was an ORDER IN COUNCIL to the officers of the customs in Massachusetts Bay, to carry into execution THE ACTS OF TRADE, and to apply to the supreme judicature of the province for WRITS OF ASSISTANTS, to authorise them to break and enter all houses, cellars, stores, shops, ships, bales, casks, &c. to search and seize all goods, wares and merchandizes, on which the taxes imposed by those acts had not been paid.

Mr. Cockle, of Salem, a deputy under Mr. Paxton, of Boston, the collector of the customs, petitioned the superior court in Salem in Nov. 1760, for such a writ. The court doubted its constitutionality and consequently its legality; but, as the king's order ought to be considered, they ordered the question to be argued before them, by counsel, at the next February term, in Boston.

The community was greatly alarmed. The merchants of Salem and of Boston applied to Mr. Otis to defend them and their country against that formidable instrument of arbitrary power. They tendered him rich fees—he engaged in their cause, but would accept no fees.

JAMES OTIS, of Boston, sprung from families among the earliest of the planters of the colonies, and the most respectable in rank, while the word rank and the idea annexed to it were tolerated in America. He was a gentleman of general science and extensive literature. He had been an indefatigable student during the whole course of his education in college and



at the bar. He was well versed in Greek and Roman history, philosophy, oratory, poetry and mythology. His classical studies had been unusually ardent, and his acquisitions uncommonly great. He had composed a treatise on Latin prosody, which he lent to me, and I urged him to print. He consented. It is extant and may speak for itself. It has been lately reviewed in the *Anthology* by one of our best scholars, at a mature age and in a respectable station. He had also composed, with equal skill and great labor, a treatise on Greek prosody. This he also lent me, and, by his indulgence, I had it in my possession six months. When I returned it I begged him to print it. He said there were no Greek types in the country, or, if there were, there was no printer who knew how to use them. He was a passionate admirer of the Greek poets, especially of Homer; and he said it was in vain to attempt to read the poets in any language without being master of their prosody. This classic scholar was also a great master of the laws of nature and nations. He had read Puffendorf, Grotius, Barbeyrac, Bulamaqui, Vattel, Heineccius; and, in the civil law, Domal, Justinian, and, upon occasions, consulted the *corpus juris* at large. It was a maxim, which he inculcated on his pupils, as his patron in the profession, Mr. Gridley, had done before him, "that a lawyer ought never to be without a volume of natural or public law, or moral philosophy, on his table or in his pocket." In the history, the common law and statute laws of England, he had no superior, at least in Boston.

Thus qualified to resist the system of usurpation and despotism meditated by the British ministry, under the auspices of the earl of Bute, Mr. Otis resigned his commission from the crown, as advocate general, an office very lucrative at that time, and a sure road to the highest favors of government in America, and engaged in the cause of his country without fee or reward. His argument, speech, discourse, oration, harangue—call it by which name you will, was the most impressive upon his crowded audience of any that I ever heard before or since, excepting only many speeches by himself in Phanuil Hall and in the House of Representatives, which he made, from time to time, for ten years afterwards. There were no stenographers in those days. Speeches were not printed, and all that was not remembered, like the harangues of Indian orators, was lost in air. Who, at the distance of fifty-seven years, would attempt, upon memory, to give even a sketch of it. Some of the heads are remembered, out of which Livy or Sallust would not scruple to compose an oration for history. I shall not essay an analysis or a sketch of it, at present. I shall only say, and I do say in the most solemn manner, that Mr. Otis's oration, against *writs of assistance*, breathed into this nation the breath of life.

Although Mr. Otis had never before interfered in public affairs, his exertions, on this single occasion, secured him a commanding popularity with the friends of their country, and the terror and vengeance of her enemies; neither of which ever deserted him.

At the next election, in May, 1761, he was elected, by a vast majority, a representative in the legislature, of the town of Boston, and continued to be so elected annually for nine years. Here, at the head of the country interest, he conducted her cause with a fortitude, prudence, ability and perseverance which has never been exceeded in America, at every sacrifice of health, pleasure, profit and reputation, and against all the powers of government, and all the talents, learning, wit, scurrility and insolence of its prostitutes.

Hampden was shot in open field of battle. Otis was basely assassinated in a coffee-house, in the night, by a well-dressed banditti, with a commissioner of the customs at their head.

During the period of nine years that Mr. Otis was at the head of the cause of his country, he held correspondences with gentlemen in England, Scotland and various colonies in America: He must have written and received many letters, collected many pamphlets, and, probably, composed manuscripts, which might have illustrated the rising dawn of the revolution.

After my return from Europe, I asked his daughter whether she had found among her father's manuscripts, a treatise on Greek prosody? With hands and eyes uplifted, in a paroxysm of grief, she cried, "Oh! sir, I have not a line from my father's pen. I have not even his name in his own hand writing." When she was a little calmed, I asked her, "Who has his papers? Where are they?" She answered, "They are no more. In one of those unhappy dispositions of mind, which distressed him after his great misfortune, and a little before his death, he collected all his papers and pamphlets and committed them to the flames"—He was several days employed in it."

I cannot enlarge. I submit this hint to your reflections. Enclosed is a morsel of verse, written soon after Mr. Otis's death, by a very young gentleman who is now one of our excellent magistrates. If you do not think fit to print this letter and that verse, I pray you to return them to

JOHN ADAMS.

On the death of JAMES OTIS, killed by lightning, at Andover, soon after the peace of 1783, written at the time.

When flush'd with conquest and elate with pride,  
Britannia's monarch Heaven's high will defy'd;  
And, bent on blood, by lust of rule inclin'd,  
With odious chains to vex the free-born mind;  
On these young shores set up unjust command,  
And spread the *slaves of office* round the land;  
Then OTIS rose, and, great in patriot fame,  
To list'ning crowds *resistance* dared proclaim.

From soul to soul the bright idea ran;  
 The fire of freedom flew from man to man;  
 His pen, like *Sidney's*, made the doctrine known,  
 His tongue, like *Tully's*, shook a tyrant's throne.  
 Then men grew bold, and, in the public eye,  
*The right divine of monarchs dar'd to try;*  
 Light shone on all, despotic darkness fled—  
 And for a SENTIMENT a nation bled.  
 From men, like ORIS, INDEPENDENCE grew;  
 From such beginnings empire rose to view.  
 Born for the world, his comprehensive mind  
 Scann'd the wide politics of human kind:  
 Bless'd with a native strength and fire of thought,  
 With Greek and Roman learning richly frought,  
 Up to the fountain head he push'd his view,  
 And from first principles his maxims drew.  
 'Spite of the times, this truth he blazed abroad;  
 "The people's safety is the law of God."\*  
 For this he suffered; hireling slaves combined  
 To dress in shades the brightest of mankind.  
 And see they come, a dark designing band,  
 With Murder's heart and Execution's hand.  
 Hold, villains!—Those polluted hands restrain;  
 Nor that exalted head with blows profane!  
 A nobler end awaits his patriot head;  
 In other sort he'll join the illustrious dead.  
 Yes!—when the glorious work which he begun,  
 Shall stand the most complete beneath the sun—  
 When peace shall come to crown the grand design,  
 His eyes shall live to see the work divine—  
 The Heavens shall then his generous spirit claim,  
 "In storms as loud as his immortal fame."†  
 Hark!—the deep thunders echo round the skies!  
 On wings of flame the eternal errand flies.  
 One chosen, charitable bolt is sped,  
 And ORIS mingles with the glorious dead.

"The Drawing Rooms."

QUINCY, Jan. 20th 1818.

Mr. Niles---Upon taking up your Register the other day, a communication respecting drawing rooms, attracted my attention. Your correspondent must have been misinformed when he states, that there was any distinction of party made at the drawing room while I had the honor to preside there; any gentleman or lady, of either party, who chose to visit there, were received with equal civility. And from your correspondent, I have now for the first time learnt, that any person withdrew from political motives. The gentlemen of both houses of congress received and accepted the invitations of the president to dine with him, and but one of the whole number ever so far forgot the character of a gentleman, as to send an uncivil refusal.

I am, sir, your humble servant,  
 ABIGAIL ADAMS.

REPLY TO MRS. ADAMS.

MADAM---It is with high respect that I have the honor to assure you, you have mistaken my "REGISTER" as well as its character, in

\* *Salus populi*, was the motto of one of his essays.  
 † Waller, on the death of Cromwell.

attributing to it an offensive article about "Drawing Rooms;" while I have to regret that this is not the first time in which my secret pride has been humbled by a similar misapprehension. And such mistakes are easily committed, because another paper is published (at another place, however,) in which the form and manner of the "WEEKLY REGISTER" is attempted to be copied; probably, that it may pass for mine with the honest and unsuspecting. But of that paper, madam, I never opened or examined but one number, and do not expect ever to examine, much less to read another. I see it only by accident, because it is refused an admittance into my office: nor is my curiosity excited about it, although I am told that its ostensible editor, through a hireling pen,\* has several times attempted to honor me with his abuse. I cannot see how I have deserved such marks of respect---seeing that I never have mentioned that editor or named his paper in this; and that I very seldom appear to be wholly sensible that such a thing as the one or the other exists at all.

I perfectly recollect to have observed something about "Drawing Rooms," copied from it, (in another paper) and remember to have read three or four lines of the piece; when I discovered that its subject was not suited for my own taste or that of my male readers, and cast it behind me—I could not believe that the public was any way interested in the domestic arrangements of the president's wife. Hence I did not know until now that it was so rude as to wound the feelings of a lady---who, in every rank and condition, is entitled to courtesy and protection, but especially commanding it as the worthy consort of a venerable and illustrious patriot of the revolution, who has also filled the most honorable office in the gift of any people in the world. And if, madam, I could have committed myself so far as to publish in my "Register" a thing like that, please to believe that I would have been incapable of adding insult to injury by intruding it upon you. President ADAMS receives my work only in volumes.

Not being decisively instructed, I have only to hope that in publishing your letter I have met your wishes on the subject--The record of facts thereby made will much over-balance, and out-live the calumny. Nay, when that calumny is forgotten, it will stand in evidence of your impartially polite attentions to all that were pleased to visit the "Drawing room while you had the honor to preside there."

With great respect, I have the honor to be yours, &c.

H. NILES.  
 Editor of the Weekly Register.

\* I acquit the ostensible editor of writing any thing that appears in his paper as original—because I know that he is not competent to it—no matter what is its quality.



## Representation of Baltimore.

"HE THAT GIVES UP ESSENTIAL LIBERTY TO PURCHASE  
"TEMPORARY SAFETY, DESERVES NEITHER LIBERTY  
"NOR SAFETY."

It is not our practice to meddle much with local matters. But, although the following remarks specially apply to a peculiar case of hardship, they involve considerations interesting to every friend of freedom.

The right of suffrage equally extended to the free citizens of a state, is the moving principle of a just administration of its concerns—the corner stone of the republican edifice, and only safe depository of power. It is a right that cannot be guarded with too much jealousy—it is a right that cannot be legally *compromised or bartered away*; because the exercise of it is *essential* to the general welfare:—and any agreement that is not in accordance with a full enjoyment of it, is, in justice and equity, null and void.

A bill was introduced into the legislature of Maryland, two or three weeks since, to alter the constitution so as to give to the city of Baltimore two additional members in the house of delegates—say four in all. This bill has been rejected. I am sincerely glad of it. I regret, however, that, when affecting to consider the merits of the bill, some "honorable gentlemen," as they must be called, descended to the use of language about Baltimore that would have caused a *Billingsgate-lady* to blush for her deficiency of tongue! It was to be hoped that a spirit of justice had superseded the rage of party.

Baltimore has two delegates in the general assembly of Maryland, or a fortieth part of the power of legislation in the popular branch of the government. From the limited powers of the city corporation, and the daily manifestation of things required to be done for the convenience of a rapidly increasing population, it is almost impossible, if not absolutely so, that any two gentlemen can attend to all the local matters required of them in the legislature, as they ought to be attended to—many of which, of no importance whatsoever to the public at large, could and would be much better managed at home, if there was an authority so to manage them. The business presented from Baltimore occupies, perhaps one fourth of the

\*If we have been abused we have also been defended—the following is an extract from a speech, delivered in the legislature of Maryland, by Mr. Kennedy, a farmer and delegate from Washington county:—

"Mr. Speaker—there is no member of this house who has a more sincere regard for the prosperity of Baltimore than I have. That city, whose gallant defenders foiled British demonstrations, and proved that, under the "star-spangled banner," Americans must conquer, has a strong hold on my affections; nor do I ever approach that "home of the brave," without feeling sensations of delight and reverence."

time of the legislature—the members become impatient with it: and, instead of striking at the root of the evil, which a strange jealousy against this city has planted, by liberally enlarging the powers of the corporation, they rail at us, and heap upon us every opprobrious epithet that presents itself—without reflecting, possibly being too ignorant to know, that Baltimore is as the soul, or vital principle, of Maryland. Blot it from the map—"sink it in the basin," as has been *charitably* wished, and the value of the *real property* in the state would be instantly diminished *fifty percent*. It would be felt from the mountains of *Alleghany* county to the pine swamps of the *Eastern shore*.—There is no other market for the products of agriculture—no other depot to supply its wants—no other resource in emergency. Baltimore city, at present, contains about 65,000 inhabitants, of whom, I suppose, 57,000 are free white persons. What was asked? To give to 57,000 freemen a power of legislation equal to 4068 persons in Calvert; or 6289 in Alleghany; or 6794 in St. Mary's; or 7201 in Kent; or 7810 in Charles; or 7933 in Caroline, &c. &c. or 28,766 in Frederick, which is the most populous county in the state! Let us see how many counties, having four members each, it will take to make up a population equal to Baltimore city, to which it was proposed to allow four members:

Counties.	Free persons	Delegates.
Calvert, : : :	4,068 : :	4
Alleghany : : :	6,289 : :	4
St. Mary's : : :	6,794 : :	4
Kent : : :	7,201 : :	4
Charles : : :	7,810 : :	4
Caroline : : :	7,933 : :	4
Talbot : : :	9,352 : :	4
Montgomery : : :	10,408 : :	4
	59,755	32

The great favor was that Baltimore, having more wealth, and nearly the free population of EIGHT counties, sending THIRTY-TWO members to the legislature;—and with a greater population than ANY THREE counties in the state, should have the weight of ONE county! There was as much *modesty* in this request as there was of *something else* in the refusal to grant it. I should like to hear upon what principle it was refused—it must have been for the old woman's reason, "I won't, because—I won't;" or for that which governs monarchies wherein power is right, and the accident of birth confers peculiar privileges. This is apparent—for no other than a monarchist will have the hardihood to say that one man in Calvert county ought to have the influence of twenty-eight men in Baltimore city, which is the fact as the representation of the state stands at present. Nor can Calvert claim it for her wealth; we have many streets, and, perhaps, one or two lanes or alleys, either of which are worth more than the fee of the whole county.

The whole population of Maryland in 1810, was 380,000—of which 103,000 were slaves. Except from Frederick and Washington counties and one or two others, there is a constant emigration to the more fertile fields and more liberal governments of the west; and it is probable that, by the census of 1820, it will be found that the half of the *increase* of the state for 10 years, has centered in the small spot whereon is erected the city of Baltimore—which, in spite of its own misfortunes, and the malice of its enemies, *foreign or domestic*, in war and in peace, steadily marches to population and wealth—ranking as the third city in the union, though only a scattered village 50 years ago. It now has a *fifth* part of the free population, a *fourth* of the wealth, and *two-thirds* of the floating capital of Maryland—Upon every principle, therefore, it is entitled to a *fifth* part of the power of legislation—that is, *sixteen* members of the *eighty* which compose the house of delegates, and a proportionate interest in the senate—and I would have this, which is our right—or *nothing*. I WOULD NOT BARGAIN WITH INIQUITY. Let the evil (if it is not honestly remedied) go on—it will accumulate force in its progress, and in due time *command* redress.

I have considered Baltimore as the *soul* of the state. What would the state be without it? Many parts of it would become a semi-desert, covered with scrubby oaks and dwarf pines, for the want of a *market* for its little surplus productions. During the war, the state wished to negotiate a large loan—it would have been applied for in vain to the *counties*; but in the city it was negotiated and fixed in a few hours. And as, during the war, the state authorities did not *fully and frankly* take a part in the cause of the country, though both shores of the Chesapeake were conflagrated by the *water-winnebagoes*, a large amount of money expended (\$295,912 61) yet remains unsettled at the treasury of the United States; some part of it, perhaps, has a character similar to that of the claims of *Massachusetts*, and will never be paid. Hence, there is a deficit in the annual revenue of the state, which it is proposed to supply by sales of the reserved rights of the state to subscribe to the capital stock of the banks in *Baltimore*—by a tax upon lotteries drawn in *BALTIMORE*, by a commutation for duties or taxes upon auctions, &c. in *BALTIMORE*, to be paid by the city. Baltimore is the *alpha* and *omega* of the hopes of the legislature to relieve the state of its difficulties; and for *this* we are abused, and denied the natural right of representation according to our numbers.

Without immediate reference to the present legislature of Maryland,† or any regard to the

members of political parties, I think it may be agreed, that our general assembly possesses less talents and much less *common sense* than any other in the union—a few men annu-

extension of Pratt street. At present we have only one leading street from east to west, which is oftentimes dangerously crowded with waggons and other carriages. The opening of Pratt street, therefore, became object of the utmost importance, and the only question about it, one might have thought, ought to have been for the just compensation of those whose property was injured by the extension, (as no man can deny that such extension is demanded by the public good)—but other questions have been considered, which should have had no more influence on the subject than a discussion about the properties of diamonds as applicable to the building of a wheelbarrow. I am justified in saying this by the following extracts from the speech of Mr. FOMMERS, a “federal” gentleman, and member of the house of delegates from Montgomery county, which is copied as it was printed in the “Federal Gazette” of Wednesday last. For such sentiments he was superciliously called “the third delegate from Baltimore.”

“I had hoped, Mr. Chairman, that gentlemen would have confined themselves to *argument* upon the subject before the committee, and that no attempt would again have been made to hush the voice of *justice* in the storm of political passion; to sacrifice *right* at the shrine of political fury, and to drown the judgment of a legislative body in a sea of faction. I had hoped that gentlemen would not have suffered themselves to forget that they were addressing a deliberate body, whose decision was to be influenced by *argument*, and not by appeals to their political feelings and passions. That they would have recollected the oath which they had taken to vote upon all questions without favor, affection, or resentment towards any man, or any section of the state.—That he (Mr. F.) was determined always to bear in mind the sacred obligation under which he acted, and that no consideration on earth should ever induce him to legislate upon party principles. That if he were to be governed by such unworthy feelings, he should not only deserve to forfeit the good opinion of his constituents, but would deserve to be drummed from the ranks of any party to which he might be attached.”

Speaking of the city of Baltimore, he said “Sir, I admire the city of Baltimore; she is the pride and ornament of Maryland. I respect her people for many reasons; and, although I am not prepared to assert the fact that “she was the salvation of the state in the memorable year 1814, when the proudest monuments of the arts were rudely destroyed by a public enemy, and during a period of despondency from which the country was awakened by the shouts of rejoicing for the repulse before Baltimore,” yet I am not disposed to contest it, because I do not profess to be sufficiently acquainted with her military history. But, sir, if it be the fact, the faithful page of history shall record it, and when the splendid edifice in which the assembled representatives of the freemen of Maryland this day hold their deliberations, shall be crumbled into dust, and you, and I, and all within the sound of my voice, shall have descended to the tomb, the conduct of the people of Baltimore at that epoch, will be celebrated with enthusiasm by her posterity, and will reflect honor not only upon her citizens, but upon all the people of the state of Maryland.”

†The present legislature has passed an act of great importance to the city of Baltimore. It is for the



ally save it from total condemnation. This is the necessary consequence of our rule of representation; by which the people are often compelled to take up individuals for legislators that would be better employed in receiving the rod of the pedagogue at school, than in saying *aye* and *no* on the passage of laws for the government of a state—young gentlemen, who ought to “retire to Jericho until their beard is grown,” rather than assume the sovereign powers of legislation; “lots of boys” whose knowledge of politics is limited to a parrot-like repetition of a few ranting things for electioneering meetings, and who have no more idea of *political economy* than an aboriginal of our forests. How can it be otherwise, when, in some of the counties having only 5 or 600 voters [every free man is a voter if a citizen of the state] eight persons must be put up by the opposite parties as fitted for legislators? In a *crowd*, like the house of representatives of Massachusetts, sometimes consisting of 7 or 800 members, many of those might do very well, following the fogle-man; but our house of delegates has only eighty members, and every vote in it “tells.” Hence the greater necessity for experience and virtue in the members generally.

The two additional delegates for Baltimore were proposed to be allowed by an *amendment* to the constitution! “God mend me,” was a favorite saying of the celebrated Pope, who was very crooked and deformed—“God mend you!” reiterated a link boy, surveying his uncouth figure—he had better make a new man.” Our constitution is a “most stupendous fabrick” of human folly and injustice, and is not worth mending. Any amendment to it is like putting “new wine into old bottles”—and it has been so amended and amended that it takes a pretty smart *lawyer* to tell what it is, and the sooner it is a ruin the better. We have just shewn how the house of delegates is constituted—the senate is formed upon more objectionable principles: it is chosen by electors elected by the counties, (as in the case of delegates) for five years, with power to fill up its own vacancies; and it has happened that ten of the fifteen members which composed it were elected by the senate itself. The executive department is no better—the governor, chosen by the legislature, has power only to grant a *noli prosequi* and to *pardon*; he is merely president of the council, which is chosen in the manner that he is. The *voice of the people* is not heard in either department, and the minority rules the state.

With these facts before me, I repeat it—I am sincerely pleased that the proposition has failed, under an assurance that the time will arrive when the people of this great city will obtain a recognition of their just rights—and acquire a fair representation in the legislature of Maryland, which this partial measure, had

it succeeded, might have retarded. Better times are coming; reason will yet rule the people instead of party, and self-evident truth will be acknowledged. Let us press on the happy period; the quiet of our country is fitted for its introduction. The people are honest, and demagogues are daily losing their influence over them.

In these remarks I disavow any *party* political considerations. Many of those calling themselves republicans are as censurable as others called federalists, in respect to the grievances complained of. I contend only for my rights as a man, desiring that the majority should rule—a principle that is, and ought to be paramount to any written constitution, or else it is false that the people are the origin of lawful power.

### Duties on Imports.

We have received a copy of a letter from the secretary of the treasury, transmitting a long and interesting report of such measures as are deemed necessary for the more effectual execution of the laws for collecting the duties on imported goods, wares and merchandise; prepared in obedience to a resolution of the house of representatives of the 28th of February, 1817.

This is a subject of the highest importance, in every respect. That frauds to a great amount have been committed, seems undeniable; and if their effect was only to lessen the *revenue*, we should care less about them than we do—as a part of the amount lost to the public treasury might be retained in the pockets of the people by a reduced price of the articles smuggled or otherwise fraudulently introduced, of which we have had many mammoth examples from *England* direct; during the non-intercourse, and after that by way of *Amelia* island, &c.\* But these frauds strike at the *national industry*, and paralyze the efforts of our *manufacturers*, whose interest is the *national interest*, and whose gain is the *national gain*. All the people of Europe are roused to a *feeling sense* of this fact; and many of them justly complain that England has fixed on their necks a “more real yoke than that of Napoleon, though not invested with such humiliating forms.” The youthful exuberance of our country and its sparse population, has hitherto prevented us from feeling

\*The reader will please to observe that we say, “we should care less about smuggling,” &c. if it only affected the *revenue*. The “mammoth examples” will be too easily remembered—the relinquishment of the “merchants bonds” lost to the people and put into the pockets of the merchants, *twenty five millions* of dollars. They sold the goods with the amount of those bonds added to them in the same way that they add the customary duties—their amount was paid to the merchants by the *consumers*, and then thrown by the government into the pockets of (in most cases) the wilful violators of the law.

that "yoke" so severely as some others feel it—but it is in a progressive state and will speedily bend our proud republican necks, if we do not take heed to our ways.

The secretary recommends a number of provisions, many of which appear to be important—but we respectfully must express an opinion that he relies too much upon "custom-house oaths," which bind only those that would act honestly without them, instead of relying upon a rigid examination of the packages imported, by competent and responsible persons appointed to *examine* them. We are much pleased at his recommendation to diminish, as far as practicable, the list of articles paying *ad valorem* duties, and he enumerates those stated below as proper subjects for *specific* duties. He also proposes, that, as nearly all the black teas are imported under the name of Bothera, which pays 12 cents per lb. that all black teas shall pay a duty of 18 cents per lb. and also recommends a reduction of the duty on claret wines, which, if in bottles, pays 70 cents per gallon, though the first cost of it is, generally, only 10 cents per gallon. There is some claret wine, however, which he says, sells as high in Bordeaux as Madeira does in the United States—but the quantity produced is very small, and a considerable importation of it cannot be expected; the little that is made being required to supply the tables of the rich in Europe. We should have been pleased to have seen *paper* enumerated among those articles. There is no manufacture that makes so great a value from things that, as it were, are worth nothing in their state as a material, and it employs a great number of women and children. We would recommend a duty by the *pound weight* on all imported paper. More hereafter.

The following is a list of the articles now paying *ad valorem* duties which the secretary recommends should pay *specific* duties:

	Cents.
Anvils	2 per lb.
Axes, broad	30 each
narrow	25
hatchets	15
adzes	25
Augurs, not exceeding half an inch	1 1-2
above that size, and not exceeding one inch	2
above an inch, and not exceeding 1 1-2 inches	2 1-2
above that size	3
Chisels, not exceeding half an inch	1
above that size, and not exceeding 1 inch	1 1-2
above an inch, and not exceeding 1 1-2 inches	2
above that size	2 1-2
Hammers, blacksmith's	2 1-2 per lb.
claw-hammers (carpenter's)	5 each
Hoes broad	12
narrow	10
Knives, carrier's	40
cutting	25
drawing	25
Scythes	25
Reaping hooks or sickles	5
Rakes	10
Saws, cross cut	100
whipsaw	100
handsaw	25
tenorsaw	20
Spades	15
Andirons, cast iron	1 per lb.
wrought iron	50 per pair
brass, or of brass and any other metal	2 1/2
Fenders, iron	100 each

of brass, or steel, or parts of either	200
Shovels and tongs, iron	30 per pair
steel, or brass, or parts of either	75
Muskets	150 per stand
Rifles	250 each
Fowling and hunting pieces, single barrel	400
double barrel	500
Cannon, cast iron	2 per lb.
brass	5
Frying pans	25 each
Gridirons and griddles	20
Vessels, cast iron, not otherwise specified	2 1-2 per lb.
Vessels, of copper	10
of pewter, including dishes, plates, basons, tairkards, spoons, and other utensils, not specified	3
Tin, in sheets or plates	4
Bandana, flag, and other silk kerchiefs, from India, not exceeding 35 inches square	15
above that size	20
Cards, for carding	20 each
Cotton bagging	6
Drugs, sloes	2 per pound
annonecum, (gum)	4
arabic, (gum)	2
assafoetida, (gum)	5
senegal (gum)	1
guaiacum, (gum)	2
cream tartar	1
jalap	3
ipecauanha	10
Gloves or mitts—long silk	100 per doz.
short	60
childrens	40
long cotton	70
short	50
childrens	30
Hats, woolen or felt	} 20 each
men or womens'	
childrens	
beavers, men or womens'	100
children	20
Hams, and other bacon	3 per pound
Honey	6 per gallon
Hair powder	6 per pound
Horns—ox	75 per 100
Horn tips	50 do.
Horse hair	2 per pound
Leather, soal	8
dressed	10
Lard	2
Lemons	25 per 100
Limes	10
Liquorice	2 per pound
Mebogany	1 per c. ft.
Madder	1 per pair. d
Mustard, (except seed)	10
Nankeens, India short pieces, not exceeding seven yards and eighteen inches in breadth	25 per piece
India, long, not exceeding ten yards, and twenty-five inches in breadth	40
Pieces, exceeding these dimensions, the duty to be in proportion to the foregoing rates:	
Oil—olive, in bottles	40 per gallon
caster	20
linsseed	20
Olives	50
Capves	50
Oranges	50 per 100
Opium	25 per pound
Pickles	10 per groce
Pine apples	2 each
Pines—smoking—	10 per groce
Prussian blue	10 per pound
Preserves, comfits, and sweet meats, in sugar or brandy	10
Quick silver	5
Rice	50 per 100
Rhubarb	4 per pound
Saltpetre—refined	2
crude	1
Slates	1 each
Saddle trees	25
Snake root	2
Saffron	2
Senna	2
Sasaparella	2
Stockings, silk, or where silk is the principal material,	
whole	250 per dozen
half ditto	150
quarter ditto	75
Cotton, wool, or flax, whole	150
half	80
quarter	35
Childrens—the duty upon the quarter respectively.	
Vitriol	4 per pound
Umbrella or parasol, covered with silk	100 each
cotton	60
Sticks and frames	50
Wool—blankets	20 per yard
carpets, inferior to Brussels	25.
Brussels, and others, superior	35
Flannels, or cotton mixtures	22



## Tonnage of the United States.

The secretary of the treasury has transmitted to congress his annual statement of the *District Tonnage of the United States*, which we intend to notice as usual, when we have room. The following items may suffice until then:

The registered tonnage of the United States, as corrected at the treasury department for the year ending Dec. 31, 1816, amounted to	800,759 63
The enrolled and licensed	522,164 84
The fishing vessels	49,294 01
	1,372,218 53

Aggregate tonnage in 1815 1,368,127 78

The amount of registered and enrolled tonnage built in the year 1816, is 131,667 86.

The difference between the amount of the tonnage of 1815, the vessels built in 1816 being added, is caused by 23,379 tons sold to foreigners; 22,591 lost at sea; 6,702 condemned as unseaworthy, and a large "presumed" difference of 73,216 tons, as arising from transfers in 1815 not credited until 1816.

The whole amount of tonnage on which duties were collected during the years 1816, was as follows:

Registered tonnage paying duty on each voyage	865,219 57
Enrolled and licensed (annual)	414,594 47
Fishing vessels, (do)	48,147 40
	1,327,961 49

Duties were also collected on tonnage owned by citizens of the United States, engaged in foreign trade, not registered

11,811 02

Do to—coasting trade

430 82

Total on which duties were collected 1,340,203 38

Allowing 6 months as the average period of the voyages of registered vessels, the preceding would shew that they were not much more than half-employed.

The following is the amount of tonnage, registered and enrolled, &c. at 11 principal ports:

New York	299,617 70
Boston	143,420 25
Baltimore	101,960 21
Philadelphia	101,830 17
Charleston	36,473 29
Salem	34,454 27
Norfolk	31,628 12
Portland	30,417 29
Portsmouth	30,411 39
New Orleans	13,299 86
Savannah	12,776 07

☞ New York is double that of Boston, and Baltimore is superior to Philadelphia.

## Naval Affairs.

In Senate of the United States, January 21, 1818. The committee on naval affairs, to whom have been referred the memorial of certain commissioned officers of the navy, under the rank of commanders, and also the memorial of certain officers of the marine corps attached to the Mediterranean squadron, have had the same under consideration, and REPORT—

That your committee, duly impressed with the importance and delicacy of the subjects referred to

them, and anxious to pursue that course which will best comport with the good of the public service and the high duties of the senate, have given the several memorials all the consideration to which they are entitled.

The memorialists of the navy and marine corps, pray that the senate would institute an enquiry into the proceedings of two naval courts martial, had in the Mediterranean, in the early part of the last year. They complain that those proceedings were such as to impair their confidence in the tribunals which have been established by the laws of the country for the protection of the rights of all who are connected with the naval establishment.

The memorialists of the marine corps pray, that their rights may be guarded by a special act of the legislature, "or that the rules and regulations for the better government of the navy be more strictly carried into execution."

Your committee sincerely regret, that any circumstances should have occurred, which have caused discontents among any portion of the officers of the United States' navy. They have indulged the hope that the high reputation and renown which had been acquired by the naval establishment of this country in war, would be cherished and sedulously guarded in the season of peace, by every officer of the corps. It is only by a correct deportment; by a rigid discharge of duty, and a strict observance of the laws, that their well earned fame can be preserved. If these observations are correct, as it regards the individuals, officers of the navy, they most strongly apply to their tribunals. If naval courts martial, or courts of enquiry, have become so negligent, or so partial and unfaithful in the discharge of their duties, that those who should look to them for protection can no longer confide in them, but must resort, in the language of the memorialists, for safety "to those arms with which their country has entrusted them, or to that strength with which nature has endowed them;" then, indeed, there is most serious cause of alarm. But your committee do not believe that this is the condition and character of your naval tribunals. They have heretofore been unimpeached. Under their administration the American navy has attained a character, both at home and abroad, of which the nation is justly proud. In the instances complained of, there may have been some ground for criticism; the proceedings may have been such as not to give entire satisfaction to all; but your committee are decidedly of the opinion, that whatever may be the character of the proceedings of the courts martial under consideration, they are beyond the control of the senate. It has no power that can reach these cases. It has none other than legislative power touching these matters, which in its nature cannot be retrospective. The corrective, in such cases, is confided by the institutions of the country to the chief magistrate, and to that department of the government would their complaints, perhaps, have been most properly addressed.

There is another view of the subject, to which the committee have not been inattentive. It has been considered a fit occasion to look into the laws governing the navy, in order to discover whether any defects exist, which may require legislative correction. Your committee have done so, and on examination, are of opinion, that no legislative proceedings are necessary at this time. The rules and regulations for the government of the navy now in force, are those under which it has grown up and acquired a reputation for discipline and efficiency, which your committee believe is not surpassed by any similar establishment. In this state of things,

they are of opinion, that the causes of complaint, if any, are not in the laws, but in the administration of the laws. As it regards the marines, a description of force most necessary and useful, and which merits the fostering and protecting care of the government, the committee, on examination, find that they are subject to do duty afloat and on shore, as the executive, at his discretion, may direct; and that they are "governed by the same rules and articles of war, as are prescribed for the military establishment, and by the rules for the regulation of the navy, heretofore, or which shall be established by law, according to the nature of the service in which they shall be employed." The committee know no footing more proper on which to place the marines than that on which the law has already placed them. Were new rules now to be prescribed for their government and protection, it is believed that none other ought to be prescribed than those which now exist. Your committee therefore repeat, that in their opinion, the defect, if any, is not in the law, but in its execution. Viewing, then, the subjects referred to them in all their bearings, feeling the danger of affecting that discipline which is the vital principle of all military establishments; while they would frown with indignation on every act which savoured of oppression, or of mal-administration your committee respectfully submit the following resolution:

Resolved, That the committee on naval affairs be discharged from the further consideration of the memorial of the naval officers of the Mediterranean squadron, under the rank of commanders, and of the memorial of the officers of the marine corps, of date the 17th January, 1817.

*The memorial of the commissioned officers (of the Mediterranean squadron,) under the rank of commanders, to the honorable the senate of the United States, dated Port Mahon, January the 20th, 1817.*

The undersigned, officers holding commissions in the navy of the United States, beg leave most respectfully to state to the honorable the Senate of the United States, that, having entered the service early in life, from motives of love of their country, respect for its naval character, and a sincere wish to become useful, they would willingly encounter dangers of any kind, or endure any hardships which the good of the service or the preservation of discipline may make necessary; that, together with a willingness to risk their lives and sacrifice their comforts, they have heretofore felt a firm reliance on the protection which the well digested laws of their country were intended, by the framers and enactors of them to afford to officers of every grade, against the wanton exercise of that power which all military establishments must place in the hands of the superior over the subaltern. Guarding with cautious jealousy their reputation and their rights against all assaults, which have not been designated by the law for the guardianship and arbitration of the most respectable of all tribunals, (a court martial,) they have witnessed with the deepest regret, the proceedings on a late transaction which has been brought to the decision of a court composed of the eldest officers of this squadron—of officers who from their rank in service, we had hoped would prove as jealous guardians of our rights as of their own. We beg leave, respectfully, to state the leading circumstances of this case. Captain John Heath commanding the detachment of marines on board of the frigate Java, under the command of Oliver H. Perry, esq. was so unfortunate as to incur the displeasure of his commander. The merits of the case between these two officers

we do not presume to canvass; but we are imperiously called upon to notice the subsequent events. A court martial convened in the harbor of Mahon, on board the Java, on the 31st December, 1816, for the trial of captain Heath, on charges and specifications, of which the following is a copy.

Charge 1st. Disrespectful, insolent and contemptuous conduct to me his superior officer. Specification 1st. That he did on or about the 22d of July, 1816, on board of the United States' frigate Java, then standing into the Bay of Naples, on being asked by me, "why a certain marine was suffered to appear on deck in so filthy and dirty a dress?" reply to me in an insolent, disrespectful and contemptuous manner. Specification 2d. That he did on the evening of the 18th Sept. 1816, on board the United States' frigate Java, then at anchor in the harbor of Messina cause a letter written by himself and couched in language highly improper to be used towards his commanding officer, to be left on my table in the cabin of said ship. Specification 3d. That he did when sent for into the cabin, on being asked "why he took such a time to write me a letter of that kind," assume a deportment towards me highly provoking and disrespectful. The aforesaid charge and specifications being in violation of a part of the 15th article, and a part of the 13th article of the rules and regulations for the better government of the navy of the United States.

Charge 2d. Neglect of duty and unofficer like conduct. Specification 1st. That on or about the evening of the 16th September, 1816, on board the United States' ship Java, then at anchor in the harbor of Messina, he, the said captain John Heath did, on two marines jumping overboard to swim from the ship, neglect to come upon deck, although called and informed of this circumstance, alleging as a reason therefor the subterfuge of his being sick. Specification 2d. That he did when ordered by me, at said time and place, to come on deck and muster the marines, execute that duty in a careless and indifferent manner; and when the marines were mustered, did neglect to report to me until called and directed so to do. Specification 3d. That he did neglect on the desertion of said marines from the ship, to take those immediate steps for their recovery that became him as commanding officer of the detachment to which they belonged, and were required by the urgency of the case. This charge and specification being in violation of a part of the 20th article, and the 28th article of the rules and regulations of the better government of the navy of the United States.

Charge 3d. Disobedience of orders. Specification That he did at the time and place referred to, in the 3d specification of 1st charge, though repeatedly ordered to be silent, continue to speak, although warned of the consequences, and in the same indecorous and contemptuous manner as is therein alleged, thereby violating a part of the 14th article of the rules and regulations for the better government of the navy of the United States.

(Signed) O. H. PERRY.

*United States' ship Java,  
Algiers Bay, 14th October, 1816.*

Of these charges and specifications it will be necessary to observe only, that the offence on which the greatest stress is laid, was committed as the specification states, on the 22d July, 1816; that captain Heath was neither arrested, suspended, nor warned that notice would be taken of this offence; that on the 16th September, 1816, captain Heath is again supposed by captain Perry, to commit an offence, for which captain Perry suspends him from



the exercise of the duties of his office; that in the interval between the commission of these two offences, a general court martial convenes in the Bay of Naples, of which court captain Perry is president, and captain Heath a member, that after captain Heath had been suspended from duty two days, he addresses a note to captain Perry, of which the following is a copy.

*United States' frigate Java,  
Messina, September 18, 1816.*

SIR,—On the evening of the 16th instant, I was ordered below by you from the quarter deck of this ship, with these words, or to that effect, "I have no farther use for your services on board this ship." I have waited until this moment to know, why I have been thus treated; and being ignorant of the causes, request my arrest and charges.

Very respectfully,  
Your obedient servant,

(Signed)

JOHN HEATH,  
*Captain Marines.*

The language of this note, Captain Perry considered disrespectful, and summoned captain Heath into his cabin. Willingly would your memorialists draw a veil over the transaction, which then and there took place; most willingly would they bury in oblivion a transaction so disgraceful to the character of an American officer. But justice to themselves forbids it. It appears by the statement of Captain Heath and the acknowledgement of captain Perry, that, after some conversation had passed, captain Perry, from (as he says) "a disposition to chastise insolence on the spot," gave to captain Heath a blow, and after having committed this outrage on his person, with much abusive language, ordered him to be confined to his room, and a sentinel placed over him; a measure which hitherto has been considered justifiable in extreme cases only. A little reflection convinced capt. Perry of the impropriety of his conduct, and alarmed him for its consequences; he according, through the medium of another post captain and the first lieutenant of the Java, made an overture to captain Heath of reconciliation, and through them tendered an apology, but insisted on terms of his own dictating. This, capt. H. having a due regard for his own reputation, for the commission which he has the honor to hold, and for the respectability of his brother officers of the same rank, positively refused to accept, and in his turn preferred charges against captain Perry. A court martial convened, and as we have been unofficially informed, for the trial of both; but captain Perry remained in the exercise of the functions of his office, while captain Heath was in close confinement. Of the proceedings of this court your memorialist know but little; they have ere this, they presume, been laid before the honorable secretary of the navy. But they know that captain Perry has sailed for the United States, in command of the Java, with the sanction of a court martial, and that of the commander in chief to support his conduct.

The undersigned have now no guarantee for the safety of their persons, but the use of those arms which the laws of their country have placed in their hands, and that personal strength with which nature has blessed them. To those means they must resort, and on them in future depend, unless the honorable senate, to whom they look with filial confidence as the guardians of their rights, will by a timely interference save them from the disagreeable alternative of relinquishing a profession to which they are enthusiastically attached, or becoming in every instance the defenders, not only of their characters, but of their persons. Placed at a dis-

tance from their country and without the immediate influence of its civil laws, your memorialists rely with confidence on the decision of the high tribunal to which they now solemnly appeal. Your memorialists trust it will not engross too much of the valuable time of the senate, to institute an examination into the proceedings of this court in these two instances. They beg leave also to state, that a case occurred at Naples in August last, between captain T. O. Creighton, and midshipman Marston, of the Washington, the decision on which they also consider as tending to destroy the conviction which every officer ought to feel, whilst in the execution of the duties of his office, that the strong arm of the law is extended over him, equally for his protection during good conduct, and for his punishment when he deviates from its rules. If your memorialists have erred in making this appeal, they hope it will be attributed rather to an exuberance than a deficiency of a good feeling, and they trust that they will ever be found ready to obey the call and support the cause of their country in any contest, however unpromising to themselves as individuals.

And your memorialists, as in duty bound, will ever pray.

THOS. AP. CATESBY JONES, lieutenant navy.  
W. B. SHUBRICK, lieutenant navy.  
R. T. AUCHMUTY, lieutenant marine corps.  
CHRISTOPHER FORD, lieutenant marine corps.  
GEORGE PEARCE, lieutenant navy.  
BEVERLEY KENNON, lieutenant navy.  
SAMUEL L. BREESE, lieutenant navy.  
THOMAS NICHOLS, sailing master.  
ROBERT F. STOCKTON, lieutenant navy.  
FRANCIS B. WHITE, lieutenant marines.  
JOSEPH L. KUHN, lieutenant marines.  
W. H. WATSON, lieutenant navy.  
WM. H. COCKE, lieutenant navy.  
H. B. BRECKENRIDGE, captain marine corps.  
B. WASHINGTON, surgeon.  
GEO. B. ENGLISH, lieutenant marine corps.  
JAMES ARMSTRONG, lieutenant U. S. navy.  
GEORGE BEALE, purser.  
C. S. M'CAULEY, lieutenant U. S. navy.  
HYDE RAY, surgeon.  
CHAS. T. STALLINGS, lieutenant navy.  
E. W. TURNER, purser.  
JOSEPH CASSIN, lieutenant navy.  
GUSTAVUS W. SPOONER, lieutenant navy.  
ROBERT S. KEARNEY, surgeon.  
WM. HALL, captain marine corps.  
JOHN HARRIS, lieutenant marines.  
HENRY OLCOTT, lieutenant marines.  
N. WEBSTER, lieutenant U. S. navy.  
S. H. STRINGHAM, lieutenant U. S. navy.  
W. K. LATIMER, lieutenant navy.  
L. ROUPEAUG, lieutenant navy.  
A. M. MONTGOMERY, acting surgeon navy.  
ROBERT FIELD, lieutenant navy.  
N. L. MONTGOMERY, lieutenant navy.  
M. D. NICHOLSON, lieutenant navy.  
W. LAUGHTON, lieutenant navy.  
JNO. CADLE, acting surgeon navy.  
JNO. W. PEACO, acting surgeon navy.  
M. C. ATTWOOD, purser U. S. navy.  
J. L. MORRIS, lieutenant navy.

*Memorial of the officers of the United States Marine Corps.*

The officers of the United States marine corps, in the Mediterranean, present the following memorial to the honourable Senate and House of Representatives of the United States, and pray that their situation on board ship, and the grievances herein complained of, may claim their serious attention.

The want of established rules and regulations for the marine corps, when stationed on board ship, and this difference of discipline in different vessels, have always been productive of serious ills, and have too frequently occasioned unavoidable and unhappy disturbances. The undersigned, therefore do earnestly intreat, that rules and regulations be established by an act of congress, wherein the duties of marine officers, when afloat, may be clearly and distinctly defined and rights and privileges protected.

The undersigned regrets the necessity under which they conceive themselves bound by their duty to the service, and themselves, of intreating the honourable senate and house of representatives, as the guardians and protectors of their rights, to examine the decision of a court martial, held at Mahon, on captain Oliver H. Perrv, of the navy, under the charges of outraging the rights, feelings, and person of the commanding officer of marines, of the United States' ship Java, and pray that the protection of their rights and persons be guaranteed by some special act of Congress; or that the rules and regulations for the better government of the navy be more strictly carried into execution.

JOHN HALL, C. M. M.  
 H. B. BRECKENRIDGE, capt. marines,  
 W. HALL, capt. marines,  
 JO. L. KUHN, lieutenant. U. S. marines,  
 HENRY OLCOTT, 1st lieutenant. marines,  
 FRANCIS B. WHITE, 1st lieutenant. marines,  
 JOHN HARRIS, 1st lieutenant. marines,  
 R. T. AUCHMUTY, 2d lieutenant. marines,  
 CHRISTOPHER FORD, lieutenant. marines,  
*Port Mahon, January 17, 1817.*

*United States ship Washington,  
 Port Mahon, 4th May, 1817.*

SIR,—I have the honor to transmit herewith an attested copy of a letter written to me by the captains and commanders of the squadron.

I fully concur with those gentlemen in opinion, and shall believe it to be my duty to comply with their request so far as to permit the officers complained of to return to the United States, as soon as it can be done without injury to the public service.

I have the honor to be,  
 Very respectfully, sir,  
 Your obedient humble servant,  
 I. CHAUNCEY.

*To the hon. Benj. W. Crowninshield,  
 Secretary of the Navy, Washington.  
 Port Mahon, 4th May, 1817.*

SIR,—We, the undersigned captains and commanders serving in the squadron under your orders, have heard with deep regret that many of the lieutenants and other commissioned officers belonging the vessels under our respective commands, have forwarded to the honorable the senate of the United States, a memorial which in our opinion is calculated to excite disaffection and insubordination in the navy, and bring into contempt a service heretofore distinguished for its reputation, order, and good government.

The undersigned wish to be distinctly understood, that it is not against petitioning the legislature for a redress of real wrongs, that we now protest, but against the manner, time, and object of the memorialists, which if truly represented to us, is as follows:—They complain that they have been oppressed, and require that the 30th article of an act for the better government of the navy, should be revised and so amended as to designate particularly

the punishment of offenders, and it is believed, that they even go so far as to threaten that should their imaginary grievance not be redressed, they will resort to their arms for protection. It is also understood that the memorialists have presumed to reflect on the members of two courts martial, composed of officers of long standing in the navy; that their meetings have been held with apparent secrecy, and the memorial studiously withheld from their commanders who would readily sanction any measure having for its object the good of the service. It cannot be denied that it is the bounden duty of officers, more especially when on a foreign station, to cultivate towards each other the most perfect harmony and good will, but it is the opinion of the undersigned, that the conduct of the memorialists is calculated to have a contrary effect. The undersigned are therefore impelled by a sacred duty we owe our country and ourselves, to request that you will be pleased to remove all those officers from under our respective commands, as soon as the public service will admit of the same, as we cannot but consider the signers of the memorial as having forfeited all claims to our confidence, and their example as endangering the vessels entrusted to our charge.

We have the honour to be,  
 Very respectfully, sir,  
 Your obedient servants,

(Signed) WM. M. CRANE,  
 JN. ORDE CREIGHTON,  
 GEO. W. RODGERS,  
 THOS. GAMBLE,  
 J. I. NICHOLSON,  
 EDM. P. KENNEDY.

A true copy of the original on file,  
 Attest, J. WATSON, Com. Clerk,  
*United States' Ship Washington,  
 Port Mahon, 5th May, 1817.*

*To Isaac Chauncey, Esq. commodore  
 and commander in chief of the naval forces of the United States in the Mediterranean, &c.*

### Legislature of Kentucky.

Resolutions, truly expressive of the sense of the people of Kentucky, on the patriotic struggle of South America, and on the policy which the general government ought to pursue in relation to that country.

IN SENATE, BY MR. BLEDSOE.

*Resolved by the general assembly of the commonwealth of Kentucky,* That the people of this state view with the most lively emotion, the patriotic struggles of their South American republican brethren, to throw off and break in pieces the yoke of Spanish despotism; to take their stand amongst the nations of the earth; and to vindicate the exercise of those rights of self-government which the God of nature has given to man, as his unalienable birthright.

That while this legislature, and the people whom they represent, fully appreciate the blessings of peace, flowing from the observance of a just neutrality, as to the conflicts between other powers; they are nevertheless fully sensible of the immense importance to the United States, of the establishment of the independence of the South American colonies, as respects the probable commercial and political relations between the two portions of the same great continent.

That neither interest nor duty on the part of the United States, as respects old Spain, exists to induce them to take one single step towards favor-



ing that power, or strengthening the rod of oppression, which there is reason to hope her colonies are about wresting from her hands forever.

That it is, in our opinion, wise policy, as well as justice, for the government of the U. States to acknowledge the independence of such of the former Spanish colonies of South America, as shall have shown themselves capable of vindicating and maintaining the rights of self-government.

That the strictest regard to neutrality between the parties, neither requires, nor authorizes, the arrest or detention of foreign men, vessels or munitions of war, passing through our country or touching at our ports, destined to assist either party.

That if the general government of the United States is prepared to take a side in this contest, the many unredressed wrongs, and the outrageous insults of old Spain to this government, together with the strong claims of suffering humanity upon our sympathy, leave no room to doubt which side the free people of the only republic upon earth are prepared to take.

*Resolved*, That copies of the foregoing resolutions be transmitted to the president of the United States, and to each of our senators and representatives in congress, to be submitted to that body.

IN THE HOUSE, BY MR. BIBB.

*Resolved by the general assembly of the commonwealth of Kentucky*—1st, That the liberty of nations, is derived from God and nature, and is not the gift of kings or potentates.

2d. That all just power is derived from the people; the choice of forms of government belongs of right to them, and those (or their successors) who constitute one form, may abrogate it.

3d. That in all just governments the good of the governed is the end to be accomplished; and the people upon whom each particular government operates, are the only fit judges of the performance of the ends for which the government was instituted.

4th. That the general revolt of a nation against oppression, and in vindication of their own liberty, cannot justly be called rebellion.

5th. That the struggle of the patriots of South America for the rights of self-government, is justified by the laws of God and nature and sanctioned by the unalienable rights of man.

6th. That the success of those who are struggling for the liberty and independence of South America, is a consummation devoutly to be wished, highly interesting to the friends of freedom and humanity in general, and calls for the deepest sympathy and accordance on the part of the people of these United States of North America.

7th. That it is the opinion of this general assembly, that such of the provinces of South America as have declared themselves free and independent, and have shewn a reasonable ability to maintain their independence, ought forthwith to be acknowledged by the general government of these United States of North America, as sovereign and independent powers, to be treated as such, and introduced to the other sovereign powers of the earth; and generally, that all the rights, countenance and hospitality should be given by these United States to those so acknowledged sovereign powers of South America, which by the laws of nations may be justly and peaceably afforded by the people and magistracy of another nation in war or in peace.

*Resolved*, That a copy of the foregoing resolu-

tions be transmitted to the president of the United States, and to each of the senators and representatives of this state in the congress of the United States; and that the acting governor be requested to transmit them accordingly.

CONGRESS.

SENATE.

*January, 22.*—Mr. Tichenor moved two resolutions, referring to the military committee an enquiry into the expediency of repealing or modifying so much of the act establishing the military staff, as relates to hospital surgeons, and hospital surgeons mates, and to the appointment of judge advocates; and an enquiry into the expediency of a reform in the provisions of the law respecting the emoluments to the military and staff officers of the army, in order to place them on a more economical establishment.

The bill making an appropriation for repairing, and keeping in repair, certain roads, was read the third time, as amended, passed and sent to the house of representatives.

*Jan. 23*—The following resolution, submitted yesterday by Mr. Ruggles, was agreed to:

*Resolved*, That the committee on public lands be instructed to enquire into the expediency of passing a law, to vest in the state of Ohio the power of selling the remaining thirty-five sections of land, in the six miles reservation at the Scioto Salt Works, and applying the proceeds of the sale to such purposes, for the use of the state, as the legislature thereof may think proper.

*Jan. 26*—Mr. Tichenor's resolutions, submitted on the 22nd inst. were taken up and agreed to.

The bill directing the mode of appointing Indian agents, &c. was taken up, and after receiving some amendments, was read the third time, passed, and sent to the other house for concurrence; as also was the bill to establish Darien, in Georgia, as a port of entry.

The bill from the house of representatives for the relief of John Anderson was taken up, and after a good deal of discussion, was postponed to Monday week.

*January 27.* Mr. Tait, from the committee on naval affairs, reported a bill "in addition to an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States;" and the bill was read.

Mr. Campbell, from the committee of finance, to whom the subject had been specially committed, reported that "it is not expedient to repeal the law imposing a duty on salt." The report was not acted on to-day.

Mr. Talbot submitted for consideration the following resolution:

*Resolved*, That the committee on the judiciary be instructed to enquire into the expediency of so far changing the present judicial system of the United States, as to provide for the gradual diminution of the number of judges who at present compose the supreme court; for the restricting the functions and duties of the judges of that court to the holding the sessions thereof, and the other duties incidental thereto; of establishing and organizing a circuit court in each of the United States, in which a circuit court has not heretofore been established, and of providing for the appointment of a competent number of circuit judges for the holding the circuit courts of the United States.

Mr. Otis submitted for consideration the following resolution:

Resolved, that the committee of claims be instructed to enquire into the expediency of providing for the examination and allowance of monies paid by the state of Massachusetts for supplies and services of the militia of that state employed during the late war in the common defence, so far as the same may be due upon principles of equity and justice.

After the consideration of executive business, The senate adjourned.

Jan. 28. — Mr. Dickerson, from the committee to whom was referred the joint resolution proposing an amendment to the constitution, in regard to the election of representatives to congress, and electors of president and vice president, &c. reported the resolution with some verbal amendments.

The resolution offered yesterday by Mr. Talbot, was taken up and agreed to.

The motion made yesterday by Mr. Otis, for an enquiry into the expediency of an examination and allowance of monies paid by the state of Massachusetts, for the services and supplies of the militia of that state, employed during the late war, was postponed till Friday.

The bill providing for surviving revolutionary officers, soldiers, &c. was postponed to to-morrow, as were also several other subjects.

The joint resolution offered by Mr. Morrill, on the 23d ult. requiring the commissioner of the general land office, to furnish to each soldier who may receive a patent for military bounty land, a description of the quality of his lot, as minutely in the field notes of the surveyor, was taken up, together with the report of the committee on the public lands, stating the impracticability of affording such information, and the inexpediency of requiring it.

On the question of ordering the resolution to a third reading, it was decided in the negative, and the motion of course rejected.

The senate then resumed the consideration of executive business, which occupied it until the adjournment.

#### HOUSE OF REPRESENTATIVES.

Friday, Jan. 20. Mr. Pope, from a select committee, to whom were referred certain memorials on the subject, reported a bill to enable the people of Illinois territory to form a constitution and state government, and for the admission of the same into the union on an equal footing with the original states, which was twice read and committed.

A message was received from the president of the United States, by the hands of Mr. J. J. Monroe, his secretary, transmitting the information required by a resolution of this house, calling for an account of all roads made or marked out under the authority of the United States.

On motion of Mr Forsyth, it was

Resolved, That the committee of commerce and manufactures be instructed to enquire into the expediency of regulating by law the number of passengers to be brought into the United States by American and foreign vessels, according to the tonnage of the vessels.

[Many other resolutions were offered which shall be noticed in their progress.]

The House resumed the consideration of the bill to provide for the commutation of soldiers bounty lands. An amendment of some importance, moved by Mr. Taylor, yesterday, was agreed to, ayes 78: noes 45. No other amendment having been offered—

The question was stated, on ordering the bill to be engrossed for a third reading.

Mr. Hopkinson, succinctly delivered the reasons for his opinion against the passage of the bill.

Mr. Robertson replied to Mr. Hopkinson, and defended the bill. Mr. Hopkinson rejoined.

The question was then taken on the passage of the bill to a third reading by the following vote:

YEAS—Messrs. Abbot, Anderson, Pen. Anderson, Ken. Baldwin, Bellinger, Bennett, Bloomfield, Boden, Burwell, Cobb, Comstock, Cook, Crafts, Crawford, Culbreth, Desha, Earle, Erving, S. C. Forsyth, Fuller, Gage, Hale, Harrison, Hasbrouck, Hendricks, Herrick, Hiester, Hunter, Ingham, Irving, N. Y. Johnson, Ken. Jones, Kinsey, Little, Lowndes, Marchand, Mason, Mess. Mercer, Merrill, Morton, Museley, Murray, H. Nelson, T. M. Nelson, New, Ogden, Ogle, Owen, Parris, Parrott, Patterson, Peter, Pindall, Pleasants, Poindexter, Quarles, Reed, Rich, Richards, Ringgold, Robertson, Lou. Robertson, Ken. Ruggles, Sampson, Silsbee, Smith, Bal. Alex. Smyth, Southard, Spangler, Tallmadge, Taylor, Trimble, Tucker, Va. Tucker, S. C. Walker, N. C. Walker, Keu-Wallace, Wendover, Adams, Allen, Mass. Austin, Ball, Barbour, Va. Barber, O. Bateman, Beacher, Blount, Boss, Bryan, Campbell, Claggett, Claiborne, Colston, Cruger, Cushman, Drake, Edwards, Elliott, Forney, Garnett, Hall, Del. Hall, N. C. Herkimer, Hitchcock, Hogg, Holmes, Mass. Holmes, Con. Hopkinson, Hubbard, Huntington, Johnson, Va. Kirtland, Lawyer, Lewis, Lim, Livermore, McLane, W. Maclay, Wm P. Maclay, M'Coy, Marr, Mason, R. I. Middleton, Moore, Mumford, Jer. Nelson, Neshit, Newton, Orr, Palmer, Pawling, Pitkin, Porter, Rhea, Savage, Schuyler, Scudder, Sergeant, Settle, Seybert, Shaw, Sherwood, Sloumb, J. S. Smith, Speed, Spence, Storgs, Strong, Strother, Tarr, Terry, Tompkins, Tyl-r, Upham, Westerlo, Williams, Con. Williams, N. Y. Williams, N. C. Wilkin, Wilson, Pen.—82.

So the bill was rejected, by a majority of two votes.

On motion of Mr. Williams, of North Carolina, the house resolved itself into a committee of the whole, Mr. Pleasants in the chair, on the report of the committee of claims on the claim of J. Pattieson, and several other claims of a like nature, referred to the same committee.

[This claim is for a house, situated on the banks of the Patuxent, destroyed by the enemy during the late war, on account of previous occupation by provisions and by supplies issued therefrom to a detachment of militia in the service of the United States, and for other similar reasons, as the petitioner desires to establish by the testimony of two or three witnesses. The claim is one of those laid before the commissioner of claims, and by him, according to the provisions of the law of the last session, transmitted to the house of representatives for their decision on the fact.]

After some conversation on the question of proceeding in the consideration of this subject on this or at a future day—

Mr. Williams, of North Carolina, delivered at considerable length, and with much perspicuity, the views of the committee on the general principles on which these cases rest, and also on the evidence in this particular case.

After a few observations from Mr. Smith of Maryland and Mr. Forsyth, the committee rose, and reported their concurrence, not only in the case of Mr. Pattieson, but also in several other cases, which rest on the same principle, and on nearly the same description of evidence.

The question on concurrence with the committee of claims in rejecting the petition of Mr. Pattieson, was agreed to.

The question being next proposed on the claim of John Ireland, for a house destroyed because occupied by a part of com. Barney's men, his rigging, &c. and the report recommending its rejection having been read—

A debate arose on the merits of the claim, and the amount of the testimony, in the course of which Messrs. Smith of M. Harrison, Reed, Robertson, of L. Peter, Bayly and Palmer opposed the report adverse to the claim, and Mr. Williams and Mr. Zerk supported it.

At length, this and the other reports were laid on the table, the hour growing unusually late.



The house adjourned to Monday.

*Monday, Jan. 26.*—Mr. *Wilson*, of Massachusetts, and Mr. *Stewart* of North Carolina, appeared, were qualified, and took their seats.

Mr. *Robertson*, of Louisiana, from the committee on the public lands, reported a bill to continue in force an act entitled "An act relating to settlers on lands of the United States," which was twice read and committed.

Mr. *Johnson*, of Kentucky, from the military committee, reported a bill respecting the organization of the army of the United States and for other purposes; which was twice read and committed.

Mr. *Sergeant*, from the committee to whom was referred the petition of the American Bible Society, reported (in part) a bill for the remission of duties upon stereotype plates and upon bibles and testaments in foreign languages, imported by societies or associations, for the gratuitous distribution of the Holy Scriptures.

Mr. *Parris* of Massachusetts, from the committee on expenditures respecting the public buildings, reported the following bill.

*A bill to provide for erecting additional buildings for the accommodation of the respective departments.*

*Be it enacted, &c.* That the commissioner of the public buildings cause to be erected, under the direction of the president of the U. States, two buildings suitable for offices for the executive departments, to be placed north of the buildings at present occupied by those departments, and on a line parallel therewith: each of said buildings to contain forty rooms of convenient size.

Sec. 2 merely makes an appropriation.

The bill was twice read and committed.

The house resolved itself into a committee of the whole, Mr. *H. Nelson* in the chair, on the bill "to amend an act, entitled an act respecting fugitives from justice, and persons escaping from the service of their masters.

The bill is one of considerable importance to the holders of slave property particularly, as going to make that law efficacious, which is at present little better than nominal.

Much discussion took place on the details of this bill, which were explained and illustrated by Mr. *Pindall*, of Virginia, and by several other gentlemen. Some amendments were made to the bill, the discussion of which occupied the whole of the day's sitting, and was not concluded, when the committee rose, and obtained leave to sit again.

The house adjourned.

*Tuesday Jan. 27.* On motion of Mr. *Mason*, of Mass.

*Resolved*, That the claim of the state of Massachusetts for expenditures to their militia for their services during the late war, together with the documents on the files of this house, to be referred to a select committee, to consider and report thereon.

On motion of Mr. *Burwell*,

*Resolved*, That the secretary of war be directed to lay before this house a statement of the claims of the state of Massachusetts for the expenses of calling out the militia of that state during the late war, and the reasons why those claims have not been settled by that department.

The engrossed bill to remit the duties on stereotype, plates and bibles, in foreign languages, imported for the use of the American Bible Society, was read the third time, and the question stated, "Shall the bill pass?"

This produced a debate. Mr. *Strother* objected to the bill as indefinite, exempting all bibles, &c. which had been imported by certain societies—he wished a provision to secure the appropriation of those bibles to the purposes contemplated. Mr. *Sergeant* explained his views of the subject, saying that similar bills had been passed, and he thought that the contemplated appropriation of the books was secured by the character of the persons at the head of the institution. Mr. *S.* rejoined and considered it as the "entering wedge to more objectionable measures," and maintained the right to demand such security, as was the case when similar grants were made to others, &c. After some additional remarks, the bill was laid on the table—ayes 84, noes 62.

The house then proceeded to the consideration of the bill respecting fugitive slaves, &c. the consideration of which occupied the remainder of the day; and the committee rose before the subject was completed.

*Wednesday, Jan. 28.* After other business—

The order of the day on the bill "respecting fugitives from justice, and persons escaping from the service of their masters," having been announced—

Mr. *Rich*, moved to commit the bill to a different committee, with a view of considering the propriety of certain amendments. After some little discussion, the motion was negatived.

The house then resolved itself into a committee of the whole on the bill.

The question was on an amendment proposed by Mr. *Rich* to the bill, which has for its object the preventing the transportation, in any manner, of any negro, mulatto or person of color, without having previously carried the same before some judge or justice of a court of record, and giving sufficient proof of their being slaves, and the property of the person by whose authority they are so removed, under the penalty of a sum not exceeding ten thousand dollars.

This amendment Mr. *Storrs* had proposed to amend, by substituting in lieu thereof, a new section in the following words:

"That if any person, without colorable claim, shall knowingly and wilfully procure or cause to be procured, any such certificate or warrant [of his property in any particular individual] with intention, under color or pretence thereof or the provision of this act, to arrest, detain or transport, or cause to be arrested, detained, or transported, any person whatsoever, not held to labor or service as aforesaid, he or she, on conviction thereof, shall suffer imprisonment not exceeding fifteen years, or fined not exceeding five thousand dollars, or both, in the discretion of the court before whom such conviction shall be had."

After debate, the amendment to the amendment was agreed to and incorporated in the bill. Mr. *Fuller*, then, after an ingenious speech, moved to strike out the first section of the bill, on the ground that it transcended the constitutional provisions on the subject. Mr. *Strong* thought the laws already in force had gone far enough in carrying those provisions into execution. Mr. *Cobb* replied to those two gentlemen. Messrs. *Hopkinson*, *Holmes*, *Clay* and *Baldwin*, severally spoke on the bill. The motion to strike out the first section was negatived by a large majority—the committee rose and reported the bill, and the house adjourned at half-past 4 o'clock.

*Thursday, Jan. 29.*—After a variety of business, of no present importance—The house having resumed the consideration of the bill to amend the

act entitled "An act respecting fugitives from justice, and persons escaping from the service of their masters"—

Much discussion took place—finally the bill was ordered to be engrossed for a third reading to-morrow—ayes 86, noes 55.

A written message was received from the president of the United States during the sitting of this day, which was not read, owing to the lateness of the hour at which the proceedings on the above bill were terminated.

The house adjourned at sunset.

A. K. Parris, esq. of the house of representatives, from Massachusetts, has been appointed judge of the district of Maine, vice judge Sewall resigned.

## Foreign Articles.

### FLORIDA.

The Georgia Journal speaks very positively of the fact, that Spain will not dispose of the Floridas to the United States except on receiving six millions of dollars for them, and making the Mississippi the boundary of her Mexican dominions. It is nonsense to talk of a transfer on such terms. It is further intimated in the same paper, that Spain supports herself in such absurd demands under the assurance that she will not, in any event, have to contend with us single handed—relying upon England and France for allies. We cannot guess what the former might do, but should be glad to hear that 10,000 French troops were sent to Mexico, Venezuela, &c. They would soon close Ferdinand's accounts in those countries.

Many believe that the acts recently published about Florida (see page 315) were then for the first time officially known to the people. The passage of those laws was noticed in the letters of Mr. Monroe to Mr. Foster in 1811, and the position clearly taken that the United States would not permit the Floridas to pass into the hands of any other power, if it could be prevented. See the correspondence in the first vol. of the *Weekly Register*. We are indebted to the *National Intelligencer* for the recollection of these things.

### AMELIA ISLAND.

Mr. Moore, who was noticed in our last as advertised by com. Aury as a pirate, &c. is at Charleston, avows his resentment at Aury's conduct, denies the charges, and stands prepared to vindicate himself.

The following communication appears in the Savannah Republican of the 11th inst :

Mr. McIntosh observing, that a part of his letter of the 30th October last to Mr. Crawford is published in the *National Intelligencer* of the 23d ult. [see *WEEKLY REGISTER*, page 302] among the documents presented to congress by the president, on the affairs of Amelia Island, conceives it a duty incumbent on him, in justice to the feelings of the family, and to the memory of the late sheriff of New York, Mr. Hubbard. to declare, that the information he received, and communicated to Mr. Crawford, of the cause of the death of this gentleman, he has since understood to be incorrect. He hopes, the public journalists, who have published his letter, will insert in their papers, this tribute to truth and humanity.

### SPANISH AMERICA.

A London paper states that there were good grounds for believing that the allied powers had come to a resolution to prevent supplies being sent to the Spanish patriots.

In the *Franconian Mercury* there is the following from Vienna, of the 4th October:—"A note, addressed to all the European powers, by the cabinet of St. Petersburg, in respect to the affairs of America, excites great attention, on account of the precision with which it is drawn up."

Two other ships have recently sailed from England with 250 commissioned and non commissioned officers, to join the patriots.

A letter received at Philadelphia from a person said to be of the highest respectability in London, says—The British government has at length agreed at the request of the allied powers of Europe, to become the mediator between Spain and her colonies.

Gen. Piar, executed by the sentence of a court martial of which admiral Brion was president, for treason, &c. is said to have confessed his guilt.

The bloody Morillo attempted to purchase Gen. Zaraza. He lately sent a mission to him, by means of a priest named Sutil, accompanied by a young son of Zaraza, on whom Morillo had previously conferred the rank of ensign, offering through the medium of the priest to make Zaraza a brigadier if he would go over with his troops to the standard of the king. To which proposal Zaraza made the following reply:

"Not until I behold my wife and unfortunate children, cruelly murdered by the legions of Gen. Morillo, restored to life again, shall I desist from the noble undertaking and glorious strife in which I am now engaged, against the tyrants of their country, and the assassins of their innocent posterity." Having said these words, he handed a sword to his son, who scorning the rank which was given him, merely for the sake of necessity or convenience, grasped the weapon, "with which," his father said, "you must defend the rights of your country, and avenge the death of your mother and brethren."

The country possessed by the patriots appears to enjoy much peace and tranquility. Morillo seems to be hardly pressed, and it is said that an army of 12,000 patriots are about to advance on Caracas.

*Important news—received at Charleston, via Kingston Jam from the kingdom of New Grenada, and Carthagenais principal sea-port:*

Samano, lately named Vice-Roy, and residing at Santa Fe de Bogota, the capital of the kingdom, officially has communicated to Montalvo, the viceroy of the said kingdom, exercising the functions of said office, until the aforesaid Samano his successor may assume the command; that it is impossible for him longer to sustain the Kingdom, after having sent a division to the Plains of Casanare, which was completely destroyed by the patriots; only the commander of the same and 17 soldiers escaping—A second was immediately afterwards dispatched to said Plains, and only its chief and two drummers could escape from this still severer loss.

Morillo writes that he is about to execute the officer who commanded a division, that shamefully retreated from 3000 independents, when those of his own consisted of 5000 men.

In Santa Fe a woman was about to be executed, in consequence of there having been intercepted a detailed statement of the Spanish troops, which were in said place, and which she had forwarded to the patriots in Casanare.

Brigadier Cupini and a lieutenant-col. had arrived at Carthagenais; the only remains of the defeat at Margarita, and said that they were on their route for Peru—the former to take the command as General



On the 6th of October ult. was taken the province of Pamplona, by the republicans, and where the Spaniards were completely defeated. This news is confirmed by a sergeant that had arrived at Carthagena, and wounded in the said action.

In Carthagena they were collecting a donation, for the purchase of provisions of every description, to be in readiness in case a siege should be established by the patriots against said city.

On the 17th of Nov. and almost every day since that period, three placards were put up in different parts of this city, demanding the heads of Montalvo, Torres, the governor, and that of Cano, judge advocate of said place. These placards are supposed to have been stuck up by the soldiers and subalterns, among whom there was a general discontent. Patriots were constantly employed in parading the streets, in order to take down these placards.

*Recent news from the south sea—from the same source.*—By a gentleman lately arrived from Guayaquil and Panama, I am informed by him, in person, that the army of Chili, in July last, disembarked at Arica in lat. 18, 25, s. to unite themselves to the powerful armies of Buenos Ayres, which had already entered the kingdom of Peru; and that the royalist army in said province had capitulated to the patriots—and that in consequence of this glorious triumph, all the armies were on their march for Lima. Cusco, the former capital of that kingdom, had already become independent, which excited great alarm in Lima, its modern capital, which it is generally believed here, must have fallen long since. The ports of Lima and Guayaquil, are strictly blockaded by the patriots, who it is said, have upwards of 80 vessels of war: among which are frigates, brigs and other smaller craft. Not a single vessel has arrived from Lima to Panama since September, and it is positively believed that the immensely lucrative commerce which has been carried on between this island and the Pacific ocean, has now drawn to a close, for the independent armed vessels have even appeared in front of Panama on the 24th of October; and it is supposed that the patriot flag will float in triumph from cape Horn to the northernmost point in Venezuela, within the space of six months.

*From the London Gazette, November 29.*

#### PROCLAMATION.

GEORGE P. R.—Whereas there unhappily subsists a state of warfare between his Catholic majesty and divers provinces or parts of provinces in Spanish America; and whereas it has been represented to us, that many of our subjects have, without our leave or license, enlisted or entered themselves to serve in the military forces or ships of war raised or set forth, or intended to be raised or set forth, by the persons exercising or assuming to exercise the powers of government in such provinces or parts of provinces, and that divers others of our subjects are about in like manner to enter and enlist themselves; and whereas such practices are highly prejudicial to and tend to endanger the peace and welfare of our crown and dominions: we do therefore, hereby, and with the advice of our privy council, strictly charge and command all and every of our natural-born subjects, of what degree or quality soever, not to serve in any such military forces or ships of war as aforesaid, and not to enlist or enter themselves to serve therein, and not to go beyond the seas or embark, in order to serve, or with intent to enter or enlist themselves to serve in such military forces or ships of war: and it is at the same time our royal will and pleasure, and we

do, by and with the advice aforesaid, hereby, strictly charge and command all and every of our said subjects not to serve or enlist, or enter themselves to serve in any of the military forces or ships of war raised or set forth, or to be raised or set forth, by his Catholic majesty, and not to go beyond the seas, or embark, in order, or to the intent to serve, or enter, or enlist themselves, to serve in such military forces or ships of war: it is nevertheless our royal will and pleasure, that nothing herein contained shall be deemed or taken to prohibit any of our subjects who are engaged at the time of the date of this our proclamation in serving in the military forces of his Catholic majesty with our leave or license, from continuing to serve therein, provided that such our said subjects do not serve with the military forces of his Catholic majesty when employed in Spanish America: and we do hereby, by and with the advice aforesaid, strictly require all our said subjects duly to conform to our commands herein contained, under pain of our highest displeasure, and the utmost forfeitures, and penalties, and punishments, to which by law they will otherwise be liable.

Given at our court at Brighton, the 27th day of November, 1817, and in the 58th year of our reign.

GOD SAVE THE KING.

*New York, Jan. 26.*—A letter received in this city from Havana mentions that the new corvette Spanish ship—, formerly the General Scott, of about 32 guns, which recently sailed from that port manned with a Spanish crew, to convey some merchant vessels to Porto Rico, and thence proceed to Porto Cavello, has been taken, with the whole of her convoy, by a patriot privateer!—The letter states that at the first fire from the privateer, the crew of the corvette all deserted their quarters, and she was taken by boarding.

#### CHRONICLE.

*In closing the pages of this sheet, the editor is sincerely mortified at the omission of many things in type—but there is no help for it now, and he would also feel much at a loss what to take out, if he could do it.*

The crop of cotton turns out better than was expected. A Savannah paper of the 16th instant, says that prime cotton was sold in that city the preceding day, for 23 cents.

A proposition is before the legislature of Massachusetts to change the names of the days of the week, by fixing their legal names as at present used by the society of Friends or Quakers—first day, second day, &c. Why not as well also alter the names of the months?

*Flour.* 538,271 barrels of flour were imported into Liverpool from the United States, from the 1st of Jan. to the 6th December 1817.

*Important!*—The Elector of Hesse Cassel has ordered that all his troops shall wear queues exactly fifteen inches long—the sergeants are to carry measures, which they are frequently to apply, for the good of the service!

It has been decreed, that the Jews shall not hold any real estate in Mecklenburg-Schwerin and Mecklenburg-Strelitz. This is "restoration."

The number of Jews in the world has been estimated at 6,598,000; two-thirds of whom are in the Mahomedan states.

The daily consumption of coals in London for producing Gas, amounts to 28 chaldrons, by which 76,000 lights are supplied, each equal to the light of six candles.

Certain spirited citizens of Putnam county, Georgia, have given public notice that they will prosecute all violations of the law to prevent the introduction of slaves into that state.

A barge, carrying two hundred tons of flour, fish, &c. lately sailed from Cincinnati for New-Orleans.

Richard M. Crain, esq. has been elected treasurer of Pennsylvania, vice Mr. Findlay, elected governor. For Mr. Crain 96 votes—for Mr. Brady 14.

Speaking of the new French settlement on the Mobile, the London Traveller remarks—"This is one of the most extraordinary speculations ever known even in America, fertile as it is in spirited adventures. It cannot fail that such a colony, planted in such a situation, must produce singular advantages to the American states, as well as to the settlers themselves."

One of the "Chapin Oxen" so called, was lately killed at Boston—his meat, hide and tallow weighed 1994 lbs.

Com. Shaw, on retiring from the command of the frigate United States, was very handsomely complimented by the officers for his conduct to them—and he, in return, expressed the satisfaction he had felt in the correct and orderly proceedings of the officers and ship's company, generally—among whom a good understanding appears to have constantly existed.

Banks.—About "twenty or thirty" new banks are spoken of in the states of Kentucky and Tennessee. There will be a dreadful end to this business.

Kidnapping and dealing in men. Two famous traders in men, named Bradley and Nolen, carrying a number of negroes to market, several of which are supposed to have been freemen, have been justly put to death by them, on their passage to New-Orleans.

Geographical mistake. A writer in the "Pittsburg Commonwealth," giving his "thoughts on the actual depression of our domestic manufactures," attributes the depression in part to the negligence of the custom house officers, who do not use the needful exertion to prevent smuggling. That those means are not used is very certain; but the fault lies more at the door of Congress-Hall, than at that of the custom house. The fact as stated by the writer of certain smugglings he knew of when he arrived at Baltimore from Liverpool, had better been made known to the collector of the port at the time, than now published in a distant newspaper.—And besides, when he says that on the vessel's arrival at the mouth of "Folk river," the captain proceeded with his boat to "Fell's point" laden with valuable goods, the whole narrative appears liable to a discredit; for one would think that even if he never had been at Baltimore he ought to have known that this city is not located upon or near to the "Elk river."

The Baltimore inspections for the quarter ending on the 31st ult. return—114,920 bbls. wheat flour; 4310 half do. 2120 bbls. rye; 298 casks of Indian; 4031 bbls. beef; 2158 bbls. pork; 7835 bbls. herrings; 920 large casks of domestic liquors; 4852 bbls. ditto, &c.

Declaration of Independence. All our readers will recollect that Mr. Binns, of Philadelphia, issued proposals in 1815 for publishing a splendid edition of the Declaration of Independence. From the delay, many, perhaps, have thought that the design was abandoned. The contrary is the case—it is prosecuted with the utmost vigor that is consistent with the desired perfection of its performance;

the first rate artists are employed on the plate, and it will be finished as soon as it can be done in the very superior style desired by the publisher and the engravers employed upon it. A little delay is of no importance—it is only to be wished that when it is published it shall meet the public expectation, and be suitable to its own dignity.

Bills of mortality—Richmond, Va. 1817. Males 112; females 80—total 192, greatest number of deaths in July, 25; least in March, 7. Diseases—Bowel complaint and teething 28; debility 46; consumption 17; various fevers 24; still born 11; accidental 10, &c. 59 of those who died were under one year, and 20 above 50 years old.

Died, lately, at Sag Harbor, capt. Elisha Prior, aged 72—a soldier of the revolution, who was severely wounded in the butchery at fort Griswold.

Also, on the 20th ult. on John's island, near Charleston, Dr. Jacob Rush, in the 60th year of his age. He was a surgeon on board the Alliance frigate in the revolutionary war, and also served as a lieutenant in the navy, and distinguished himself in both stations by his skill and gallantry. He was universally beloved, and died universally regretted.

Also, at Philadelphia, on the 21st inst. Dr. Caspar Wistar, aged 56—a first rate physician and professor of anatomy in the university of Pennsylvania. He has long been famous in the medical world, and was exceedingly well versed in the sciences generally. His decease is a public calamity.

Also, at Utica, N. Y. col. Benjamin Walker, a soldier of the revolution, aid de-camp to Baron Steuben, and friend of Washington.

GEORGETOWN, COL. This beautiful town is rapidly increasing in inhabitants. A census just taken gives us a population of 5,073 white, and 2,310 colored persons—total 7,383. Population in 1810, 4,948—increase in 7 years 2,440; or at the rate of 50 per cent.

UNITED STATES BANK.

Board of directors of the bank of the United States for 1818:

By the president.

William Jones }  
Pierce Butler } Philadelphia  
John Connelly }  
George Williams, Baltimore  
Walter Browne, New York

By the stockholders.

Robert Ralston }  
Chandler Price }  
Thos. M. Willing }  
John Bohlen }  
Thomas Leiper }  
Cadwallader Evans, jr. } Philadelphia.  
Samuel Wetherill }  
Thomas M'Euen }  
John Savage }  
John Goddard }  
James C. Fisher }  
John Sergeant }  
John Coulter }  
Joshua Lippincott }  
John Lisle }  
John Bolton, Savannah }  
John Donnel, } Baltimore.  
Dennis A. Smith }  
Nathl. Prince, New York }  
Henry Clay, Lexington, Ky. }

Those in italics are new members.

Boxing, &c. A certain James Crib [is it the "champion of England?"] gives public notice in a



Philadelphia paper: that he will "box or squob any man in the city for 500 or 1000 dollars." We hope that some body may whip him, "for fun," into better manners. We are not yet refined enough to fight for money.

**TERRIBLE.** It is asserted in the Delaware Gazette, that of about *eleven hundred* passengers, who embarked on board the ship April, captain De Groot, at Amsterdam, which vessel is now lying at New-Castle, about *five hundred* died, many of them before they departed from Europe. Such as were unable to advance the money for their passage, who survive, are still detained on board in the most deplorable condition, several of whom are children, who have lost their parents on the voyage.

**THE DEITY.**—From the thanksgiving proclamation of the governor of Vermont.—"The being of a God is written as with a sunbeam on the face of nature.—The heavens bear the impress of his fingers, and earth the footsteps of his power; the rise and fall of kings and kingdoms, empires and republics, nations and individuals, are but his smiles and his frowns. On those we live, at these we die.—The sacred scriptures are a display of his perfections, the signet of his sovereignty, and history of his love. Hence, to dispute his existence, completes the climax of folly. To refuse him reverence and honor is the height of presumption. To withhold from him obedience and affection, is the extreme of ingratitude."

**AGRICULTURE.**—The Democratic Press says—We are gratified to hear that the Philadelphia *Agricultural Society* have come to a determination to purchase a piece of land and cultivate it on the most improved principles of agriculture as a *Pattern Farm*, where the young shall be instructed, and the more experienced be shewn the advantages of all the various improvements in agriculture. We understand that at the society's dinner yesterday the sum of 2,000 dollars was subscribed for the above purpose.

**Successful and novel speculation.**—We have it from good authority, that a gentleman in New York shipped 15,000 bbls. of apples to Europe last fall; and that they sold at Liverpool at an average price of three guineas per bbl.—*Alb. Argus.*

**LAW INTELLIGENCE.** At the term of the supreme court now sitting at Albany the great case of Griswold vs. Waddington, was determined in favor of the latter. It was the unanimous opinion of the court, that a state of war between two countries, dissolves all partnerships previously subsisting between individuals belonging respectively to each.—This is a leading case, and involves property to the amount of more than a hundred thousand dollars.

[*N. Y. Ev. Post.*]

**St. Louis, Dec. 13.**—We have received information from Lawrence county, that the attack on the Osages by the confederate Indians has been more decisive than those conflicts which usually take place in their warfare. The Osages had removed from the neighborhood of Earhart's Saline towards their villages, where their Parthian mode of fighting could have more effect. They were, however, driven off the plain, leaving on the ground a number of dead and wounded and several horses. It is not stated that the Cherokees and their allies intend to follow up the blow.

**COLONIZATION SOCIETY.**

The society for colonizing the *free people of color*, held its anniversary on the 1st inst. at Washington city, when the following officers were elected for the ensuing year:

*Bushrod Washington* was unanimously elected president.

*Vice Presidents.*

William H. Crawford, of Georgia.  
Henry Clay, of Kentucky.  
William Phillips, of Massachusetts.  
Henry Rutgers, of New York.  
John E. Howard,  
Samuel Smith, } of Maryland.  
John C. Herbert, }  
John Taylor, of Caroline, Virginia.  
Gen. Andrew Jackson, of Tennessee.  
Robert Ralston, } of Pennsylvania.  
Richard Rush, }  
Gen. John Mason, District of Columbia.  
Samuel Bayard, New Jersey.

*Managers.*

Francis S. Key, Benjamin G. Orr,  
Walter Jones, John Peter,  
John Laird, Edmund J. Lee,  
Rev. Dr. Jas. Laurie, William Thornton,  
Rev. Stephen B. Balch, Wm. H. Fitzhugh,  
Rev. Obad. B. Brown, Henry Carroll.  
E. B. Caldwell, secretary.  
John G. McDonald, recording secretary.  
David English, treasurer.

**Public Education.**

*In the senate of Pennsylvania, Dec. 11. Mr. Reed,* of Westmoreland, from the committee of education, made report, which was read as follows, to wit:

In a government where the public are the fountain of all power, a general diffusion of knowledge is essential to a proper and permanent exercise of it. The benign influence of religion, which forms the basis of every good government, if unsupported by an improvement of the noble faculties of mind with which the Creator has endowed the creature, will be but partially felt in society. And those moral principles which dictate the reciprocal duties of individuals, grow in strength, in the same ratio with the progress of learning and civilization.

The system of representative government presupposes an ability in the constituent to direct and control his agent, from which it is anticipated that the desire of the people may be always effectuated through their representatives. But if through inattention or for want of competent intelligence, the people are unable to judge of the measures best calculated to promote their happiness and prosperity, the spirit of representation is lost.—And although the form may be preserved, yet an inability in the public to sanction or disapprove the measures of their agents, converts them from representatives to aristocrats, and thus the vital principles of our constitution virtually become obsolete. How essentially important is it therefore for the representative to suggest, and the constituent to embrace every reasonable means of intellectual improvement. The wise framers of the constitution of this commonwealth were aware of its importance, and enjoined it on the legislature to "provide for the establishment of schools throughout the state, and in such manner that the poor might be taught gratis," and that "the arts and sciences should be promoted in one or more seminaries of learning."—The general dissemination of useful learning, is of more interest to the state than the promotion of "arts and sciences;" yet the latter has imperious claims to liberal attention.

The extent of the permanent revenue of the state points this out as a fit time to encourage, through

its means, a general system of education. Besides the difficulty of procuring an education at all, there are various evils of most pernicious tendency existing in the manner of educating youth at present in Pennsylvania. The incompetency of teachers is among the first. This proceeds from two causes. From the want of a board of inquiry to ascertain and pass upon the qualifications of applicants for employment in every county, and from the inability in many parts of the state from the scattered condition of the population to afford a competent salary. From these causes persons totally unqualified, assume the task of teaching, from which the profession is injured in its reputation, and persons who are capable, become unwilling to be associated in the same employment. The profession of teaching would be restored to a respectable standing by appointing a test for the committee of teachers, and by offering some pecuniary inducements under proper regulations out of the state funds. The committee submit the following plan.

1. That the respective courts of common pleas in the several counties in this commonwealth, at their first term in every year, or at any subsequent term when occasion may require, shall appoint five competent persons as a board of trustees, who shall have authority to examine any teacher who may propose to take the superintendance of any school in any such county, for the instructing of youth in reading, writing, arithmetic and grammar, in English or German; and if the said trustees, or a majority of them, upon such examination shall approve of such applicant, they shall certify that such person is competent to discharge the duties of a teacher.

2. If any such teacher shall produce a certificate from a majority of his subscribers to said board of trustees, of having diligently taught a school consisting of at least pupils for months in any term of twelve, the said trustees or a majority of them shall draw their warrant in his favor on the state treasurer for dollars.

3. That cities, towns and counties embracing one hundred families within a mile square, shall not be embraced within the above provisions. But in all schools under approved teachers there shall be admitted any number of poor children not exceeding in any one, to be paid on warrants drawn as above provided.

Therefore, *Resolved*, That a committee be appointed to bring in a bill embracing the above principles.

**District of Columbia.**

TREASURY DEPARTMENT, 27th December, 1817.

SIR—In obedience to the resolution of the house of representatives of the 19th inst. directing the secretary of the treasury to lay before the house a statement of the amount of receipts into the treasury, from imports, internal taxes, and other sources of revenue within the district of Columbia, specifying the sum received in each year, since the assumption of the jurisdiction by congress in 1801; also a statement of the amount of registered tonnage employed in the carriage of goods, wares and merchandise, in the foreign and coasting trade of the district, I have the honor to submit two statements from the register of the treasury, which contain the information required.

I have the honor to be, your most obedient servant,  
WM. H. CRAWFORD.  
Hon. Henry Clay,  
speaker of the house of representatives.

A statement of the net amount of duties arising from imports, internal taxes, and other sources of revenue within the District of Columbia, specifying the amount in each year, since the assumption of the jurisdiction by congress in 1801.

YEARS.	Imports and Tonnage.	Postage of letters, &c.	Internal duties.	Direct taxes.	TOTAL.
1801	94,674 89	11,487 96	.. .. .	.. .. .	106,162 85
1802	133,333 50	9,969 39	.. .. .	.. .. .	143,302 89
1803	143,430 29	8,287 89	.. .. .	.. .. .	151,718 18
1804	128,424 89	8,575 73	.. .. .	.. .. .	137,000 62
1805	119,011 23	7,602 84	.. .. .	.. .. .	126,613 79
1806	137,079 19	7,953 84	.. .. .	.. .. .	144,333 03
1807	123,881 73	6,855 36	.. .. .	.. .. .	130,737 09
1808	20,306 77	7,438 87	.. .. .	.. .. .	27,745 64
1809	60,143 43	6,744 65	.. .. .	.. .. .	66,888 08
1810	50,762 00	7,319 32	.. .. .	.. .. .	58,081 32
1811	45,854 87	8,303 92	.. .. .	.. .. .	54,160 79
1812	80,802 79	7,354 56	.. .. .	.. .. .	88,157 37
1813	378 08	7,755 55	.. .. .	.. .. .	8,133 96
1814	.. .. .	6,518 37	33,743 98	.. .. .	40,262 35
1815	482,426 90	17,162 74	69,257 26	19,998 40	588,845 30
1816	464,989 47	12,598 52	99,272 69	9,999 20	588,859 88
Dolls.	2,085,400 03	141,511 58	202,273 93	29,997 60	2,459,183 14

NOTE.—The internal duties for two quarters of 1817, amounted to \$52,985 11.

JOSEPH NOURSE, Register.

Treasury Department,

Register's office, 27th December, 1817.

Statement of the registered, enrolled and licensed tonnage of the District of Columbia, on the 31st Dec. of each year, from 1801 to 1816, inclusive.

YEARS.	Registered in foreign trade.	Enrolled & licensed in coasting trade.	TOTAL.
On 31st Dec 1801	5,035 51	3,583 56	(a) 8,619 12
1802	5,874 71	4,180 81	10,055 57
1803	7,049 63	5,017 02	12,066 68
1804	9,915 43	4,383 00	(a) 14,298 43
1805	8,512 81	4,998 87	13,431 73
1806	7,797 97	4,998 12	12,796 19
1807	8,643 83	5,164 44	13,808 36
1808	6,556 49	5,978 68	12,535 22
1809	7,462 41	6,382 28	13,814 69
1810	9,416 26	6,125 26	15,541 52
1811	7,811 37	7,032 35	14,843 72
1812	9,608 83	8,031 17	17,639 73
1813	8,397 54	9,009 17	17,406 71
1814	6,199 36	9,727 51	15,926 87
1815	11,280 22	10,474 05	21,754 27
1816	7,743 94	10,907 01	18,651 00

(a) Stated by estimate.

JOSEPH NOURSE, Register.

Treasury Department,

Register's office, December 27, 1817.



## Legislature of Virginia.

*Thursday, Dec. 18.*—The speaker laid before the house the following communication from the governor:

*Council chamber, Dec. 16, 1817.*

SIR—I have the honor of communicating through you to the house of delegates the enclosed answer from James Madison, late president of the United States, that it may appear that I have complied with the resolution, passed on the 22d of last February, by the general assembly.

I am, with great respect, your obedient servant,  
JAMES P. PRESTON.

*The hon. the speaker of the house of delegates.*

*Council chamber, Feb. 28, 1817.*

SIR—By a resolution of the general assembly of Virginia, it becomes the duty of the governor to transmit to you the enclosed valedictory address.

In the discharge of this duty it is natural for me to reflect on the astonishing contrast which this moment presents, compared with the eventful period of your administration. For a time our commerce was annihilated, our sacred rights abused, invaded and destroyed, our citizens impressed, and held in bleeding bondage, and even our national sovereignty insulted and despised. Now we are remunerated by an overwhelming commerce, our rights inviolate, our citizens free and happy, respected at home and abroad, and our national character gloriously exalted. That you should have occupied the highest station, and presided over the union during this wonderful march of national prosperity and glory, can never cease to afford you the highest gratification. There is not a citizen, or soldier, or sailor, who by his devotion to his country has contributed in the smallest degree to this happy era, who will not hereafter repose upon the retrospect with joy and delight.

In this renewed evidence of approbation from the general assembly of Virginia in behalf of the good people of your native state, at the close of your public labors, which so happily terminates an administration that was environed with all the difficulties of an untried government, a want of unanimity in the public councils, embarrassed finances, and a war with a powerful people, who disregarded the maxims of civilized nations—under all these circumstances, this testimony of approbation, next to an approving conscience, must be to a public servant the best reward and highest consolation: and that you may long live to enjoy it uninterruptedly is the sincere wish of your obedient, humble servant,

JAMES P. PRESTON.

*His excellency James Madison,  
President of the United States.*

*Washington, March 1st, 1817.*

DEAR SIR—Having received through you, the address of the general assembly of Virginia, of February 10th, I have to request that you will take charge of the enclosed answer to it. I must tender you my acknowledgements at the same time, for the friendly and flattering manner, in which you have fulfilled the resolution of the general assembly.

I should express my feelings very imperfectly, if in recurring to the events which led to the present enviable condition of our country, I did not avow my admiration and profound gratitude for that series of brilliant achievements which distinguish the American arms; and offer my congratulations on the

reward so dear to honorable and virtuous minds, which you have received for the part you bore in them, in the suffrages which elevated you to the important station which you fill.

Be pleased to accept assurances of my esteem and cordial respect,  
Governor Preston.

*Washington, March 1st, 1817.*

TO THE GENERAL ASSEMBLY OF VIRGINIA.

I have received, fellow citizens, from governor Preston, your address of the 22d ultimo. The sentiments which it conveys, are particularly endeared to me, as being those of a state with which I am connected by the ties of my birth, and of my home, and by the recollections of its confidence and partiality, commencing at an early stage of my life, and continued under different public manifestations, to the moment of my final return to a station of a private citizen. The language of the address derives a further value from the high character which the state of Virginia has justly acquired by its uniform devotion to free government, and by a constancy and zeal in maintaining the national rights, which no sufferings or sacrifices could impair. Nor can I be insensible to the consideration, that this expression of kindness and approbation, comes at the close of my public career, through a period of uncommon difficulties and embarrassments.

A candid review of the entire period, of which that made a part, will always do justice to the course of policy, which, under peculiar circumstances not likely to recur, was sanctioned by the national voice, and pursued by the national councils. The review will show that the obstinate rivalry of powerful nations in trampling on our dearest rights and dearest interests, left no option but between resistance and degradation; that a love of peace and a hope of justice, selected every mode of resistance short of war, in preference to war; that although the appeals made to the commercial interests and the mutual jealousies of the contending parties was, at length, not without effect in producing a relinquishment of the aggressive system, even by the power against which war was declared, and before the declaration; yet the relinquishment was at too late a day to prevent the war; that it is strictly true, therefore, that this last resort was not made, until the last hope had been extinguished, that a prostration of the national character and of the national rights, could be otherwise avoided. It is on record also, that not a moment was lost after the sword was drawn in opening the way to reconciliation; nor an opportunity permitted, by self respect, untried, till it was at length restored to the scabbard where it now happily remains.

On the prosperous condition of our country, which has succeeded a conflict, rendered peculiarly severe, and peculiarly glorious, by contingent events as flattering to our adversaries, as they were unlooked for by either party, I cordially unite in your congratulations; as well in the hope that all the lessons afforded by the past, may contribute to the future security and increase of the blessings we now enjoy.

Through the remaining days of a life hitherto employed, with little intermission, in the public service, which you so much over value, my heart will cherish the affectionate sentiments which the representatives of my native state have addressed me; and will offer its fervent prayers for the public prosperity and individual happiness of its citizens.

JAMES MADISON.

# NILES' WEEKLY REGISTER.

NEW SERIES. No 24—Vol. I ] BALTIMORE, FEB 7, 1818 [No. 24—Vol XIII WHOLE No. 336.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The great quantity of matter that was in type after the last number was issued, has compelled us to fill a portion of the present sheet with *deferred* articles; but not, on that account, less needful to be inserted.—The REGISTER, at times, does not contain half as much as our wishes would press into its pages—which are, that every thing that can interest an enquiring public should be inserted in it. The messages of the governors of several states are yet lying over, as well as the speech of gov. Clinton on opening the session of the legislature of New-York—and many documents.

We have also just received a copy of a letter from the secretary of the navy, transmitting to the house of representatives the proceedings of the court martials that were held in the Mediterranean for the trial of com. Perry, and capt. Heath, of the marine corps—whose differences, as well as the proceedings thereon, have much excited the public feeling.

**BANKS AND NEWSPAPERS.**—Our progress in collecting lists of these, is slow. The Hartford "Times" has furnished neat accounts of each of them in *Connecticut*, and we have the official list of the banks in *Pennsylvania*, of which, however, the *nominal* capitals are not stated. We should be obliged to any friend at Harrisburg for giving us the capitals of those banks, as authorized by law.

## "Contempt of the House."

The late famous ease of *John Anderson* is known to every body. The decision upon it does not appear to have pleased any body; and, had he resisted the arrest and claimed a release by *habeas corpus*, a very unpleasant collision might have taken place between the legislative and judicial authorities.

An affair of "contempt" has also occurred in Virginia. The legislature raised a committee for the purpose of enquiring into certain reports of mal-practices in the management of the funds of the Farmers bank of Virginia; it being insinuated that those funds were used by certain directors for what is technically called "*shaving*," or usury. A Mr. Carter B. Page, being brought before the committee, refused to answer the question, "do you know that any director of the Farmers bank has, within the last year, been guilty of usury or shaving?"—saying, he was advised that he was not bound to answer any questions which called upon him to disclose information touching any transaction in which he himself bore a part, and which may be held to violate any part of the law of the land, &c. The committee reported the case to the house—were the proceedings of the legislature to be arrested by an individual? A resolution was offered to put Mr. Page in the custody of the sergeant at arms; this produced a long and very interesting debate, which was resumed and continued several days. Finally,

it was agreed that Mr. Page's refusal to answer the question proposed by the committee, was not a contempt of the house; and, by another resolution, the committee was discharged from a further consideration of the subject that had been referred to it.

A third affair of "contempt" has happened in Maryland. The house of delegates took it up with *closed doors*, but, the injunction of secrecy being removed, it appeared that a resolution had been carried directing the sergeant at arms to take a certain George Keatinge into his custody, for having published in his paper, issued at Westminster, in Frederick county, called the "Observer," an article directed to the "hon. James Nabb, a delegate to the general assembly from Talbot," said to be of a "malicious and scandalous nature," &c. The resolution was assented to by yeas and nays—yeas 27, nays 26. But on the following day, to wit, Saturday last, it was agreed that as the said George Keatinge lived at too great a distance from the seat of government to be brought to trial during the present session, ordered, that the resolution respecting him be rescinded—ayes 34, nays 26!

The repeated agitation of the doctrine of "contempts" requires some specific provisions respecting it. The liberty of the citizen is not to be sported with at the whim, passion, or caprice of a legislative body—he has a right to *know the law*; and, then, if he violates it, he ought to be punished. The legislative body should be protected from insult, but it seems that they ought not to be judges in their own case; and it is better to have a licentious press than one subjected to any other *regulation* than that which is imposed by *public opinion*. Truth is not a libel in Maryland; but an editor convicted of a "malicious and scandalous" falsehood, may be punished *by law*—not by *privilege*. We have not seen the article that gave rise to the proceedings in our legislature—but venture to say that those proceedings have given it a degree of importance that it was not entitled to—as is generally the case of such *wise* interferences.

## Duties on Imports.

To insure an honest payment of the duties upon foreign goods imported, is one of the most important subjects that at present offers itself to the public consideration. We are not interested by it as a source of revenue only; but because the violations or evasions of the law, seriously effect the most useful and most productive classes of society in the United States.



We have two interesting articles on this matter—both communicated; one of them from a distant place, the other by a merchant of Baltimore, which it is intended to publish in the next REGISTER. These articles agree in abolishing the *ad valorem* duties, as now payable on foreign invoices, altogether; and instead of it propose that the importer shall give in at the custom-house any valuation of his goods that he pleases, for the calculation of duties—that an examination shall be had to ascertain that the *quantities* stated are correct—but the officers of the customs, on behalf of the United States and of themselves, as may be defined by law, or any other person in case that they do not act in it, shall be allowed to take any lot of goods so invoiced, on paying to the owner 40 per cent. advance on his own valuation.

### Beaumarchais Claim.

The following brief abstract of apparent facts respecting the oft demanded claim of the heirs of Mr. de Beaumarchais, may interest such as will not take the trouble to wade through, or those who cannot obtain, the documents.

1. It seems admitted that a balance equal to a million of "livres tournois" was due to Mr. de Beaumarchais, on account of supplies of arms, ammunition and clothing furnished the United States, in the early part of the revolutionary war.

2. But the United States claim a discount equal to that sum, on the presumption that it was paid immediately to Beaumarchais by Louis XVI. through his minister De Vergennes.

A part of the stores furnished by Mr. de Beaumarchais was supplied from the *king's* ware-houses in 1776, a considerable time before any treaty or public understanding existed between the United States and France—but sometime previous to such treaty, say at the point of time when B. was furnishing, or about to furnish, arms, &c. to the United States, it is acknowledged that the king made a free gift to them of three millions of livres.

Two of those millions have been accounted for. What became of the third million is uncertain. But the following receipt has been found among the papers of the French government—

"I have received from Monsieur du Vergier, agreeably to the order transmitted to him of Monsieur the count of Vergennes, dated the 5th current, the sum of one million, for which I will account to the said sieur count de Vergennes.

"At Paris, this 10th day of June, 1776.

(Signed)

CARON DE BEAUMARCHAIS.

"Good for one million of livres tournois."

The United States presume that this was the missing million of the king's grant of three millions, and considerable efforts have been frequently made to ascertain the fact, both

before and since the French revolution. But the French authorities, though they would not tell what became of the missing million, seem to have denied any connection or knowledge of the *mercantile* transactions of Beaumarchais with the United States, saying that that million was appropriated to secret political purposes: nor would they explain for what purpose the million of livres were given to Beaumarchais.

An opinion is very easily entertained that (to cover the intrigues of the French court at such an interesting period, when its future policy would have been determined by future events) the million granted to Beaumarchais was really the missing million of the grant of the king, intended as part pay for the supplies that he had furnished, which it was *prudent* to be considered as ignorant of, though furnished from the *king's* stores—for which, perhaps, *Beaumarchais* really paid the persons having charge of those stores at the time, that their receipts might be produced in justification of the count of Versailles, if our revolution had been abortive. But the *proof* of this seems to rest with us; and the plea of discount is not considered as tenable, by Messrs. *Rodney* and *Pinkney*, former attorney-generals of the United States.—Yet it was the opinion of the late *Gouverneur Morris*, (who, as minister of the United States in France, investigated the subject) that the *claim had no foundation*.

The amount of the claim and interest upon it, is considerable. The livre tournois is equal to about 18½ cents.

### Bank Anecdotes.

SCENE—MARYLAND. *Time*—Jan. 9, 1818.

*Cashier*. Sir, your note for 1400, some odd dollars, is due to-day, and payment is expected.

*Citizen*. The note is due, I acknowledge—but I have so much of my money employed in *shaving* that I cannot pay it at present.

*Cashier*. Well—when can you pay, and how will you pay it? We are disposed to accommodate you.

*Citizen*. I will give my *check*, payable on the 9th day of *March next*, for the amount, if you will give up the note.

*Cashier*. We are so willing to oblige you, that we agree to the proposal. The interest for 60 days will be \$14 and ---- cents; add that to the sum and make a check for the whole.

*Citizen*. I will not pay any interest.

*Cashier*. As you receive interest and refuse to pay it—pay the note.

*Citizen*. I won't. It is my will to accommodate you that induces me to agree to pay the debt in sixty days, by a *check*.

*Cashier*. Then, sir, pardon me, but I must confess my belief that you are the *most imprudent* man I ever met with.

*Citizen.* That is false---I may be as impudent as you are---for THIS DAY you did the very same thing in respect to certain of your own notes, and for the precise amount of mine.

If any one doubts the truth of the facts stated in the preceding, let him apply at the *Mechanics bank of Baltimore* on the 9th day of March, when a cashier's check for the amount will be presented---and paid, if the money has been deposited.

ANOTHER SCENE—"A SPECIE PAYING BANK."\*  
*Citizen.* Please to give me money for this five dollar note.

*Teller.* There it is---(counting out five pieces of paper.)

*Citizen.* I want money---give me specie.  
*Teller.* What do you want it for?

*Citizen.* If the bank cannot pay a debt of five dollars to-day, tell me when it will be convenient, and I'll call again.

*Teller.* (In a pet) There's five dollars.

*Citizen.* Good morning, sir; whenever I want five dollars I shall make it a rule to call upon you, you are so very polite.

**Amendment proposed.**

The *British "NAVAL CHRONICLE,"* had for its motto--

"The winds and waves are Britain's wide domain,  
"And not a sail, but by permission, spreads."

This motto was used to head the prize lists in the *WEEKLY REGISTER* during the late war; in which we captured more *British* vessels than they had lost in twenty years contests with [sometimes] almost all Europe.

Since that war the modest motto, we believe, has been stricken from the "*Naval Chronicle.*" If there is an intention to resume it, we would respectfully propose the following amendment:

"The winds and seas are Britain's wide domain,"

But star flagg'd vessels shall their canvas spread

Now, this would be friendly; and might save the *British* people from the rude shocks that they often feel when it is reported, "*the Americans have laid the keel of another 74!*"

I do not know whether my amendment would make better poetry of the matter, but it will better comport with the facts that must belong to the case. The spirit of the people, (and, by the blessing of PROVIDENCE, there is a growing power to support that spirit) says--  
"WE MEET AT PHILIPPI," unless--

We are grateful to heaven for having lived beyond the AGE OF IMPRESSMENT. As regards us, "it is numbered with the years beyond the flood." The *freeman* strikes his bosom, and says, like *Paul*, the apostle, take heed what ye do--I am an AMERICAN citizen.

**Public Buildings, Property, &c.**

AT WASHINGTON CITY.

In our last, page 374, was inserted a bill making

\*By "specie-paying bank," we mean a bank that pretends to a willingness, and affects an ability to pay its debts.

provision for the erection of two additional buildings for the accommodation of the executive departments of the government.

The documents accompanying the report of the committee to whom this subject was referred, shew that the public offices, at present erected, do not afford the necessary room, though many private houses or rooms are additionally occupied. It is essentially important to the public convenience that this evil should be remedied.

The cost of the additional buildings proposed is estimated at \$90,380 50 cents, each, complete.-- They will not only be very large and very safe fire-proof buildings, but also have a respectable appearance.

The commissioner of the public buildings thus estimates the value of the property of the United States within the city of Washington--preferring, as he says, "to be under rather than over the real estimate." The value of this property is rapidly advancing.

5185 building lots, estimated at \$180 (the average amount of former sales) per lot, 953,300 00

541 acres of ground reserved for the use of the United States, estimated at the same rate, though deemed of much greater value, would amount to 740,000 00

Wharves and water lots in the city, and free stone quarries at Aquia, about 40,000 00

\$1,713,300 00

**General Kosciusko.**

We seem to owe an apology to our readers for having so long delayed the insertion of Gen. *Harrison's* very handsome tribute of respect to the memory of Kosciusko--a man that possessed in himself more great and estimable qualities than belong to the herd of *Bourbons* and *Guelphs*.

"It is a very easy thing  
Indeed to make a man a king!  
But since the race of kings began,  
How hard to make a king a man!"--PET. PINDAR.

The following extracts of a letter from KOSCIUSKO to the late JOHN DICKINSON, will be read with great satisfaction by those who have admired his character:

November, 1783.

"I have been constantly on the wing since I left you, my mind occupied by objects, and my body tired by the fatigues of travelling. I congratulate you on the *British* troops having evacuated *New York*--But now, that you are perfectly quiet, and masters of your own abodes, what will you do? what will be your political views? what will be your domestic conduct? how far will your reciprocal jealousies extend? who will have powers to stop them?--That public spirit, which distinguished you during the course of the revolution, will it last long against the prosperity of commerce, and the luxury that ever attends it, and against the insinuations of enemies that would divide you?--I declare now to you, that I think there does not exist a country that can vie with you in flourishing prospects. I know there is not one where man is more free, or where fortunes are more equal. In travelling thro' the remote parts of your continent, I learn how to



compare the lives of your farmers to those of the patriarchs. It is there that misery discovers the golden age.—And a poor *European* finds means in settling there to change his slavery for liberty, his wants for ease. Scarcely he lives two years, but his ideas *enlarge*, he becomes man, and almost citizen—he is forced to quit his habitudes, his prejudices, and even his vices, and to take the sentiments and virtues of his neighbors. Yes, I have there seen the subjects formerly of a bishop think freely on religion, and heard the natives of ———

These are the notions I have formed of your continent—If you have the goodness to relieve me in my doubts, you will add new favors to your former kindness. *As I have always my country in sight, I go begging every where instructions, not for my satisfaction—but to be able to fill honorably ONE DAY my task of citizen.*

“When I think, dear sir, that with three millions of people, without money, you have shaken off the yoke of a people like *England*, and have acquired such extensive territory—and that *Poland* has suffered herself to be robbed of five millions of souls, and a vast country—I ask—what can be the reason of this difference?”

“But whilst we wait to recover our rights have a care to preserve yours, and remember always the maxim of *Cicero*—“*respublica res est populi—cum autem injustus ipse populus, non jam vitiosa, sed omnino nulla respublica est*”—

“If the state of my country remains always the same, I will say to my countrymen—come, pass over the seas, and insure to your children liberty and property. If my countrymen do not listen to me, I will say to my family—come. If my family refuse, I will go by myself and die free with you.

“Yes, though I shall be happy to see you, as that supposition is founded only on the bad fortune of my country, may you never see again your friend.”

The following were the observations of Mr. *Harrison*, on introducing the motion for honoring the memory of *Kosciusko*, on the 20th ult

The public papers have announced an event which is well calculated to excite the sympathy of every American bosom. *Kosciusko*, the martyr of liberty, is no more! We are informed that he died at *Soleure*, in *France*, some time in *October* last.

In tracing the events of this great man's life, we find in him that consistency of conduct which is the more to be admired as it is so rarely to be met with. He was not at one time the friend of mankind, and at another the instrument of their oppression; but he preserved throughout his whole career those noble principles which distinguished him in its commencement—which influenced him at an early period of his life to leave his country and his friends, and in another hemisphere to fight for the rights of humanity.

*Kosciusko* was born and educated in *Poland*, of a noble and distinguished family—a country where the distinctions in society are perhaps carried to greater lengths than in any other.—His Creator had, however, endowed him with a soul capable of rising above the narrow prejudices of a cast, and of breaking the shackles which a vicious education had imposed on his mind.

When very young, he was informed by the voice of fame, that the standard of liberty had been erected in *America*, that an insulted and oppressed people had determined to be free, or perish in the attempt. His ardent and generous mind caught, with enthusiasm, the holy flame, and from that

moment he became the devoted soldier of liberty.

His rank in the *American* army afforded him no opportunity greatly to distinguish himself. But he was remarked throughout his service, for all the qualities which adorn the human character. His heroic conduct in the field, could only be equalled by his moderation and affability in the walks of private life. He was idolized by the soldiers for his bravery, and beloved and respected by the officers for the goodness of his heart, and the great qualities of his mind.

Contributing greatly, by his exertions, to the establishment of the independence of *America*, he might have remained, and shared the blessings it dispensed, under the protection of a chief who loved and honored him, and in the bosom of a grateful and affectionate people.

*Kosciusko*, had, however, other views. It is not known that, until the period I am speaking of, he had formed any distinct idea of what could, or indeed what ought, to be done for his own. But in the revolutionary war he drank deeply of the principles which produced it. In his conversations with the intelligent men of our country, he acquired new views of the science of government and the rights of man. He had seen too that to be free it was only necessary that a nation should will it, and to be happy it was only necessary that a nation should be free. And was it not possible to procure these blessings for *Poland*? For *Poland*, the country of his birth, which had a claim to all his efforts, to all his services? That unhappy nation groaned under a complication of evils which has scarcely a parallel in history. The mass of the people were the abject slaves of the nobles—the nobles, torn into factions, were alternately the instruments and the victims of their powerful and ambitious neighbors. By intrigue, corruption, and force, some of its fairest provinces had been separated from the republic, and the people, like beasts, transferred to foreign despots, who were again watching for a favorable moment for a second dismemberment. To regenerate a people thus debased—to obtain for a country thus circumstanced, the blessings of liberty and independence, was a work of as much difficulty as danger. But to a mind like *Kosciusko*'s the difficulty and danger of an enterprise served as stimulants to undertake it.

The annals of these times give us no detailed account of the progress of *Kosciusko* in accomplishing his great work, from the period of his return from *America* to the adoption of the new constitution of *Poland*, in 1791. This interval, however, of apparent inaction, was most usefully employed to illumine the mental darkness which enveloped his countrymen. To stimulate the ignorant and bigotted peasantry with the hope of future emancipation—to teach a proud but gallant nobility that true glory is only to be found in the paths of duty and patriotism—interests the most opposed, prejudices the most stubborn, and habits the most inveterate, were reconciled, dissipated, and broken, by the ascendancy of his virtues and example. The storm which he had foreseen, and for which he had been preparing, at length burst upon *Poland*. A feeble and unpopular government bent before its fury, and submitted itself to the Russian yoke of the invader. But the nation disdained to follow its example; in their extremity every eye was turned on the hero who had already fought their battles—the sage who had enlightened them, and the patriot who had set the example of personal sacrifices to accomplish the emancipation of the people.

Kosciusko was unanimously appointed generalissimo of Poland, with unlimited powers, until the enemy should be driven from the country. On his virtue the nation reposed with the utmost confidence; and it is some consolation to reflect, amidst the general depravity of mankind, that two instances, in the same age, have occurred, where powers of this kind were employed solely for the purposes for which they were given.

It is not my intention, sir, to follow the Polish chief throughout the career of victory, which, for a considerable time crowned his efforts. Guided by his talents, and led by his valor, his undisciplined, illy armed militia charged with effect the veteran Russian and Prussian; the mailed cuirassiers of the great Frederic, for the first time, broke and fled before the lighter and appropriate cavalry of Poland. Hope filled the breasts of the patriots. After a long night, the dawn of an apparently glorious day broke upon Poland. But to the discerning eye of Kosciusko, the light which it shed was of that sickly and portentous appearance, indicating a storm more dreadful than that which he had resisted.

He prepared to meet it with firmness, but with means entirely inadequate. To the advantages of numbers, of tactics, of discipline, and inexhaustible resources, the combined despots had secured a faction in the heart of Poland. And if that country can boast of having produced its Washington, it is disgraced also by giving birth to a second Arnold. The day at length came which was to decide the fate of a nation and a hero. Heaven, for wise purposes, determined that it should be the last of Polish liberty. It was decided, indeed, before the battle commenced. The traitor Poniski, who covered with a detachment the advance of the Polish army, abandoned his position to the enemy, and retreated.

Kosciusko was astonished, but not dismayed. The disposition of his army would have done honor to Hannibal. The succeeding conflict was terrible. When the talents of the general could no longer direct the mingled mass of combatants, the arm of the warrior was brought to the aid of his soldiers. He performed prodigies of valor. The fabled prowess of Ajax, in defending the Grecian ships, was realized by the Polish hero. Nor was he badly seconded by his troops. As long as his voice could guide, or his example fire their valor, they were irresistible. In this unequal contest, Kosciusko was long seen, and finally lost to their view.

"Hope for a season bade the world farewell,  
"And freedom shriek'd when Kosciusko fell."

He fell covered with wounds, but still survived. A Cossack would have pierced his breast, when an officer interposed. 'Suffer him to execute his purpose,' said the bleeding hero, 'I am the devoted soldier of my country, and will not survive its liberties.' The name of Kosciusko struck to the heart of the Tartar, like that of Marius upon the Cimbrian warrior. The uplifted weapon dropped from his hand.

Kosciusko was conveyed to the dungeons of Petersburg—and, to the eternal disgrace of the empress Catharine, she made him the object of her vengeance, when he could be no longer the object of her fears. Her more generous son restored him to liberty. The remainder of his life has been spent in virtuous retirement. Whilst in this situation in France, an anecdote is related of him which strongly illustrates the command which his virtues and his services had obtained over the minds of his countrymen.

In the late invasion of France, some Polish regiments, in the service of Russia, passed through the village in which he lived. Some pillaging of the inhabitants brought Kosciusko from his cottage. "When I was a Polish soldier," said he, addressing the plunderers, "the property of the peaceful citizen was respected." "And who art thou," said an officer, "who addresses us with this tone of authority?" "I am Kosciusko"—There was magic in the word. It ran from corps to corps. The march was suspended. They gathered round him, and gazed, with astonishment and awe, upon the mighty ruin he presented. "Could it indeed be their hero," whose fame was identified with that of their country? A thousand interesting reflections burst upon their minds; they remembered his patriotism, his devotion to liberty, his triumphs, and his glorious fall. Their iron hearts were softened, and the tear of sensibility trickled down their weather-beaten faces. We can easily conceive, sir, what would be the feelings of the hero himself in such a scene. His great heart must have heaved with emotion, to find himself once more surrounded by the companions of his glory; and that he would have been upon the point of saying to them—

"Behold your general, come once more  
"To lead you on to laurel'd victory,  
"To fame, to freedom."

The delusion could have lasted but for a moment. He was himself, alas! a miserable cripple; and, for them! they were no longer the soldiers of liberty, but the instruments of ambition and tyranny. Overwhelmed with grief at the reflection, he would retire to his cottage, to mourn afresh over the miseries of his country.

Such was the man, sir, for whose memory I ask from an American congress, a slight tribute of respect. Not, sir, to perpetuate his fame—but our gratitude. His fame will last as long as liberty remains upon the earth; as long as a votary offers incense upon her altar, the name of Kosciusko will be invoked. And if, by the common consent of the world, a temple shall be erected to those who have rendered most service to mankind, if the statue of our great countryman shall occupy the place of the "most worthy," that of Kosciusko will be found by his side, and the wreath of laurel will be entwined with the palm of virtue to adorn his brow.

*In the House of Representatives, Jan. 22.*

Mr. Harrison, of Ohio, offered the following resolution,

*Resolved,* That this house, entertaining the highest respect for the memory of general Kosciusko, his services, &c. the members thereof will testify the same by wearing crape on the left arm for one month.

After some debate, Mr. Harrison withdrew his resolution altogether.

[The short debate on this question is reserved, but shall certainly be given at a future day, in justice to the subject. It is enough now to state, that the merits of Kosciusko, the advocate of freedom, and the friend of man, were fully admitted; but, it was shewn, that no such respect as was now proposed had been paid to any of the departed worthies native or foreign, who had aided in the achievement of our independence, except in the single case of general Washington, which was admitted to be an exception to all general rules. Having as recently as 1810, refused a like tribute to the memory of col. William Washington, on his decease, was too late now, it was deemed, to commence a new system in this respect.] *Nat. Int.*



## Legislature of Kentucky.

## GOVERNOR'S MESSAGE.

*Fellow citizens of the senate,  
and house of representatives.*

In meeting you again, it is with sincere pleasure I have to congratulate you and our constituents on the flattering prospect of our public affairs, the rapid progress of our agriculture, commerce and manufactures, and the general improvement of our country. We are assembled under a free and happy constitution to consult for the common good, to redress grievances, to remedy defects in the existing laws, and to adopt such measures as are best calculated to advance the welfare of the commonwealth. Coming from every part of the state, you must be better acquainted with the various interests of the community, and upon your superior wisdom and information, I chiefly rely for a due attention to the wants and concerns of our fellow-citizens.

Pursuant to a resolution of the last legislature, I enclosed to our distinguished fellow-citizen James Madison, late president of the United States, their address approbatory of his public services, and private worth, and received his answer in April last, which I have now the honor to lay before you.

Agreeably to another resolution passed at the last session, I opened a correspondence with the governors of Ohio and Indiana touching the difficulties experienced by our citizens in regaining their slaves who escape into those states, and am happy to inform you, that their answers evince a disposition on the part of their respective states to remove as far as practicable every cause of complaint, and to maintain with Kentucky the most friendly relations. A copy of the correspondence with each state is herewith transmitted.

The resolution respecting an armory, I am not yet prepared to comply with, but have been endeavouring to collect information, and hope to be able to make a full communication on this subject, on some future day of your present session.

The pecuniary affairs of the penitentiary are, I understand, in a prosperous state, but the report of the auditor which will be shortly laid before you, will give a satisfactory view of its concerns. There is on hand a considerable quantity of raw materials, and manufactured articles. Owing to the tardiness of the sales, the keeper has been obliged to advance money for the purchase of materials, for refunding which, immediate provisions ought to be made. The present agent with my advice has removed the articles manufactured to the neighboring towns to be vended, a measure which promises a speedy reimbursement of monies advanced and much advantage to the public. The condition of the building demands your particular and immediate attention. It is believed to be insecure, and to require repair and enlargement. I submit to your serious consideration whether it is just or expedient to sentence offenders to additional confinement who are tempted by the state of the building, and negligence of the guards to make their escape.—Would it not be better to secure more vigilance on the part of the guards, by subjecting them to some punishment or penalty for neglect of duty.—This institution, which originated in a spirit of philanthropy, and a liberal, and enlightened humanity, ought not to be abandoned, or neglected. It has too long received the approbation of not only the wise and benevolent of our own state, but of most of our sister states; and must be viewed with a partial and benignant eye, wherever the life of a rational, immortal man is duly estimated. I trust

therefore that the legislature will repair, improve, and extend the building, and revise the regulations and management of the institution so far as it respects the reformation of offenders, one of the leading objects of the system. Some provision ought to be made for furnishing them with bibles, and books of morality, and for giving them religious and moral instruction. I would also advise that such of those unfortunate victims of folly and vice, who learn good trades, and conduct themselves well, should be entitled upon their discharge to a small compensation out of the profit of the institution to purchase tools, and enable them to commence business. Such a provision will probably produce both industry and amendment. But little good is done if the offenders go forth into the world unreddeemed in any degree from the depravity for which they were cut off from their social state.

I beg leave again to bring into view, the subject of education, one of the first importance that can engage your attention, whether we regard its influence on human happiness or the permanency of our republican system. Colleges, or universities, upon a large scale require considerable funds, and cannot be numerous.—The Transylvania university, which had its origin in the liberality of our parent state, will soon, it is believed, hold an eminent rank among the institutions of learning in the United States. I am not informed whether its funds are adequate or not, but think it would be wise in the legislature to extend to this institution every aid necessary to place it on the most respectable footing.—It is hoped and expected that this university, situated in one of the most healthy and delightful parts of the United States, will render it not only unnecessary for the youth of our own state to be sent to distant colleges, but invite the young men of other states to finish their education here. There are considerations in favor of a good system of education, which strongly address themselves to our pride as a state. It should be remembered that Kentucky is the first member of the federal union that emerged from the western wilderness, and that she now holds a very high standing in the national government. And shall it be said that she is unfriendly or even indifferent to learning? Let it rather be our boast that Kentucky is as famed for science and the arts, as for the valor and patriotism of her citizens.

To establish a perfect method of education, has long been considered, by the most enlightened friends of mankind, the best means of rendering a people free and happy. I therefore recommend to you, to arrange and adopt a plan extensive, diffusive, and convenient to every portion of the community. I would advise that all the settled parts of the state be divided into school districts, equal to five or six miles square, through the agency of the county courts, or in some other manner to be prescribed; a school to be established in each district free to all poor children, and to be supported, if not entirely, in part, at the public expense.—We have many good schools, but nothing short of carrying education to the neighborhood of every man in the state can satisfy the just claims of the people, or fulfil the duty of the government. Few people are able to board their children from home, and unless schools are established conveniently to them, their education will be neglected. The distribution of schools in every neighborhood, would be attended with many advantages; they will not only improve the mind and moral habits of the youth, but will give more permanency, and a more settled character to our population. They will

diffuse much useful instruction among all classes of people, and introduce a taste for learning and information. They will develop the mental riches of the commonwealth. The experience of the world has proved, that genius is not confined to any particular order of men; but Providence, in bestowing her choicest gift, intelligence, as if to mortify the pride and vanity of those, who from their birth and fortune would exalt themselves above their fellow men, delights to raise up the brightest ornaments of humanity from the most obscure and humble conditions of life. To instruct and improve the rising generation, is among the first duties of every American statesman. The American people in establishing their independence, and republican form of government, have done much; but much more remains to be done. These states are but recently transplanted from the nursery of freedom, and although in a thriving and promising condition, they have not acquired such maturity and strength, as no longer to need the care and skill of the political husbandman. To give success to this experiment of freedom, the youth of our country should be qualified to understand and enjoy its blessings. In vain have our ancestors bled; in vain did they hazard every thing upon the issue of the revolutionary contest; in vain has our country been distinguished by the most sublime and elevated patriotism, if the inestimable boon which they achieved is to be lost by a neglect of the means necessary to its preservation and progress. While the utility and importance of education is generally admitted, yet either because the beneficial effects appear remote or universal, the subject does not seem to excite that lively interest and zeal which are usually awakened by questions of a local or personal character. When we reflect that this government has no need of a standing army to sustain or enforce its authority; but for its efficiency, essentially reposes on the patriotism and intelligence of the great body of the people, how obvious is the necessity of providing a system of instruction calculated to improve the minds and moral habits of the rising generation.

Although our government, in its form and structure, is a departure from a simple democracy, yet it is a government of the people, instituted for their benefit, and essentially dependent on their will. It is true that every excitement of popular feeling and passion is not to be considered the will of the community; but the deliberate sense of the people cannot, ought not to be resisted. The American statesmen, who have formed our system of government, warned by the fate of the tumultuous democracies of antiquity, long since buried beneath the despotism of the old world, have wisely constructed the vessel of state so as to prevent its being driven by every popular blast from its proper course, by interposing checks and balances, to stay the intemperance and rashness of the moment, and to give time for the sober reason of the community to be exercised. To protect the weak against the strong, the minority against the majority, and to secure all and every one against violence, injustice and oppression, the people in their highest sovereign character assembled in convention for that special purpose, have by a written constitution established certain rules and principles, and erected barriers to restrain and limit their own powers, and the powers of all those appointed under its authority; and these rules, principles, and barriers, they have solemnly pledged their faith to each other to observe inviolable, until the constitution

itself shall be altered or abolished. By our constitution, powers of government are confided to the several departments, or bodies of magistracy, legislative, executive, and judicial, all deriving their authority mediately or immediately from the constitution, and intended to check and restrain each other from transcending their appropriate limits. Ours is not a simple democracy, in which the people exercise, in their own persons, the powers of administration; their numbers and dispersed situation render it impracticable; but a representative government, in which they have confided to men chosen by themselves, for short and limited periods.—The senate, by their age, experience, and term of service, is made a check on the house of representatives, and the executive on both; the two houses are in turn checks upon the executive. The judiciary is in some respects a check upon the legislative and executive departments, and yet responsible to them for misconduct. These several bodies of magistracy are so many pillars or corner stones of the temple of freedom, the constitutional strength and independence of each one of which are essential to its preservation. This is an improvement in the science of government, which originated in the most profound wisdom and knowledge of human nature. Every man who will examine himself, must confess that he is often led by passion and prejudice into errors the most gross and extravagant; we acknowledge too that neighbourhoods, counties, and nations are liable to err for a moment, from the same cause. If every impulse of any community was to be carried into full effect, there would be in such a state, neither confidence nor safety. And hence, the security afforded by the checks and balances I have mentioned; for which we are chiefly indebted to the wisdom and patriotism of the statesmen of our own country.

The distinguished author of "Notes on the State of Virginia," in speaking on the subject near the close of our revolutionary contest, says "that the concentrating all the powers of government into the same hands, is precisely the definition of despotic government, and that 173 despots would be as oppressive as one—An elective despotism, says this enlightened statesman, was not the government we fought for; but one which should not only be founded on free principles, but in which the powers of government should be so divided and balanced among several bodies of magistracy, as that no one could transcend their limits, without being effectually checked and restrained by the other. These checks cannot however operate as restraints upon the deliberate sense of the people; they can only produce a pause, and give them time for consideration; but if, after these checks have, with firmness, and fidelity, been interposed according to the spirit of the constitution, the people are still dissatisfied, their deliberate will legitimately exercised, must and ought to prevail. Fortunately for our republic there is reason to hope, that a little time will generally be sufficient to correct the errors to which we are liable. When we reflect how much the very existence of our government depends on the virtue and intelligence of the people, and for how many ages the friends of freedom, and human happiness have been struggling to devise some form of government alike secure against tyranny and anarchy, how indispensable is it to diffuse information, and qualify those who are to succeed us, to understand the plan and principles of government, furnished us by our revolutionary sages. Without intelligence the people never can be safe against the delusions to which:



they are exposed from the violence of party spirit, and the arts and intrigues of designing ambition. Deeming this subject of deep interest, in every respect in which it can be presented, I would suggest the propriety of appropriating a share of the dividends on bank stock, with such taxes as may be imposed on banks and corporations, with the lands stricken off to the state and forfeited, together with such as may be escheated to the commonwealth, to raise and constitute a school fund. There is reason to believe that a large quantity of land, the property of the commonwealth, is now held by individuals, or unsettled: I would therefore again recommend a revision of the law of escheats, and the appointment of escheators. It is probable that in some instances land liable to escheat is held by innocent purchasers: in such cases it would be equitable to release the right of the state upon reasonable terms.

A state library at the seat of government would be very useful and convenient. The members of the legislature, public officers and judges, who attend the courts held at Frankfort, ought not to be entirely dependent on the private libraries of gentlemen of the bar, and other citizens.—The surplus reports of the decisions of the court of appeals belonging to the commonwealth might be sold or exchanged for books. This fund with a small annual appropriation would probably be sufficient.

I regret the necessity of once more pressing on your attention the anti-republican and highly criminal practice of selling offices, which is becoming too common and indeed fashionable. Shall the public offices in the republic of Kentucky be an article of sale in the market, or the reward of qualifications and integrity? This is the question to be decided. If this practice is sanctioned or even winked at, it will prove that while we profess, that the road to public station, is open to all, the poor as well as the rich, that they are in fact confined exclusively to the latter. The prevalence of such practices, especially if countenanced, is evidence of the decline, if not of the state, of the republican purity of the government. I therefore recommend a revision of the laws against selling offices, and the enactment of severe penalties, and effectual provisions to suppress this pernicious and illicit traffic.

The use of steam boats, in our larger rivers, seems likely to give a new spring to the agriculture and commerce of the western country, and it is believed great advantages would be derived from the use of them on our smaller streams, if some practicable plan could be adopted to remove obstructions, and improve them. Whether this should be done at the public expense, or by inducements held out to private individuals or companies to undertake it, I submit to your better judgment. When it is considered that most of our fertile lands are distant from the Ohio, and that we are dependent on our smaller rivers for the transportation of the greater part of our surplus productions to market, the improvement of their navigation seems to demand the serious consideration and attention of the legislature. The state of our public roads, so important in facilitating communication between different parts of the country, and carrying our produce to market, merits your notice. Experience has proved our plan for improving and keeping them in repair to be radically wrong. I would suggest the expediency of keeping them in repair by levy for the purpose, allowing each individual to pay in work on the road for which he may be taxed. This mode has succeeded well in other states

where it has been tried. Of the provisions necessary, and proper on this subject, you will decide.

I take the liberty to mention for your consideration, the expediency of taking some immediate step, in co-operation with the general government, to extinguish the Indian title to that part of our territory lying west of the Tennessee river. This tract of country is very valuable, and important in a commercial view, and its settlement would add much to the wealth, strength, and population of the state.

I felicitate you and my fellow citizens generally on the harmony of opinion that seems to pervade our nation. In the language of president Monroe, discord does not belong to our system of equal rights, and equal justice. Every honest and liberal man must rejoice at the prospect of a political jubilee, in a deliverance from the despotism of party names and feuds, which have so long distracted the public councils, and poisoned social intercourse. "United we stand, divided we fall" was the motto of our ancestors, who achieved our glorious revolution. Let us remember that ours is the only republic on the globe, and that a union among ourselves is necessary to insure success to our system. Let us therefore obliterate party spirit and unite our efforts to give strength and maturity to our republican institutions.—That we should occasionally divide on important questions, which frequently occur, is to be expected. Collisions of opinion is often useful in eliciting truth, by able discussions to which it gives rise. The American people were nearly equally divided on the question of adopting or rejecting the federal constitution: but this difference of opinion was not made a ground for eternal proscription or party division. Some difference of opinion occurred with regard to the national bank, the navy, and many other questions which have since arisen. In the progress of this government, new and important measures often produce an honest difference of opinion, which ought to be tolerated with the most charitable indulgence. Most of these subjects have had their day, and if we take a retrospect of the history of parties, and public men, in the United States, and test them by public sentiments as now settled, all will be found to have been partly right and partly wrong—None can claim an exemption from error—And shall rational men, citizens of a free state, be divided by the mere magic of unmeaning names and terms? A party organized under any particular name merely for party or personal objects is dangerous in our republic, and its spirit is despotism. In order to preserve the accountability of public men, a fundamental principle of a free government, it is necessary that the people should be in a situation to pass an impartial judgment upon public measures, and the conduct of public men. Influenced by considerations of this nature, and a spirit of conciliation, I have to assure you of my cordial co-operation, in all measures calculated to promote the happiness, and prosperity of our common country.

In closing my communication, I invite you to join me, in returning thanks to the Author of all good, for the abundant crops, peace and happiness with which our state and nation are blessed; and let us implore him to extend his kind and protecting care to our southern brethren now struggling for freedom and independence. As republicans we cannot be indifferent to their cause. That they ought to be independent of the powers of Europe, nature herself has decreed. From the school of freedom which we have established, there is rea-

son to hope they will learn to institute republican forms of government; and although it may not be necessary or expedient for us to participate in their contests, let us beseech the same kind Providence that watched over us in times of difficulty and trial, to crown their efforts with success

GABRIEL SLAUGHTER.

Frankfort, Dec. 2, 1817.

### Massachusetts Claims.

The following is the correspondence called for by the Hon SAMUEL DANA, in the senate of Massachusetts, while the subject of compensation to major Peirce for his late tour to Washington was under consideration. After perusing it, the citizens will form their own opinions as to the probability of the allowance of the claim now urged by Massachusetts for payment of the militia called out during the war, but withheld from the control of the national government.

[*Boston Patriot.*

BOSTON, Sept. 7, 1814.

SIR—The troops of the United States, which at different periods were stationed on the sea-coast of this state, have been afterwards ordered to join the army on the western frontier, so that very few have remained in the state. We have therefore found it necessary, in the course of the last and present year, to call out small bodies of the militia as guards to the towns most exposed. As the danger has increased, the number of detached militia has been augmented, and I have now issued the enclosed general order for the protection of Boston and the towns and property in its neighborhood, and shall immediately issue an order of a similar kind for the security of the District of Maine.

A few weeks since, agreeably to the request of general Dearborn, I detached eleven hundred militia for three months, for the defence of our sea-coast, and placed them under his command as superintendent of this military district; but such objections and inconveniences have arisen from that measure, that it cannot now be repeated. The militia called out on this occasion, will be placed under the immediate command of a major-general of the militia.

I will thank you, sir, to consult with the president, and inform me whether the expenses, thus necessarily incurred for our protection, will be ultimately reimbursed to this state by the general government; and I shall be particularly obliged if you will favor me with an answer as soon as may be, as the legislature of the state will meet on the fifth of the next month.

I am, sir, with great respect, &c.

CALEB STRONG.

Mr. Secretary MONROE.

Department of war, 17th Sept. 1814.

SIR—I have had the honor to receive your excellency's letter of the 7th inst.

The attack of the enemy on Baltimore, and the probable eventual attack on other places, with the heavy duties incident thereto, pressing on this department, have prevented my answering it at an earlier day.

It may be satisfactory to your excellency for me to explain the views and principles on which this government has acted, in regard to the defence of our eastern frontier.

It was anticipated soon after the commencement of the war, that while it lasted, every part of the union, especially the sea-board, would be exposed

to some degree of danger, greater or less according to the spirit with which the war might be waged. It was the duty of the government to make the best provision against that danger, which might be practicable, and it was proper that the provision should continue while the cause existed.

The arrangement of the United States into military districts, with a certain portion of the regular force, artillery and infantry, under an officer of the regular army, of experience and high rank, in each district with power to call for the militia as circumstances might require, was adopted, with a view to afford the best protection to every part, that circumstances would admit.

It was presumed that the establishment of a small force of the kind stated, constituting the first elements of an army in each district, to be aided by the militia in case of emergency, would be adequate to its defence.—Such a force of infantry and artillery might repel small predatory parties, and form a rallying point for the militia, at the more exposed or important stations, in case of more formidable invasion. A regular officer of experience stationed in the district, acting under the authority and pursuing the will of the government, might digest plans for its defence; select proper points for works, and superintend the erection of them; call for supplies of ordnance, for tents and camp equipage, for small arms and other munitions of war; call for the militia; and dispose of the whole force. These duties, it was believed, could not be performed with equal advantage by the officers of the militia, who being called into service for short terms, would not have it in their power, however well qualified they might be in other respects, to digest plans, and preserve the chain of connection and system in the whole business, which seemed to be indispensable.

On great consideration this arrangement was deemed the most eligible that could be adopted under the authority of the United States. Indeed none other occurred that could be placed in competition with it. In this mode the national government acts by its proper organs, over whom it has control, and for whose engagements it is responsible.

The measures which may be adopted by a state government, for the defence of a state, must be considered as its own measures, not those of the United States. The expenses attending them are chargeable to the state, and not to the United States. Your excellency will perceive that a different construction would lead into the most important, and as is believed, into the most pernicious consequences. If a state could call out the militia and subject the United States to the expense of supporting them, at its pleasure, the national authority would cease as to that important object, and the nation be charged with expenses, in the measures producing which, the national government had no agency, and over which it could have no control. This, however, though a serious objection to such a construction, is not the most weighty. By taking the defence of the state into its own hands, and out of those of the general government a policy is introduced on the tendency of which I forbear to comment. I shall remark only that if a close union of the states, and an harmonious co-operation, between them and the general government, are at any time necessary for the preservation of their independence, and of those inestimable liberties which were achieved by the valor and blood of our ancestors, that period may be considered as having arrived.



It follows from this view of the subject, that if the force which has been put into service by your excellency has been required by major general Dearborn, or received by him, and put under his command, that the expenses attending it will be defrayed by the United States. It follows likewise as a necessary consequence, that if this force has been called into service by the authority of the state, independently of major general Dearborn, and be not placed under him, as commander of the district, that the state of Massachusetts is chargeable with the expense and not the United States.—Any claim which the state may have to reimbursement, must be judged of hereafter, by the competent authority, on a full view of all the circumstances attending it. It is a question which is beyond the authority of the executive.

Your excellency will perceive that this government has no other alternative than to adhere to a system of defence which was adopted on great consideration, with the best view to the general welfare, or to abandon it, and with it a principle held sacred, thereby shrinking from its duty at a moment of great peril, breaking the guards deemed necessary for the public safety, and opening the door to other consequences no less dangerous.

By these remarks it is not intended to convey the idea, that a militia officer of superior grade, regularly called into service, shall not command an officer of the regular army, of inferior grade, when acting together. No such idea is entertained by the government. The militia are relied on essentially for the defence of the country. In their hands every thing is safe. It is the object of the government to impose on them no burthens, which it may be possible to avoid; and to protect them in the discharge of their duties, in the enjoyment of all their rights.

The various points which are attacked and menaced by the enemy, especially in this quarter, where they are waging, in considerable force, a predatory and desolating warfare, make it difficult to provide immediately for all the necessary expenditures. Any aid which the state of Massachusetts may afford to the United States to meet these expenditures, will be cheerfully received, and applied to the payment and support of the militia of that state in the service of the United States. It will be proper that the money thus advanced should be deposited in some bank in Boston, that the disbursement of it may be made under the authority of the government of the United States as in similar cases elsewhere. Credit will be given to the state for such advance and the amount be considered as a loan to the United States.

I have the honor to be, &c.

JAMES MONROE.

### Indian News—Official.

*Copy of a letter from general Mitchell, agent of Indian affairs, to the governor of Georgia, dated Creek Agency, 8th January, 1818.*

Sir—The messenger who was sent below to propose terms of peace to the Seminoles, has returned; and the enclosed is the substance of his report, which I received by express.

The friendly chiefs and warriors are to meet me at this place on the 11th instant, and I have great hopes that our differences with the Seminoles can, with their assistance, be adjusted.

I understand that much apprehension prevails about the safety with which travellers can pass through the nation. It is my opinion there is not

the least danger in travelling the road from fort Hawkins to the Alabama, by this place and fort Mitchell, but I would not advise travellers to use the road from fort Perry to fort Gaines; or indeed any road as low down as fort Gaines, for the present.

I am, with high respect and esteem, your very obedient servant,

D. B. MITCHELL, agent, I. A.

*His excel. Wm. Rabun, Governor, &c.*

*Talk of Tustennugee Hopoie, and Hopoie Haijo, to the agent of Indian affairs for the Creek nation.*

FORT MITCHELL, Dec. 30, 1817.

*My friend*—The messenger which was sent to the Mickasukies has returned with an answer to our Talk. The Mickasukies say it was not them that began the war. They were sitting down in peace, and the white people came on them in the night and fired on them. The Mickasukies are still sitting down in their town and doing no mischief, and waiting to see if the white people will make peace with them. The people that shot at the boat and killed all the white people, were the old Red Sticks from the Upper towns, them that turned hostilities last war. The man that was sent to the Mickasukies (Hopoie Haijo) with a peace talk, met the Mickasukies at the half way ground coming with a peace talk to us. Mr. Hambley and Mr. Doyle were taken prisoners—Hopoie Haijo saw them. Tustennugee Chapco has gone to relieve them, and carry them to the fort at St. Marks.

I have sent you this little talk now; our meeting that you appointed will soon be, and then every thing will be made strait. We hear that the army has crossed at Hartford. The Cheehaws have received two letters from the army, and they had no-body to read them, and they don't know the contents—and wish the army could be stopped until our meeting is over.

(Signed)

TUSTENNUGEE HOPOIE.

(Signed)

HOPOIE HAIJO.

General Mitchell, in a letter to the editors of this paper, dated the 9th inst. observes—"There does not appear to be any thing new in this quarter, except the prospect of peace with the Seminoles." [*Georgia Journal.*]

*From the army.*

An express arrived at the executive office yesterday, with the following despatch from general Gaines:

HEAD-QUARTERS,

Hartford, Georgia, Jan. 3th, 1818,

Sir—I received on my way to this place the 5th inst. from lieut. col. Arbuckle, reports of the state of his command up to the 21st December—by which I learn that the detachment with transports under maj. Muhlenburg had been attacked about thirty miles below fort Scott by a force of Indians and blacks, estimated at from 8 to 1200—that the firing had continued from both sides of the river from the 15th to the 19th Dec. and that our loss amounted to 2 killed and 13 wounded—the loss of the enemy not known. The vessels were so fortified with bulwarks as to secure our troops from the enemy's shot, except when carrying out the anchors to warp, or when working with the rigging.

The loss of a vessel is not apprehended; nor will the delay be likely to produce any serious consequences to our troops above—their supplies being sufficient for sometime beyond the period at which

others I have ordered, and have reason to believe are on the way, are expected to arrive; and which will be taken up the river in keel boats, secured against the enemy's shot.

A small work commanded by captain M'Intosh, 12 miles above fort Scott, had been attacked and surrounded for several days, by a large party; but although the captain's force amounted to no more than forty, he maintained his work without the loss of a man. The Indians finding themselves unable to make any impression upon the work or garrison, and having suffered from our shot, retired. Captain M'Intosh's command has since been withdrawn.

A friendly chief, Wm. Parryman, having raised a considerable party of warriors on the Chatahochie, for the purpose of protecting the friendly traders below the line, and of aiding our troops, was attacked by the hostile party and is supposed to have fallen, with Messrs. Haubly and Doyle. It is reported, that most of the party were *forced* (perhaps willingly) to join the enemy.

I have received information that a party of Indians entered the settlement near Trader's Hill a few days past, killed a woman, whose name I have not learned, and took off some three or four negroes.\*

I had previously ordered a detachment of artillery, with two companies of the militia, drawn from maj. gen. Floyd's division, to take a post at Trader's Hill, for the defence of that settlement. I have reason to believe the artillery arrived at the hill about the time the murder was committed, and the militia soon after, and that the Indians were pursued.

The residue of the militia taken from maj. gen. Floyd's division (five companies) are ordered to this place, for the purpose of reinforcing gen. Glascock's command, excepting one company, which will be posted near the Big Bend of Ocmulgee.

The detachment under brigadier gen. Glascock, delayed by rainy weather, bad roads, and want of punctuality in the contractor's department, will not be able to form a junction with the U. States' troops at Fort Scott before the 24th of the present month; and as a great part of the detachment will probably be disposed to return home soon after the end of the month, there is reason to apprehend the time will be too limited to make such an impression upon the savages, (which one decisive victory would effect) as to put an end to the war; and leave them convinced, that their future safety will depend alone upon the strict observance of peace on their part.

I have therefore to request the favor of your excellency, to furnish an additional detachment of militia, to consist of four battalions of infantry, with four companies of riflemen, to assemble at this place on the first of the next month, prepared for a three month's tour of duty, in the service of the United States.

I shall make arrangements for the necessary supplies to be in readiness at this place in due time, for arming, equipping, and subsisting the detachment.

I have the honor to be, with high consideration and respect, your obedient servant,

EDMUND P. GAINES,  
Maj. gen. com'g.

*His excel. governor Rabun.*

\*This does not accord very well with the late pacific professions of the Indians.—*Editors Journal.*

☞ We understand it is the intention of the governor to comply with the above requisition as far as may be in his power. Four companies of riflemen cannot be furnished, because it is believed there are not so many in the state; and there is no likelihood, at this inclement season, of their volunteering. From the defects of our militia laws, with regard to the election of officers, it will be impossible to organize the infantry, and march them to the place of rendezvous by the first of next month.—The troops called for, we are informed, will be taken from Byne's, Bell's (of Oglethorpe) and Glascock's brigades. [*Georgia Journal.*]

## CONGRESS.

SENATE.

January 29.—After other business, the senate proceeded, as in committee of the whole, to the consideration of the bill to provide for the surviving officers, soldiers, &c. of the revolution.

Mr. King took a comprehensive view of the principal features of the bill, stated his objections to the provision it proposed for seamen, militia, &c. and concluded by moving, that the bill be recommitted and the committee be instructed to amend the same, so as to confine its provisions to a grant of half pay for life to the surviving officers of the revolutionary army on the continental establishment, who served for three years, or until the end of the war, including those who were entitled, under a resolve of congress, to half pay for life; the half pay to be so granted, to be ascertained by the rank according to which the accounts of the respective officers were finally settled.

Mr. Barbour followed, and, after arguing at some length to shew the impossibility of providing for all included in the bill, and the impracticability of discriminating between the different classes provided for, moved an indefinite postponement of the bill.

The motion was not decided upon when the senate adjourned.

January, 30.—A message was received from the president of the United States, communicating to the senate, in compliance with their request of the 22d instant, a report from the secretary of war relative to the manner in which the troops now operating against the Seminole Indians, have been subsisted, whether by contract, or otherwise, and if they have been regularly furnished.

[The report states, that the troops are regularly subsisted by contract; that the forces now operating against the Seminole Indians, are within the district, the contract for which commenced on the 15th of June last; that the department of war, anticipating an increased demand for rations, in that quarter, made early and liberal advances of money to the contractor, to enable him to give prompt obedience to the requisition of the commanding general; that requisitions were made for deposits in advance, under the terms of the contract, at the several posts on the frontier of Georgia, and in the adjacent territories; that, by the last official reports these requisitions were not complied with, and the commandant had detailed officers to supply the deficiency by purchase; that the contractor reports, that he has sent an ample supply of rations to Fort Scott, from New Orleans, and that they were shipped on the 5th ult.; that this supply is intended to be conveyed up the Apalachicola river, and it is believed may have arrived at its destination before this period, in which event the purchases ordered by the general will cease



Accompanying the report, is a correspondence, shewing the extent of the failure, and the evils apprehended from an anticipated one, and embracing all the information possessed by the war department on the subject.]

The message and report were read and ordered to be printed.

Mr. *Wilson* submitted the following resolution: *Resolved*, That the president of the United States be requested to cause to be laid before the senate, a statement of all the arms and accoutrements, which have been manufactured at the different armories of the United States, with the cost of each stand, and the number delivered to each state, respectively, under the act for arming the whole body of the militia.

The resolution respecting the Massachusetts claims, for militia services, was postponed to Monday next, and

The senate closed its doors for executive business, until about the usual hour of adjournment.

*February 2*—The resolution for appointing a committee on the Massachusetts claims, was on motion of Mr. *Onis* further postponed to this day week.

On motion of Mr. *Campbell*, the committee of finance were discharged from the further consideration of the message of the president, respecting the claim of the heirs of Caron de Beaumarchais and it was referred to a select committee, consisting of Messrs. King, Mason, Campbell, Barbour, and Daggett.

Mr. *Campbell* offered instructions from the legislature of the state of Tennessee to their senators, to use their exertions to procure the passage of an amendment to the constitution of the United States, relative to the compensation of members of congress; and moved that they be received and read—but, on motion, the further consideration thereof was postponed until to-morrow.

[This is a matter on which the practice of the senate is not settled; the propriety of receiving such instructions formally by the senate, and entering them on record, having been a subject of contestation heretofore, and never conclusively decided.]

The senate resumed the consideration of the military appropriation bill, and agreed thereto, with several amendments; one of which appropriates 20,000 dollars for brevet extra pay to brevet officers on separate commands.

[The bill in the other house contained an appropriation of 35,000 for the same object; which was there struck out of the bill, and is now reinstated in part by the senate.]

The bill, as amended, was ordered to be read a time.

*Daggett* submitted for consideration the following resolution:

*Resolved*, That the committee on military affairs be instructed to enquire into the expediency of repealing or altering the law passed in 1812, establishing brevet rank in the army of the United States.

*February 3*.—The military appropriation bill was read a third time, passed, and returned to the house of representatives for concurrence in the amendments.

Mr. *Campbell* submitted for consideration the following motion.

*Resolved*, That the committee on military affairs be instructed to enquire into the expediency of establishing by law the salaries of Indian agent and assistant agents.

The revolutionary patriot bill was postponed to Thursday.

## HOUSE OF REPRESENTATIVES.

*Friday, Jan. 30*.—The speaker communicated to the house, the report of the commissioner of claims, on the facts of certain cases laid before him.

Mr. *Ogle*, from the committee to whom the subject was referred, reported a bill for the relief of maj. gen. Arthur St. Clair; which was twice read and committed.

The speaker laid before the house a letter of the secretary of the navy, transmitting, in obedience to a resolution of the house, copies of proceedings of certain naval courts martial, by which capt. Oliver H. Perry, and capt. John Heath, of the marines, were tried.

The message yesterday received, from the president of the United States, by Mr. J. J. Monroe, was read as follows.

*To the house of representatives of the United States.*

In compliance with a resolution of the house of representatives, of the 22d of December last, requesting information relative to the imprisonment and detention in confinement, of Richard W. Meade, a citizen of the United States; I now transmit to the house a report from the secretary of state, containing the information requested.

JAMES MONROE.

*Washington, Jan. 29, 1818.*

## DEPARTMENT OF STATE.

The secretary of state, to whom was referred the resolution of the house of representatives of the 23d of December last, requesting the president to cause to be laid before the house, any information he may be able to communicate, relative to the imprisonment, and detention in confinement of Richard W. Meade, a citizen of the United States, has the honor of submitting to the president the accompanying papers, received at the department, on that subject; with a letter addressed to the minister of Spain, residing here, since the resolution of the house, and the answer received from him.

JOHN QUINCY ADAMS.

## MR. ADAMS TO MR. ONIS.

*Don Louis de Onis, envoy extraordinary, and minister plenipotentiary, from Spain.*

## DEPARTMENT OF STATE,

*Washington, 26th Dec. 1817.*

SIR—I am directed by the president of the United States, to invite your immediate attention, and to urge that of your government, to the case of Richard W. Meade, a citizen of the United States, who has been confined since the 2d of May, 1816, in the prison Santa Catalina, at Cadiz.

It has been repeatedly represented to your government by the minister of the United States at Madrid, that the imprisonment of this person, was under a sentence of a tribunals at Cadiz, condemning him pay a second time, a sum of money, which, by virtue of a prior decree of the same tribunal, he had already paid into the royal treasury. This fact has never been denied or contested by your government. It has been proved to them by the attestations and certificates of their own officers.

It was to have been presumed that, upon the first moment that such a fact was authentically presented to your government, an order would instantly have issued from it for the discharge of Mr. Meade from his imprisonment. The president regrets that after so many and such urgent representations in his behalf by the minister of the United States at Madrid, it should yet be necessary to address this call upon the most common principle of justice to you. I am instructed by him to say, that

in renewing this demand for Mr. Meade's immediate liberation, he confidently expects it will not be in vain.

I pray you, sir, to accept the assurance of my very distinguished consideration.

JOHN Q. ADAMS.

MR. ONIS TO MR. ADAMS.

[TRANSLATION]

*The chevalier de Onis, to the secretary of state.*

SIR—I received your note dated the 26th of this month, in which, by order of the president, you communicate to me what appears to have taken place in Spain in the case of a law suit against Richard W. Meade, a citizen of these states, in order that I should make the necessary representations on this subject to the king my master, and solicit his release from confinement.

In compliance with the wishes of the president, and yours, sir, I shall, with great pleasure, make this request in favor of Mr. Meade, although I am not informed of the details of the suit instituted against him, nor of those which have produced his confinement.

Confiding in the just intentions of the king, and his high consideration for the United States, I must hope that his majesty will attend efficaciously to this request, and use his authority in having justice promptly done to Mr. Meade, that the laws may be observed with the strictest impartiality, and no motive or pretext left to doubt of the IMMACULATE\* (accendra) purity which has ever been acknowledged as the particular attribute of the Spanish magistracy. I renew my respects to you, sir, and pray God to preserve you many years.

LUIS DE ONIS.

*Washington city, Dec. 29, 1817.*

On motion of Mr. Smith, of Md.

*Resolved*, That the president of the United States be requested to cause to be laid before the house such information as he may possess, (and which may be communicated without injury to the public interest) relative to the claims of the merchants of the United States, for their property seized and confiscated under the authority of the king of Naples.

Mr. Lowndes, from the committee of ways and means, made a report on the petition of the pew holders of the monumental church in Richmond, unfavorable thereto: which was read.

[This petition asks for the remission of the amount of duties which have become payable to the treasury on the importation of an organ for the said church from abroad.]

Mr. Tyler moved to reverse the report of the committee.

This produced a lively debate. The committee it seems, reported against the petition because such an organ might have been obtained in the United States. Finally, the motion for a reverse of the report was negatived, and the report agreed to.

The house then resumed the consideration of the bill providing for the recovery of fugitive slaves, and the question having been announced to be on the passage of the bill

A debate followed. Mr. Adams, of Mass. thought that the constitution would not support certain features in the bill in favor of the owners of slaves. Mr. Anderson, of Ky. supported the bill, and replied to the objections urged against it. Mr. Livermore, of N. H. opposed and Mr. Mason, of Mass. defended the bill—Messrs. Holmes, Rhea and Storrs spoke on the same side. Mr. Witman, of Mass. generally approved of the bill, but was opposed to one of its provisions. Mr. Williams, of Con. then spoke against it—when

The question on the passage of the bill was taken and decided in the affirmative, as follows:

YEAS.—Messrs. Abbot, Anderson, Ken. Austin, Baldwin, Bassett, Bayly, Bellinger, Bloomfield, Bryan, Burwell, Campbell, Cobb, Colston, Cook, Crawford, Desha, Drake, Earle, Edwards, Ervin, S. C. Floyd, Forney, Forsyth, Garnett, Hall, Del. Hall, N. C. Hasbrouck, Herbert, Herkinson, Hogg, Holmes, Mass. Hubbard, Johnson, Va. Johnson, Ken. Lewis, Little, Lowndes, M. Lane, M. Coy, Marchand, Marr, Mason, Mass. Mercer, Middleton, Moore, Mumford, H. Nelson, Nesbitt, New, Newton, Ogden, Owen, Palmer, Paterson, Peter, Pindall, Pleasant, Poindexter, Quarles, Reed, Rhea, Ringgold, Robertson, Ken. Robertson, Lou. Ruggles, Sampson, Settle, Slacumb, S. Smith, Bal. Smith, J. S. Smith, Speed, Spencer, Stewart, N. C. Storrs, Strother, Stuart, Tompkins, Trimble, Tucker, S. C. Tyler, Walker, N. C. Williams, N. C. Wilson, Mass.—84.

NAYS.—Messrs. Adams, Allen, Mass. Allen, Vt. Anderson, Pen. Ball, Barber, O. Bateman, Becher, Bennett, Boden, Boss, Claggett, Comstock, Crafts, Cullbreth, Cushman, Folger, Fuller, Gage, Hale, Hendricks, Herrick, Hiester, Hitchcock, Hopkinson, Hunt, r, Huntington, Ingham, Irving, N. Y. Kinsey, Kirtland, Lawyer, Livermore, W. Maclay, Wm. P. Maclay, Merrill, Morton, Murray, Ogle, Orr, Parrott, Pawling, Pitkin, Rice, Rich, Richards, Savage, Scudder, Sergeant, Seybert, Shaw, Sherwood, Sibbee, Spangler, Strong, Tallmadge, Tarr, Taylor, Terry, Townsend, Upham, Wallace, Wendover, Whiteside, Whitman, Williams, Con. Williams, N. Y. Wilkin, Wilson, Pen.—69.

So the bill was passed and sent to the senate for concurrence; and the house adjourned to Monday.

*Monday, Feb. 2.* A report was received from the secretary of war, in compliance with a resolution of this house, upon the subject of land warrants issued and extra pay allowed since the third of March last, under the act granting bounties in land, &c. to certain Canadian volunteers.

A letter was received from the secretary of the treasury, transmitting two statements, the first shewing the quantity of land in each district in which the public lands have been exposed to sale, the quantity which has been sold, and the quantity which remains for sale; secondly, the emoluments of the receivers and registers of the land office for four years preceeding 1st October, 1817; which was referred to the committee on public lands.

Mr. Bassett submitted to the house a bill for organizing and classing the militia, &c. to be taken up upon the consideration of the bill reported during this session on the same subject by Mr. Harrison; which was ordered to lie on the table.

The house then by a small majority resolved it self into a committee of the whole, Mr. Desha, in the chair, on the bill for the relief of gen. Arthur St. Clair.

This bill gave rise to a discussion which occupied the committee until sun set, in the course of which the motives of the act of 1810, for the relief of gen. St. Clair, the act of limitations; the merits of the petitioner, the justice of his claim &c. were all brought into view as well as the propriety of various amendments offered to the bill.

A motion made by Mr. Forsyth, to amend the bill by directing the accounting officers of the treasury to adjust the claim of gen. St. Clair, and allow him the principal and interest of whatever amount may appear to be due, any law to the contrary notwithstanding, was under consideration, when the committee rose, and obtained leave to sit again; after which the house adjourned.

*Tuesday, Feb. 3.*—Mr. Mills, from Massachusetts, appeared, was qualified, and took his seat.

\*It is not our custom to make notes on official papers—but "immaculate," as applied to Ferdinand the ungrateful—whose follies or crimes has made him the laughing-stock or subject of hate, of the world, is really too much to pass, even from *De Onis*, unmarked. We have, therefore, printed it in capitals. P. O. Rec.



The house took up the amendments of the senate to the bill making an appropriation for the payment of arrearages in the military establishment and concurred therein.

Mr. *Williams*, of North Carolina, from the committee of claims, to whom was referred the report of the commissioner of claims on the claim of Samuel Hughes, of Maryland, for property destroyed during the war, reported unfavorably to the claim, on the ground that the said claim does not fall within the provisions of the 9th section of the claims' law. The report was referred to a committee of the whole.

Mr. *Williams* also made an unfavorable report on the petition of Basil Shaw of Tennessee, who prays compensation for a slave killed, whilst in his employ in the military service, by a cannon ball, before New Orleans, on the morning of the 8th of January; which was read and concurred in.

The amendments of the senate to the annual military appropriation bill was taken up and referred to the committee of ways and means.

Mr. *Forsyth* laid upon the table the following resolution, the consideration of which he gave notice he should move for to-morrow.

*Resolved*, That the committee of ways and means be instructed to enquire whether the bank of the United States is authorized by its charter to receive as pledge or security for loans made to individuals or corporations, transfers of public debt made to the bank, or to any offices thereof, and if in their opinion such transfers are not authorized by the act of incorporation, to report to the house some effectual mode of preventing them from being hereafter made.

Mr. *Trimble* submitted for consideration the following resolution:

*Resolved*, That the demand made by the president of the United States for the liberation of Richard W. Meade, a citizen of the United States, detained in confinement in the castle of Santa Catalina at Cadiz, ought to be supported and enforced by vesting the president with authority to make reprisals, in the event of a failure on the part of Spain, promptly to discharge the said Meade.

Mr. *Trimble* supported his motion with a brief but spirited speech. Mr. *Forsyth* was not prepared to express a definite opinion on the subject—he wished time to examine. He moved that the resolution should lie on the table, which was finally agreed to *nem. con.*

Mr. *Lowndes*, after briefly explaining the liability of the government to be defrauded of its revenue by drawbacks on the re-exportation of foreign liquors from the absence of any means of indentifying them, except the marks on the casks, &c. moved the following resolution:

*Resolved*, That the committee of ways and means be instructed to enquire into the expediency of making provision by law for allowing foreign wines and distilled spirits to be deposited in the stores of the government, and of limiting the drawback on exportation to such as shall have been so deposited.

The resolution was agreed to.

The house then resumed the unfinished business of yesterday, and again went into a committee of the whole on the bill for the relief of gen. A. St. Clair.

The debate on the merits of this case, and on the propriety of Mr. *Forsyth's* amendment, was resumed and continued with increased ardor and usual eloquence, until after four o'clock, when the committee rose, by the casting vote of the chairman, and obtained leave to sit again. The house adj'd.

*Wednesday, Feb. 4.*—The motion submitted yesterday by Mr. *Forsyth*, was taken up and agreed to as follows:

*Resolved*, That the committee of ways and means be instructed to inquire whether the bank of the United States is authorized by its charter to receive as pledge or security for loans made to individuals or corporations transfers of public debt made to the bank, or to any officers thereof, and if, in their opinion such transfers are not authorized by the act of incorporation, to report to the house some effectual mode of preventing them from being hereafter made.

The speaker laid before the house a letter from the secretary of the treasury, transmitting the annual statement of miscellaneous claims paid during the year 1817; of contracts made at the treasury in the same year on behalf of the United States; and of payments by collectors in 1815 and 1816, in relation to the revenue and the temporary relief of sick and disabled seamen.

Mr. *Lowndes*, from the committee of ways and means, made a report on the amendment of the senate to the bill making the annual appropriations for the military establishment; which was read and made the order of the day for this day.

The house, then, on motion of Mr. *Lowndes*, suspended the preceding orders, and forthwith resolved itself into a committee of the whole, Mr. *Bassett* in the chair, on the said report.

The first amendment made by the senate to the bill, was the insertion of a provision appropriating \$20,000 for additional pay, rations, &c. to officers having brevet commissions, when commanding separate posts, districts, or detachments, requiring them to act in their brevet rank.

This amendment the committee of ways and means recommended to the house to disagree to, and on this question the debate was revived, which had engaged the house when the bill was first introduced—embracing in its scope the expediency of continuing brevet emolument, the propriety of defeating an existing law by refusing the appropriations necessary to give it effect, &c. &c. a view of which may be hereafter presented. The gentlemen who joined in the discussion, were Messrs. *Lowndes, Mercer, Harrison, Clay, Smith, of Maryland, Terry, Hopkinson, Storrs, Colston and Forsyth.*

The question was finally decided against the senate's amendment.

The committee agreed successively to the other amendments of the senate, which produced no debate, and rose and reported their proceedings to the house.

The house took up the report of the committee of the whole, and in concurring therewith on its disagreement to the first amendment of the senate, the question was decided as follows:

For the senate's amendment.—Messrs. Baldwin, Ball, Blount, Craton, Cruger, Forney, Fuller, Harrison, Herkimer, Ingham, Irving, N. Y. Jones, Kinsey, Lewis, Livermore, Mercer, T. M. Nelson, Ogden, Ogle, Orr, Palmer, Parrott, Peter, Pindall, Poindexter, Robertson, Lou. Seybert, Alex. Smyth, Spencer, Stours, Terry, Williams, N. Y. Wilson, Mass.—32.

Against the amendment.—Messrs. Abbot, Adams, Allen, Vt. Anderson, Pa. Anderson, Ken. Austin, Barbour, Va. Bassett, Bateman, Bayley, Bellinger, Bennett, Bloomfield, Boden, Boss, Bryan, Burwell, Butler, Campbell, Claggett, Claiborne, Cobb, Comstock, Cook, Crafts, Culbreth, Cushman, Desha, Drake, Earle, Edwards, Elliott, Ervin, S. C. Floyd, Folger, Forsyth, Gage, Garnett, Hale, Hall, Del. Hall, N. C. Hendricks, Herbert, Herrick, Heister, Hogg, Holmes, Mass. Holmes, Con. Hopkinson, Hubbard, Hunt, Huntington, Johnson, Va. Lawyer, Linn, Little, Lowndes, McLane, W. Maclay, W. P. Maclay, McCoy, Mareland, Merrill, Mills, Moore, Murton, Mosely, Mansford, Murray, Jer. Nelson, H. Nelson, Nesbit, New, Newton, Owen, Patterson, Pawling, Pickin, Porter, Quarles, Reed, Rice, Rich, Richards, Ringgold, Robertson, Ken. Ruggles, Sampson, Savage, Sawy, Scudder, Sergeant, Settle, Shaw, Sherwood, Silsbee, Slocumb, S. Smith, Balt. Smith, J. S. Smith, Southard, Spangler, Speed, Stewart, N. C. Strong, Strother.

Stuart, Md. Tallmadge, Tarr, Taylor, Tompkins, Townsend, Trimble, Tucker, Va. Tucker, S. C. Tyler, Upham, Walker, Ken. Wallace, Wendover, Whiteside, Williams, Con. Williams, N. C. Wilkin, Wilson, Pen.—125.

The remainder of the report was then agreed to—and the house adjourned.

Thursday, Feb. 5.—The house was almost the whole of this day occupied with the bill for the relief of gen. St. Clair. There was amendment after amendment, and when the blank was to be filled up for his monthly pension—80, 75, 70\$, were severally proposed and rejected—60 was agreed upon in committee of the whole, but 50 was moved for in the house and lost; 60 was carried by yeas and nays—yeas 122, nays 40, and after several other motions about it, the bill was ordered to a third reading to-morrow.

A message was received, by Mr. secretary Cutts, announcing the *insisting* of the senate on their amendment to the military appropriation bill, on the subject of extra allowance to brevet officers in certain cases, which amendment had been *disagreed* to by the house of representatives.

## Foreign Articles.

### ENGLAND, &c.

A sleight-of-hand-man attempting to play the trick of catching a ball fired from a pistol, by some mistake handed a pistol really charged, which being fired at him killed him instantly.

The average price of wheat, Nov. 29th was 82s. 9d. per quarter, which being 2s. 9d. over the *maximum* by which the admission of foreign breadstuffs is regulated, it is said to be unquestionable that an order of council will be issued for opening the ports.

About 20 of the persons convicted of treason have been sent to Botany Bay.

The British government has contracted with the emperor of Austria for 300,000 loads of timber from the forests of Croatia and Dalmatia, for the use of the navy, to be received in part payment of the Austrian debt. It is said to be some of the finest naval timber in the world, and a contract has been made with two merchants for the conveyance of it from Trieste and the Dalmatian ports to England.

*Curious law case.*—A certain Abraham Thornton was indicted for the murder of young woman named Ashford, of which he was acquitted, though probably guilty. The brother of the unfortunate girl *appealed*, and in this case the old custom of "*trial by battle*" came before the court. The prisoner plead "*not guilty; and I am ready to defend the same with my body,*" at the same time throwing down a gauntlet or glove. Lord Ellenborough and the rest of the judges seem to have been much perplexed with the case; but when the counsel for Ashford would have set aside the observance of an obsolete and barbarous custom, saying, that the murderer of the sister ought not to be allowed to prove his innocence by murdering the brother also: his lordship said—"is it the law of England, and we must not call it murder." After many proceedings of a very curious character, the case was postponed to the next term to be held in the present month, January.

It appears that the last trial by battle that was waged in the court of common pleas at Westminster was 13 *Eliz.* A. D. 1571. This species of trial was introduced into England among other Norman customs, by William the conqueror. The combatants meet bare-headed and bare-footed—the appellee with his head shaved, the appellant as usual, but both dressed alike. They meet at sunrise, and fight with staves of one length, horned at

one end, first taking oath against amulets and sorcery! If the appellee be so far vanquished that he cannot or will not fight any longer, he shall be adjudged to be hanged immediately and then, as well as if he be killed in battle, providence is deemed to have determined in favor of the truth, and his blood shall be attained. But he kills the appellant, or can maintain the fight from sunrise till the stars appear in the evening, he shall be acquitted. So also, if the appellant becomes recreant, and pronounces the horrible word *craven*, he shall lose his *liberam regem* and become infamous; and the appellee shall recover his damages, and shall be forever quit, not only of the appeal, but all indictments likewise for the same offence.

This case may probably cause the repeal of such an absurd and foolish law.

### FRANCE.

The chamber of deputies were occupied in new-modeling the law for regulating the liberty of the press. Complaints have been made to the Swiss government of the freedom of the press; and, no doubt, it will be also regulated there. Switzerland was the last place in Europe where the French exiles expected the liberty of expressing their opinions—but "*legitimacy*" has pushed them thither.

It is stated that prince Hardenberg, the Prussian ambassador, has presented an official note, complaining of a passage in his master's speech at the opening of the session, and the address of the chamber of deputies in reply to it. This official has excited a strong sensation in Paris, from the emphatic manner in which the Prussian minister complains of the declaration put forth respecting the treaties, and his demand of explanation.

According to the last census, the present population of France is 29,045,99 inhabitants.

Paris, December 4.—Thinking, on the proposition of his minister, secretary of war, has accepted the offers made by 237 military men, retired on pensions in the several departments, to renounce the fifth of their pensions, which has been detained in the first quarter of 1814. His masterly has seen, with satisfaction, their anxiety to occur in the relief of the state. In the department of the Oise, 234 military men have made a similar resignation in favor of the royal treasury.

### SWITZERLAND.

The interesting, though servile Swiss, have, at the instigation of France and Austria, taken measures to prevent the dissemination of "*revolutionary*" writings, & noticed under "*France*."—Yet the Swiss talk of their liberty and glory in their *Tell*, whose arrow reached the heart of a tyrant.

### RUSSIA AND SPAIN.

The facts respecting the late negotiations between Russia and Spain, as well as their extent in every particular, are yet profound secrets. It is intimated that Ferdinand only, on the side of Spain, is acquainted with them. It is hinted that the British ambassador at Madrid has pressed the Spanish government as to the reports he had heard about the transfer of Minorca, &c. in which the minister, Pizarro, said, in reply, there was no foundation.

### SPAIN.

Cadix is in a most deplorable condition, its commerce entirely destroyed, and the greatest misery prevails here, and in the island where captains of royalmen of war, and royal brigadiers are seen begging alms, in the streets. *Aurora.*

Paris, Nov. 28. The *Tribune* Journal contains the following notification.—"We are autho-



rized to state that according to the new communications which have taken place, between the ministers of his Britannic majesty and the French ambassador in London, it is the intention of the English government no longer to receive in their ports any Spanish refugees who may repair thither."

#### "SPANISH AMERICA."

The Buenos Ayres government brig *Aguila*, has captured the Spanish ship *Perla*, from Cadiz for Lima, with a cargo valued at \$350,000 and sent her into Coquimbo.

Several privateers were fitting out at Buenos Ayres. A prize worth \$200,000 had just arrived. The two Portuguese Indiamen, worth five millions, had been given up.

The *National Intelligencer* says—In speaking of the reported mediation of Great Britain between Spain and her colonies—of which we believe there is little doubt—the *National Advocate*, of New-York, takes this view of the subject:

"Nearly all the allied powers have solicited Great Britain, the only efficient nation, to interfere in behalf of Spain this has been refused, and, at length they have consented to become "mediators." It is determined of the highest importance to the patriot cause, that it prevents the British from aiding any confederacy against them—and, on the contrary places that government in a friendly light. In this mediation, Great Britain will not fail to improve their commercial relations, and, from a closer examination of the benefits to be derived, they will keep Spain and her colonies at a respectable distance, and in the event of independence, will claim from the patriots the ward of an advantageous neutrality, and a profitable mediation.

The following intelligence, decisive of the fate of the unfortunate *Mina*, is translated from the Mexican gazettes, received in Washington city.

From the *Gazette Extraordinary of Mexico*, of November 1817.

SILAO, Oct. 27, 1817.

Most excellent sir—It is with the greatest pleasure I communicate to you excellency that I have taken prisoner the traitor *Mina*, together with twenty five of his principal partisans, at the post of Benadito, appertaining to the plantation of *Flachiquera*, where he was stoned with 200 men.—Half of them were killed, as well as the ringleader *Moreno*, whose head I caused to be brought to this place, where I have just arrived. I will send it to general don Pasqual Linan as soon as possible; and I now anticipate this information to your excellency amount of its importance. God preserve your excellency many years.

FRANCISCO ORRANTIA.

His excellency the vice roy  
don Juan Ruiz de Apodaca.

From Vera Cruz, November 7, 1817.

Besides the capture of *Mina*, and the destruction of all his band, I have to communicate to you another important event; namely, that the ringleader *Bergara* has just delivered himself up, with all his men, to the royal troops at *Pueblo del Rey*, by availing himself of the *Indulto publico* on the occasion of the queen having been happily delivered of a princess.

HAYTI.

A Portuguese vessel, the supercargo and mate being dead, and the captain and several of the crew sick, with a cargo of slaves, put into Cape Henry—where she was immediately seized by the Haytian government, and the slaves were set at liberty.

A vessel, prize of a Venezuela privateer, had also arrived at that port in distress—and a survey being had, she was reported to the government as unfit to proceed on her voyage: on which permission was given to sell vessel and cargo at public auction; and the proceeds after providing for the support of the captain and his crew, were directed to be retained a year and a day, to allow the prize master due time to prove the validity of the capture.

It is stated that the United States sloop of war, *Hornet* is under sailing orders for Cape Henry, (*Hayti*) and that an ambassador will proceed in her to demand from the king of *Hayti* indemnification for sequestered American property.

#### CHRONICLE.

The supreme court of the United States is in session at Washington. All the judges are present.

*Error.*—Gen. Brown is not the president of the Jefferson county agricultural society, as stated in our Register of the 17th ult. page 339. He is one of the vice presidents. The president, we believe, is Chamournd de Ray, esq.

*Maryland.* A bill has passed the senate 7 to 4 for altering the constitution so as to provide for the election of governor (not by the people) but by counties, in the manner the senate is chosen; and to abolish the council.

A resolution has passed the house of delegates, authorizing and requiring the governor to open a correspondence immediately with the executives of Pennsylvania and Delaware, to remonstrate against the protection given in those states to runaway negroes, by which serious inconvenience is experienced by the owners of slaves.

*Indian war.* Some official papers relating to the war with the Seminole Indians are inserted in page 390. We have the general order of the governor of Georgia, calling out eight companies of militia, at the requisition of gen. Gaines, for a tour of three months; and it seems from a Knoxville paper, that gen. Jackson is taking measures, by direction of the president, to finish this war immediately—calling for 1000 mounted Tennesseans. That they, added to Gaines' force, will soon finish it, cannot be doubted.

*Knoxville, Jan. 20.*—The Arkansas delegation of Cherokee Indians, which has been here for some days past, has been clothed and equipped under the superintendence of gov. McMinn, for a visit to Washington city, for which place they left here on the 16th inst. The object of this delegation, we understand, is to have an interview with the president of the United States with a view to obtain his permission to establish a separate and distinct government for themselves in the Arkansas country, and to dissolve all obligations which they have heretofore been under to the Cherokees who reside east of the Mississippi. This object, should it be effected, will promote the emigration of the Cherokees and hasten the extinguishment of their claim to the country in which they now reside. This event has long and anxiously been looked for, and cannot be less desirable to the citizens of Tennessee than to the officers of the general government, whose promptitude and zeal in carrying the treaty into effect is highly characteristic of the rulers of the people.

Gov. McMinn, who has been instructed by the president of the United States to superintend the delivery of the property stipulated to be given to the Arkansas emigrants, will leave here, we understand, to-morrow for the Cherokee agency.

# NILES' WEEKLY REGISTER.

SUPPLEMENTARY TO NO. 24—VOLUME I.—NEW SERIES.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

## Duties on Imports.

TO THE EDITOR OF THE WEEKLY REGISTER.

SIR—I have just read the twenty-four additional regulations proposed by the secretary of the treasury for the protection of the fair trader, and to prevent frauds on the revenue; and observe that many of them are bottomed upon additional oaths, to be taken either in foreign countries, or at one of the custom-houses here. These regulations will, I fear, rather tend to increase the evil, than to effect a remedy. Certain traders will continue to disregard consulate and custom-house oaths; and forged documents, or as they were *politely* called, "simulated papers," will be connived at by foreign governments, to enable their subjects to find advantageous markets for their commodities in other countries. Every regulation to be observed beyond sea, and every valuation to be made and proven there, will only give an additional advantage to the foreign speculator over the regular American importing merchant. The foreigner will continue to pay less duty, and the revenue and the American manufacturer will continue to suffer.

The whole system, of adopting the valuations of other countries, is radically wrong; and to have as many prices and calculations of duty, for the same kind of goods, as there are invoices arriving from foreign places, is an absurdity that ought not to be continued. The evil arose when our trade was confined to a few established merchants of known good character, who received their goods from other established merchants in foreign countries, whose characters were also known and respected: in this state of things there was no loss or inconvenience from the system adopted—but commerce has now become widely extended, and characters of a different description are concerned in trade, to the great detriment of honest merchants.

To remedy the abuses complained of, and for the promotion of morality and economy, I propose to abolish altogether the present system of duties, *ad valorem*, on foreign prices verified by consulate and custom-house oaths, and to adopt the prices current at the places of importation. Let every merchant exhibit an exact inventory of every article, on the day of its importation, or some few days after; and let him affix to each article such value as he may choose, and let the duties be paid, *ad valorem*, on each, agreeably to such valuation. Let the articles be strictly examined by officers of government, to see that the inventories

are correct as to the *quantity*, and all articles not contained in the inventories be forfeited, which will be no loss to the importer, as he does not acknowledge them to be his. If such officers of government are of opinion that the merchant has affixed a price below the real value, let them order the articles under valued, to be sold at auction, after due notice; and let the merchant be paid his valuation, with an addition of 10 per cent. over and above, and the surplus be divided in certain proportions, between the officers and the government. If the officers do not take articles, which in the opinion of another person are undervalued, such other person shall be entitled to the articles, on his paying the valuation and duties, and the 10 per cent. over and above.

This mode of procedure will make it the interest of the importing merchant to act in a fair and upright manner: if he affixes a value to his goods above their real worth, he will be obliged to pay an increased duty on the quantity—and if below, they may taken from him, and he will be entitled only to his low valuation, and 10 per cent. in addition. He will be perfectly safe as to his merchandize, for he can always retain the possession of it by the valuation he may choose to affix to it; and he will not be obliged, as is sometimes the case at present, to pay a higher duty in proportion than the goods are really worth at the place of importation; nor will the secrets of his trade be divulged by the exhibition of invoices, shewing the low prices of certain articles in foreign countries.

I conceive that this system, if adopted, will abolish custom-house oaths and perjuries on invoices, and will destroy the advantage which the fraudulent trader has over the honest merchant; it will promote lawful trade, discourage smuggling, increase the revenue, and protect the American manufacturer. I therefore take the liberty, through the medium of your excellent Register, to submit it to the consideration of the members of the general government.

I am, sir, very respectfully, &c.

*The following was written by a merchant of Baltimore, in consequence of a general enquiry by the editor of the REGISTER, as to the best means of preventing frauds on the revenue*

*It is pleasant to observe that two writers on this subject, living nearly 200 miles apart, and without any possibility of comparing ideas, have agreed on the great principle that should be adopted: which, we believe, is the practice in England, where such things are most carefully examined and best understood.*



That the master, mate or owner, consignee or agent of every vessel, whether registered or enrolled, shall, at the time of clearing the same, whether for a foreign port or coastwise, severally make oath, that they will not engage or be concerned, nor aid, facilitate or suffer, directly or indirectly, any of their crew, passengers, freighters or shippers, or any person whatsoever, in embarking, receiving transporting, discharging or removing, into, upon, or from on board of said vessel, either within or out of the jurisdiction of the United States, any goods or merchandize whatever, contrary to the laws of the United States, or to the prejudice of the revenue:—and that if it shall come to their knowledge that any such fraud shall be committed or attempted on board of said vessel, they will, without delay, give information thereof to the proper authority.

That the manifest of inward cargo shall state, besides the general report of the cargo, what part, or packages, may be stowed in the cabin, steerage, fore-castle, or other places out of the main hold; as well as all packages of baggage and the list of the vessel's stores remaining:—and this manifest to be delivered to the boarding officer.

That the master of every vessel be required to take, at the time of signing a bill of lading for goods at a foreign port, a detailed invoice thereof from the shipper; and that he shall, on arrival at the port of entry in the United States, deliver to the collector, with the manifest of the cargo, all the invoices thereof; and make oath that they are the very original ones he received and have undergone no alteration whatever.

That it shall be obligatory on the collector to have a part of the number of packages of every invoice opened, and the contents accurately examined to verify the invoice.

That, when several articles of different denominations shall be included in the same package, subject to different rates of duty, the duty on the whole shall be at the rate of duty on the article therein most heavily imposed.

That in case of ad valorem duties, the value of the goods shall be estimated at what may be considered the real value or price at the port of importation, without any deduction or allowance whatever:

With the original invoice the importer, owner or consignee, shall declare and express in his entry a valuation of the goods, according to the value thereof at the port of importation; and if the collector shall believe that such valuation is less than the true value, he may detain the goods in the custom-house stores, or elsewhere, and within *ten days* thereafter take full possession of said goods, for the United States, by paying the importer, owner, or consignee as aforesaid, the amount of valuation, and 10 per cent. additional thereto, without any other allowance.

And, on the sale of those goods, if there be any surplus above the value before ascertained and paid to the said importer, one half thereof shall be for the benefit of the collector (and his appraisers,) and the other half for the United States.

That if the importer, owner or consignee make oath that he has no invoice and cannot ascertain the value, the goods shall be deposited in the custom-house stores, and there appraised according to the real value thereof at the place of importation—and be subject to double the rate of duty per tariff.

That to encourage domestic manufactures, no debenture shall be allowed on the exportation of the following description of foreign manufactures \* \* \* \* \*

**Manufactures.**

The power of the reasoning of the following memorial has induced the editor to postpone some inferior remarks of his own respecting manufactures. He recommends it to the attention of every one of his readers—and would draw the public mind to a consideration of the important fact stated, that in the county of *Oneida* the enormous sum of 600,000 dollars is invested in manufacturing establishments! What then must be the value of such establishments in the United States? How will our boasted business about shipping and commerce sink, when its capital is compared with that invested in manufactures!—*This great national interest must be protected.*

We have also a copy of the memorial of the Delaware society for the promotion of American manufactures—and shall insert it as soon as we can. We are informed, that the manufactures on the Brandywine, near Wilmington, now paralyzed, have disbursed more than *half a million of dollars, annually*, “merely in wages and the produce of the neighboring country.”

*A memorial presented to the senate of the United States, January 7, 1818.*

To the honorable the senate and house of representatives of the United States, in congress assembled, the petition of the inhabitants of the county of *Oneida*, in the state of *New-York*, as well manufacturers as others,

RESPECTFULLY SHewETH:

That the above county contains a greater number of manufacturing establishments, of cotton and woolen, than any county in the state, there being invested in said establishments at least 600,000 dollars.

That although the utmost efforts have been made by the proprietors to sustain those establishments, their efforts have proved fruitless: and more than three fourths of the factories remain necessarily closed, some of the proprietors being wholly ruined, and others struggling under the greatest embarrassments.

In this alarming situation, we beg leave to make a last appeal to the congress of the United States.—While we make this appeal, the present crisis, the extensive embarrassments in most of the great departments of industry, as well as the peculiar difficulty in affording immediate relief to manufactures, are fully seen and appreciated. Yet your petitioners cannot believe that the legislature of the union will remain an indifferent spectator of

the wide spread ruin of their fellow citizens, and look on, and see a great branch of industry, of the utmost importance in every community, prostrated under circumstances fatal to all future attempts at revival, without a further effort for relief. We would not magnify the subject, which we now present to congress, beyond its just merits, when we state it to be one of the utmost importance to the future interest and welfare of the United States.

Before we proceed farther, and at the very threshold, we disclaim all legislative patronage or favor to any particular class or branch of industry at the expense of the other classes in the community. We ask of congress the adoption of no measure, for the relief of manufacturers, which is not deemed consistent with sound national policy and the best interests of the United States at large.— But if a compliance with our prayers be the dictate of wisdom, and for the public good; if our application be justified by the examples of all wise and patriotic states; if no government of modern Europe is so short sighted, or regardless of its duties, as not to constantly watch over, and yield a steady and protecting support to the manufacturers of the state, we humbly hope this appeal in behalf of American manufactures will not be made in vain.

That clothing for our citizens in peace, and our army and navy in war, are indispensable, and that the necessary supply should be independent of foreign nations, are positions that will be controverted by none. The last war afforded most lamentable proof: your soldiers, exposed to the inclemencies of a northern climate, were at times found fighting in their ranks almost naked. It will not escape observation that national collision and hostility are most likely to arise with that nation from whom our supplies are principally derived, and that the operations of war must be prosecuted on the ocean; hence regular supplies being cut off, smuggling, violations of law, with all the concomitant evils experienced in the late war, are the certain consequences. The same disgraceful scenes are to be acted over and over again, to the deep reproach of the country. If the present manufactories are suffered to fall, the government will look in vain for means to avert those calamities.— Surrounded with many embarrassments, government, during the war, saw fit to encourage manufacturing establishments; and those who embarked their capital, it is humbly conceived, were warranted in the expectation of such continuing support of government as should protect their interest against that foreign rivalry and hostility which is now operating to their ruin. They had a right, as they conceive, to expect this from what government owed to itself and to the independence and best interests of the country, as well as from the example of other nations in like circumstances.

In reviewing the discussions on this great question, your petitioners feel themselves justified in saying, that the question has not been at all times fairly met on its true merits. We have been constrained to witness alarm sounded, as though a new principle was to be introduced, and the country now, for the first time, taxed for the mere benefit of manufactories. What can be more untrue and unjust? We need not remind the honorable the congress of the United States of what is known to all, that from the first establishment of the government, special regard has been had, in laying imposts and taxes, to the protection of domestic manufactures, by increasing the duties on imported articles coming in competition. Again the tariff, in

protecting manufactures, has been represented as taxing the farmer and planter for the benefit of the manufacturer; and hence attempts have been made to excite popular prejudice against the latter. We need not dwell on this topic, in showing how unjust to individuals and injurious to the country the charge is. As it respects the manufacturing districts of the United States, their is no distinct class of manufacturers, no separation of the manufacturer and farmer: it is the farmer himself who is the manufacturer; he invests his money in manufacturing stock. With the exception of a few factories, in or near the great towns, by far the greater part of manufacturing stock will be found in the hands of the farmer.

Between different districts or states, one manufacturing and the other not, a different question arises, which resolves itself into a mere equality or apportionment of taxes on the different parts of the union; and here it will be seen, on a view of the whole system of impost and taxes, that no injustice is done, as the manufacturing districts have, and still do, contribute their full proportion to the public treasury. Of the internal taxes it will appear, that they have paid an amount greatly beyond the numerical standard or rule of apportionment prescribed by the constitution. The fact is not here mentioned for the purpose of complaint, but to show how fallacious it is to select the duty on a particular article, to settle the question of equality in the general apportionment of taxes.— We might again confidently appeal to the tariff of imports, and ask if the duty is not greater on many other articles than on imported cloths (with the exception of certain coarse and almost useless cottons of the East Indies.) This is believed to be the case with most of the specific duties, and eminently so in some instances. Were the government to proceed much farther than is now contemplated, and bestow premiums for the encouragement of particular branches of industry, examples to justify the measure would be found in the wisest and best administered governments. While the provision in the constitution, *prohibiting any duty on exports*, favors the great staple productions of the south, it injures the domestic manufacturer, and is subversive of the great principle adopted by most nations to *restrain the export of the raw material necessary in manufactures*. But neither of this provision do your petitioners complain.

We hope to find excuse in the importance of the subject, for submitting to the consideration of congress the following principles of political economy, which have been adopted by the most enlightened governments, and are deemed not altogether inapplicable to the United States:

*That the public good requires of government to restrain, by duties, the importation of articles which may be produced at home, and to manufacture as much as possible of the raw material of the country.*

*That the branches of industry particularly necessary or useful to the independence of the community ought to be encouraged by government.*

*That the most disadvantageous commerce is that which exchanges the raw material for manufactured goods.*

*That any nation who should open its ports to all foreign importations, without a reciprocal privilege, would soon be ruined by the balance of trade.*

The policy of Great Britain, in support of which, no wars, however bloody, no expense, however enormous, are too great a sacrifice, ought never to be lost sight of by the United States. That nation assumes to manufacture for all nations, but will re-



ceive the manufactures of none. So tenacious, so jealous is she of the first dawns of manufactures elsewhere, that she binds even the hands of her own colonists. The jealousy of parliament was excited, nearly a century ago, by the petty hat manufactory of Massachusetts; and an act of parliament actually passed, in the reign of George the second, prohibiting the erection of furnaces, in British America, for slitting iron.

The great Chatham, the least hostile to British America of British ministers, in his speech in the house of lords, on the address to the throne, in 1770, expressed his utmost alarm at the first efforts at manufactures in America.

Mr. Brougham, a distinguished member of the British parliament, recently declared in his place, that it was well worth while, at the close of the late war, to incur a loss on the exportation to the United States, in order to stifle in the cradle our rising manufactures. It is in vain for any man to shut his eyes against the active rivalry and persevering hostility of British manufactures; and when the capital, the deep rooted establishments, the improved machinery and the skill of the British manufacturer, protected as he always is by the government, are considered, it ought not to excite surprise that the American manufacturer, without the support of his government, is found unequal to the contest. But yielding to manufactories reasonable support in their infancy, the government will at no distant period, find them able to defend themselves against foreign competition and hostility, and at the same time make ample returns to the nation for its protecting kindness.

It was the opinion of Mr. Hamilton, former secretary of the treasury of the United States, as well as of sir James Stewart, that *no new manufactory can be established, in the present state of the world, without encouragement from government.*

It cost the English parliament a struggle of forty years, commencing in the reign of Edward third, to get the better of the established manufactures of Flanders. It is believed that much less encouragement from government would place the manufacturers of the United States on a secure foundation. While the writers of that nation are seen to highly commend the principle of Adam Smith, that industry ought to be left to pursue its own course, without the interference of the legislature, the government has, at all times, and under every vicissitude, turned a deaf ear to the lesson, as though it were intended for other nations, and carried legislative regulations in every department and avenue of industry. The British statute book groans under those regulations. The policy of the government has proved triumphant; immeasurable wealth flowed in upon the nation, giving it a power and control over other nations never before attained, and so long enjoyed by any people so inconsiderable in numbers.

But let no one imagine that a general system of manufactures is now proposed to be introduced into the United States. We would be understood as limiting our views to the manufactories already established; to save those, which have not already fallen, from the ruin which threatens them.

After all that the present manufactories can supply there will remain to foreign importation an amount, it is believed, equal, if not exceeding the means of the country to pay for. That importation, let it be remembered, will be mostly from a country which shuts her ports against the productions of the United States, and keep them so, unless the necessities of her manufactories, or hunger and se-

dition opens them; and then the *fatal suspension* often proves, as the experience of the ill-fated shippers of bread stuffs, the present year, will attest, a mere decoy to ruin. Lord Sheffield, in the year 1783, declared that, except in time of war, there never was a market for American wheat in Great Britain, exceeding three or four years in the whole.

There was a time when the balance of trade, believed in both countries to be generally against the United States, was, in some degree satisfied or counter-balanced by a favorable trade with the West Indies; but a recent change of policy in the British councils has cut off that resource, and the parent state prefers exposing her colonies to starving, rather than open her ports to American commerce.

It is obvious how much that government presumes on its advantages over us, on the predilection of our citizens for British manufactures, and the influence of the liberal purchases in the south of the material for her cotton manufactures.

We hope to be excused in repelling the unwarrantable imputation bestowed on manufactories of woolen and cotton as being *injurious to the health and morals of the community.* On this point we may content ourselves with referring to the healthful sites of our factories, the spacious work rooms, (required by the necessary machinery,) and appeal to every man who has visited a factory, for testimony against the imputation. What is the experience on the subject? Scotland manufactures not only what is required for its inhabitants, but about five millions of dollars annually in the article of cotton alone, for exportation, and yet, in both its physical and moral character, that nation sustains a high elevation. We look in vain for evidence that the arms of Scotchmen have been withered by their manufactories, nor do we recollect the field of battle in Europe where the arms of any nation were found stronger in conflict.

To swell the tide of prejudice against manufactures, it is said that unreasonable prices for goods were demanded at the period of the late war. To reason with such objections would be a mere waste of time. We might ask what merchant, mechanic or farmer, in any age or country, ever forbore to raise his prices according to the demand in the market? It enters into first principles. Did the importer treble his first cost on his cloths, even on smuggled goods, and does he make the charge of extortion against the manufacturers? The war unhinged every thing, and changed the whole order of society and course of business.

It might have been expected, that the present fallen condition of our manufactures would have soothed prejudice and disarmed hostility. With all their alleged war profits, there are now none so poor. Is it not seen, that the destruction of the present manufactories must inevitably produce the same evils of extravagant prices in the event of a future war, as were experienced in the last?

As to the imputed effect of the tariff, in enhancing the prices of imported goods, it is believed that goods were never so low as under the operation of the present duties; and, so far as competition between domestic and foreign goods has contributed to this, credit is justly due to our manufacturers.

It is objected, that the entire industry of the country may be most profitably exerted in clearing and cultivating our extended vacant lands.— But what does it avail the farmer, when neither in the nation from which he purchases his goods or

elsewhere, can he find a market for his abundant crops. Besides, the diversion of labor from agriculture to manufactures is scarcely perceptible. Five or six adults with the aid of children will manage a cotton manufactory of two thousand spindles.

From the gloomy condition of our manufacturers, the mind, turning to another quarter, is cheered with the brightest prospects of others. In the more southern states, it is believed that the amount received, during the last year, from the export of two or three articles of agricultural produce only, exceeds forty millions of dollars.

An appeal is made to the equity, to the patriotism, of the southern statesman: his aid and co-operation is invoked for the relief of the suffering manufacturers of the northern and middle states.

In conclusion, your petitioners humble pray, that provision may be made by law, for making the present duties on imported woollens and cottons *permanent*: for prohibiting the importation of cotton goods beyond the the cape of Good Hope, for consumption or use in the United States, (according to the example of several European governments;) for restraining auction sales of goods, and for the more general introduction and use of domestic goods in the army and navy of the United States.

October 1, 1817.

## British subjects at New-York.

FROM THE COLUMBIAN.

In conformity with public notice, a meeting of the natives of Great Britain and Ireland, opposed to the "*political address of condolence*" adopted by some "*loyal British subjects*," for the purpose of evincing their attachment to the "*Illustrious house of Brunswick*," and the consequent blessings of its virtuous administration of the constitution of *king, lords and commons*, was held at Dooley's long room, about two weeks ago.

A respectable audience of between 2 and 300 persons attended; Mr. Thomas Bryan was unanimously called to the chair.—After he had concisely stated the object of the meeting:

Mr. Wm. Clark came forward and observed, that he held in his hand the copy of the protest which was intended for the consideration of the meeting, but before he proceeded to read it, he thought it necessary that they should be in possession of the "*address of condolence*" which had been acceded to by some of his countrymen, at the British consulate office; he here read the address as follows:—

"*To his royal highness the prince regent.*"

"We, his majesty's dutiful and loyal subjects, now resident in the city of New-York, beg leave to express our most sincere and most hearty sympathy in the recent bereavement of the royal family; but we trust that Divine Providence will enable your royal highness, and all the other members of your illustrious house, to see his hand in the calamitous event, and that the loyalty, spirit, and attachment of the British people will enable them to surmount this as they have surmounted other great and trying evils, and hand down to the latest posterity, unimpaired, that constitution of king, lords, and commons, which has in times of unexampled difficulty and danger, proved not only the safe guard of the British people; but the delivery of Europe, and the world; and above all, we trust that our glorious constitution (more dear to us by absence and experience) will continue to flourish under the star of Brunswick, which has lighted it to his present

pre-eminence in glory, a glory far transcending that of any nation that has yet appeared in the annals of the world."

This is the address (said Mr. Clark) which has been got up by the British consul—who has called upon all "*loyal British subjects*" to come forward and sign: and truly many worthy and patriotic persons, had unsuspectingly obeyed the call, and attached their names thereto, without having any idea that it contained any thing but *mere condolence* (for the address was never made public) who afterwards lamented that they been caught in this *political trap*—he himself had known several instances of the kind—would mention one; an acquaintance of his, who had signed the address, subsequently discovered the cheat, and in order to make as much amends as possible for his involuntary fault, offered to defray all the expenses of convening the present meeting, (here was a cry of name, name from a person in the room) it was not necessary to name the individual he had alluded to, but he would assure that incredulous gentleman, that what he asserted was true; the person he meant wished his name not to be introduced, as it would follow he was easily duped by the artifices of a man in office.

Mr. Savage next addressed the meeting, and stated that he never before had come forward publicly to express his opinion, and he trusted that his first effort would be, by a British audience, treated with that candor that he before had witnessed towards others. Before any decision was taken, as to the adoption of the proposed protest, he wished to make a few remarks. He thought it incumbent on every Briton to do his utmost to prevent the "*loyal address*" from being sent to England, as the general act of the British inhabitants of New-York.—Abortive attempts had been made to prevent this meeting; a correspondent in one of the daily papers, had stigmatized the objects of this assembly as being "*brutal*" and had hinted at the propriety of the interference of the magistrates to prevent a meeting, which he affected to suppose was for the purpose of exulting in the death of the princess Charlotte; but this was foreign to the purpose of those who called the meeting. No man would withhold his sympathy at the melancholy event of the death of the princess, and had the framers of the "*loyal address*," confined themselves simply to this, the present meeting would not have been called together to oppose them. It is our duty, under existing circumstances, to show the people of Great Britain that we have not forgotten them; that although we were by distresses (which have been brought upon our country by the villainous oligarchy who misgoverned it,) induced to leave our dearest connections and friends, we still loved that country, whilst we hated its oppressors. I must now propose that all citizens of this country will withdraw, as this meeting ought to consist of British subjects, (several persons then withdrew)—he then concluded by seconding the address.

The chairman wished Mr. Clark to read the protest, each paragraph to be put separately to the vote, which he did; at the end of each sentence he was interrupted by the enthusiastic applause of the assembly; it was unanimously (with the exception of five non contents) agreed to.

PROTEST.

We, the undersigned natives of Great Britain and Ireland, at present residing in the city of New-York, in the name of the above meeting, have seen with a mixture of contempt and indignation, an "*address of condolence*" to the prince regent of Eng-



land, emanating from an officer of that government which has brought our country to bankruptcy and wretchedness, by the unjust and wicked counsels of the members of what ought to be the people's guardian, the house of commons; four hundred and eighty-six of whom are returned by corrupt influence; upwards of three hundred and sixty of what are called the *representatives of the people*, are sent to that "sink of corruption," by seventy-one peers of the realm, who have seats in what is insultingly styled the *upper house*, or as Fayette ludicrously named it, the "HEREDITARY HOUSE OF LEGISLATORS."

We assert decidedly and unequivocally, that we are ashamed of the conduct of our countrymen who could be so weak or so base as to agree to, and sign an address of condolence to the regent on the death of his daughter, when it must on a moment's consideration, have occurred to them that the father, the prince regent of England, has endeavoured to bastardize the late princess Charlotte of Saxe Coburg, by producing persons to swear that the mother, his wife, the princess of Wales, had been guilty of adultery\*—when it must have occurred to that portion of the meeting who are still Englishmen, who met at his Britannic majesty's consul's office in Broad street New-York, where the address of condolence was passed, that the young princess made her escape from her father's palace, to avoid his (the prince regent's) treatment, and those under him, to her; she was compelled to endure, not only the company of a disagreeable old woman who was an enemy of her mother's, but her ill usage also; she that never had been out alone, and never walked the streets of London by herself, wisely sought her safety by flying to the protection of an injured and innocent mother: this she did by going into the street and hiring a hackney coach to take her to Blackheath, where her affectionate mother resided.

Taking as we ought the above circumstances into our consideration, we highly disapprove of voting him an "address of condolence" on the death of a good and amiable daughter, that he the regent had so cruelly treated while alive.

Because we cannot on the present occasion avoid making some observations on what the adulatory, fawning and sycophantic address of interested men, amongst whom are those who had disowned their country, and taken a false oath of allegiance to the American government, say of the "star of Brun-

\*We have for many years heard it stated as an *acknowledged fact*, and never knew the contrary insinuated, that the prince regent, immediately after the consummation of his marriage, *openly and publicly* spoke of his wife as if she then was what he afterwards attempted to prove her to be. In this attempt he failed—and though the public has not thought that the wife was altogether faultless, most persons have believed she was "more sinned against than sinning." The matrimonial connection existed but a very short time between the parties. They were hardly joined before it was resolved that they should part.

Taking the facts that are known, together with those that are so confidently stated, and considering the whole of the conduct of the regent towards his wife and her child, it is not easy to apprehend he ever believed that the deceased Charlotte was really his daughter, though reasons of state arising from the strange situation of the "family," induced him to acknowledge her as such: nor is it possible that that daughter could have respected an loved the persecutor of an affectionate mother.

Ed. Rya.

wick," which has lighted it (England) to its *present pre-eminence in glory*!!!

Because we cannot see the *glory* of being plunged in debt upwards of a thousand millions of pounds, taking from the people forty five millions sterling yearly to pay its interest—we cannot see that it is *GLORY*, when four millions of our country men are paupers, occasioned by unjust, unnecessary and bloody wars, entered into by the *Boroughmongers*, through the medium of the king, and *not* by the people, who have to defray the expense, to force upon a brave nation a family they abhorred; we cannot see that it is *GLORY*, to have been the cause of restoring the "beloved Ferdinand," and with him the inquisition, which Napoleon had destroyed—we cannot see that it is *GLORY*, to keep a magnanimous and conquered foe, a close prisoner at St. Helena, in time of profound peace, for no other reason, than, that we have the power to do it—we cannot see that it is *GLORY*, for the people of England to be taxed to support an army of mercenaries, to keep on the throne of his blood-stained ancestors, Louis the eighteenth.

Because we cannot see that it is *GLORY* which compels so many of our countrymen to leave their relations, their friends, and all that are dear to them, to leave what is sacred to every Briton, his country—to seek in the cities and wilds of America that protection, liberty, and comfort, which is not to be enjoyed in our own country. We cannot see that it is *GLORY* for such men as Liverpool, Sidmouth, Castlereagh, Canning, and others, to employ spies and informers in all parts of the country, to seduce the innocent and then betray them, as has been done and acknowledged by ministers themselves, in order that they might hold their usurped and unmerited places, pensions and sinecures, at the expense of an industrious, though starving people.—We cannot see that it is *GLORY* in those ministers' rewarding their spies with offices as consuls at foreign courts, as they lately have the miscreant Reynolds, well known as the notorious informer in Ireland. And lastly, we cannot see the *GLORY* of that system under the "Star of Brunswick," which causes men, and Englishmen, to be put up *auction*, on a Saturday evening, the same as the *black slaves* in the *southern states* of this country and the West Indies.

We not only object to the above measures, (stated by the addressers of condolence to the *glory* of Great Britain) but we assert that a different system ought to be adopted; a system of economy similar to the one used in this happy country, where from recent experience our minds are impressed with the fullest conviction of the compatibility of *strict economy* with the amplest means of *national glory*, and of the perfect consistency of a plain and well regulated system of government, with a pure administration of *justice*, which in the great *simplicity* of our understandings, we take to be the *honest and successful* application of the power and resources of a nation to its own real interests.

Mr. Clark, in reply to an observation made by one of the "*sons of corruption*," who recognised him as the president of Spa Fields meeting; said, that it was not because, we had crossed the Atlantic, that the attachment to his country was diminished; no! what, he would ask, would be said by our countrymen in Great Britain and Ireland, when they came to read an address, in which sentiments were expressed as emanating from persons, who, when in their own country, were known to hold opinions directly opposite; would we wish our countrymen to suppose, that because we enjoyed perfect freedom, that we were less anxious about

the welfare of that country in which all that are dear to us reside? No! Would we have it be said, that Britons were afraid to speak their sentiments here, in this favored land when they have done it boldly in their own country in defiance of the threats of petty despots? No! he knew they would not!

Mr. Davies said he had to propose a congratulatory address to the Prince Regent; we ought to thank him for the many brilliant virtues which he possessed, and the good moral example which he set to his majesty's subjects; we ought to thank him for his example of fidelity to his wife, and his cruelty to his daughter; we ought to express our thanks to him for his care in watching over our liberties, and destroying our freedom.

On a motion made by Mr. W. Clark, it was resolved, That the protest be signed by the chairman and the committee, in the name and on behalf of the meeting.

THOMAS BRYAN, Chairman.

COMMITTEE

William Clark,	Charles Barker,
John Savage,	H. W. Donnelly,
Henry Cobbett,	Wm. Edgson,
George Truman,	Thomas Wakefield,
Joseph Boston,	Francis Paris,
Edmund Jermyon,	Samuel Frankish,
James Castigan,	Reuben Cudlipp,
John Binger,	Thomas Sparshott,
John Houghton,	Charles Bray.
James Bowden,	

Resolved, That the thanks of this meeting be given to Mr. T. Bryan, for his able conduct and impartiality in the chair.

C. BARKER, Secretary.

### North Carolina.

Raleigh, N. C. Dec. 26. Our legislature rose on Wednesday last, after passing thirty acts of a general nature, and seventy of private import.

The resolutions of the general assembly of 1816, directing certain surveys to be made of the Albemarle and Croatan and Pamlico Sounds, were continued in force by the session just closed, and the commissioners are requested to have said surveys made, and report them to the next assembly.

And the resolutions directing surveys to be made of the Roanoke, Tar, Neuse, Cape Fear, Yadkin and Catawba Rivers; also directing surveys to be made of the country between Rocky river and the Catawba, and between the Yadkin and Cape Fear, with a view of ascertaining the practicability of uniting those rivers by canals; and also directing the employment of a principal engineer for the state, and the purchase of charts and maps, are continued in full force, and Peter Browne, John Haywood, Joseph Sales, William Baylan, and A. D. Murphy, are appointed commissioners for carrying said resolutions into effect; and they have power to employ one or more engineers for that purpose.

Said commissioners are also requested to have surveyed the ground between the Roanoke at or near Plymouth, and Pungo River, in order to ascertain whether it be practicable to unite the said rivers by a canal, and the probable cost of such canal.

That they also have the necessary surveys made to ascertain whether it be practicable to unite by canals the waters of Roanoke with those of Tar river and the waters of Tar river with those of the

Neuse river; and to have such other surveys made connected with the main objects of these resolutions, as in their opinion may be useful for the information of the legislature; and that they report to the next general assembly.

### Internal Improvements.

Mr. Breck offered, in the senate of Pennsylvania, on the 18th Dec. the following resolution, proposing an amendment to the constitution of the United States.

Resolved by the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met, that our senators in congress be instructed, and our members in the house of representatives be requested, to use their endeavors to have a joint resolution passed, recommending the following amendment to the constitution of the United States to the legislatures of the several states:

"Congress shall have power to pass laws appropriating money for public education, for constructing roads and canals, and improving the navigation of water courses. *Provided however,* That no road or canal shall be conducted in any state, nor the navigation of its waters improved without the consent of such state. *And provided also,* That whenever congress shall appropriate money to these objects, the amount thereof (except for public education, which is left to the discretion of congress,) shall be distributed among the several states, in the ratio of representation which each state shall have in the most numerous branch of the national legislature. But the portion of any state with its own consent, may be applied to the purpose aforesaid in any other state."

### Foreign Articles.

NAPOLÉON BONAPARTE.

From a London paper of Dec. 4.—Las Casas, the private secretary of Bonaparte, stated sometime ago to have been sent from St. Helena, arrived in the river Thames from the Cape of Good Hope, in the Brilliant, merchantman. Upon his arrival at Gravesend, he was taken to the alien office in that town, where his person being identified, he was forthwith embarked in another vessel, and sent off to Dover; while all his effects, trunks and papers, were left on board the Brilliant, no doubt to undergo examination. On his arrival at Dover on Saturday night, he was put on board the Lord Duncan packet, for Ostend!

A person, intimate with Las Casas, mentions that he acquainted him, that, previous to his leaving St. Helena, his baggage was strictly examined by order of the governor, and that a packet, containing the history of Bonaparte, written by Las Casas, at the immediate desire of Bonaparte, and under his direction, was taken from him. He made pressing applications that it might be returned, which the governor pointedly refused—at length it was agreed that this most extraordinary document should remain in the possession of gen. Lowe, and, with his sanction, Las Casas annexed his seal, that the packet should not be opened without his consent.

Las Casas states, that he knows more of the history of Bonaparte than any other person, being for a series of years his private secretary—and to no other person did Bonaparte ever disclose his mind. Las Casas is a middle-aged man; his son, a youth of 12 or 13 years of age, accompanies him.



It is said that the British government has signified its intention to give permission to any of the followers of Bonaparte at St. Helena, to quit that island, who may apply for leave so to do.

The Washington City Gazette says—"The English newspapers contain an account of a smart shock of an earthquake at St. Helena. Napoleon, we are told, attempted to leave his residence on the occasion, but was prevented, it is said, by the sentinels; who, perhaps, thought the earthquake a mere *trick* of Napoleon's to effect his escape."

[It is right enough to impute an earthquake to "French influence." A learned justice of the peace in Delaware once said, in an electioneering harangue, that that influence had affected the price of *shingles* in the swamps of Sussex county, and had also affected the crops of *corn*; and, believing *that*, one may believe any thing.]

## LUCIEN BONAPARTE.

The report about the escape of Lucien Bonaparte is not confirmed. An article from Rome, dated Nov. 8, details an attempt made to seize his person at his seat near Frascati, by robbers—in which a relative was carried off in his stead. The object of the robbers appears to have been to obtain a ransom for him, as they demand 3000 crowns for the person they took, and will kill him if it is not paid. The band is commanded by a famous fellow named *Baibone*; it is numerous, and defies the authority and power of the pope.

## ITALY.

In the ruins of *Herculaneum*, says a late London paper, there have been found loaves of bread, baked in the reign of Titus, and which still bear the baker's mark, indicating the quality of the flour, which was probably prescribed by regulations of the police. There have also been found utensils of bronze, which instead of being tined like our ours, are well silvered. The ancients doubtless preferred this method as more wholesome and more durable.

The government of Parma has prohibited, under the severest penalties, every person, not connected with the military state, to wear *mustachios*, or other military insignia!

## GERMANY.

Madam Murat, having purchased the "lordship of Orth," with sovereignty over the *people*, &c. her son will become an Austrian nobleman!

## DENMARK.

Accounts from Copenhagen of the 15th ult. state the failure of two of the first houses in that city. One of them had been established since the year 1646. The failure of one is attributed to some unfortunate West India speculations, and of the other to the occurrences in Norway.

## PRUSSIA.

There is a rumor at Paris, that the king of Prussia is to be married to Miss Dillon, daughter of the French ambassador at Dresden.

## RUSSIA.

A Russian force is stated to have taken possession of one of the Sandwich islands.

*Moscow, Oct. 25.* The following statement has been laid before his majesty, respecting the destruction of public and private buildings during the French invasion.

Of public buildings destined for divine worship, there were 358, of which 348 are now restored, so as to be fit for use.

Of dwelling houses, there were at that time 2,567 of stone, 6,591 of wood—in all, 9,158. On the enemy's retreat there remained undamaged of stone, 526, of wood, 2,100—in all, 2,626.

Since that time there have been built or repaired 3,137 of stone, and 5,561 of wood—in all 8,698.

Of booths and shops there were 6,324 of stone, and 2,197 of wood—in all 8,521. Of these there remained undamaged, 989 of stone, and 379 of wood—in all 1,368.

There have been rebuilt or repaired 5,102 of stone, and 447 of wood—in all 5,549.

The population of Moscow consists of 197,482 male inhabitants, and 114,513 females—in all 312,000 souls.

## POLAND.

*Cracow, Nov. 4.* The labors of the commissioners of the three allied courts, for marking the boundaries of our republic [*what republic?*] have been so far completed, that the territory of Cracow is marked out by posts, on which are placed the arms of the republic, and those of the neighboring frontier powers.

## JAVA.

A party of Dutch troops, sailors, &c. landed at Saparona, in Java, to chastise the natives—and were nearly all killed by them.

## BARBARY POWERS.

Russia, continues, it is said, to urge the other powers to form a league for the total suppression of the piracies of the Barbary states.

The Algerine squadron have lately captured Dutch, Russian, and Swedish vessels.

The bey of Tripoli has consented to receive a man of science and literature at his court. Joseph Nitche, esq. now private secretary of sir Charles Stewart, is selected as highly qualified. He will be appointed British consul at Tripoli, and travel with the caravan to Tombuctoo.

*London, Nov. 28.*—The plague having horribly depopulated Algiers, the new dey has commanded that all the unmarried men, above 20 years of age, should be conducted to the public place and amply gratified with the *bastinado*, to give them a desire for wedlock. This is the prelude of a new empire of woman, which is about to be established among the barbarians; and it must be said that the education of the young men has commenced even before marriage.

## WEST INDIES.

2,559,422 lbs. of sugar were exported from Barbadoes to the United States, in the year 1817, up to the 25th of Sept. last.

## BRITISH AMERICA.

The citizens of Boston contributed \$7,500 for the relief of the sufferers by the late fires at St. John's, N. F.—those of New York \$5,482; of Philadelphia \$1,207. The money was invested in such articles as it was believed would be most useful to the sufferers, and shipped immediately. The Boston Insurance office underwrote the risk *gratis*. This is as it should be.

Among the exports from Lower Canada, during the year 1817, were 109,071 cwt. Ashes; 145,660 bushels wheat; 38,047 bbls flour; 10,477 bushels flaxseed; 350,000 skins, furs; 36,023 pieces masts, spars and other timber; 1,897,446 pieces staves and heading; and 1,955 bbls. pork. Among the imports were 1,125,848 gallons rum; 44,660 gallons brandy; 12,646 gallons gin; 225,000 gallons wine; 2,310,967 lbs Muscovado, and 609,170 lbs. refined sugar; 35,995 lbs. coffee; 254,248 lbs. tea; 186,247 minots salt; 376,634 lbs. leaf tobacco, and merchandize paying an ad valorem duty of 6½ per cent. of the value of 1672,876

The number of vessels which entered was 332, of 77,115 tons, and with 3,629 men. Cleared, 324 vessels, 76,559 tons, 3,950 men.

# NILES' WEEKLY REGISTER.

NEW SERIES No 25—Vol. 1] BALTIMORE, FEB 14, 1818. [No. 25—Vol. XIII. WHOLE No. 337.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The *u-n-e-s-s* of this sheet has been much deranged by the *postponement* of a long editorial article in type, to see what the events of the coming week may bring forth. The thing has been, by some unknown means, buzzed among the citizens, so as to render this note necessary; and those interested are assured that it is *reformation* only which can keep back the truth, though a great bubble should burst by telling it.

☞ The next number of the WEEKLY REGISTER will complete the 13th vol. or the 1st of the new series—and then it will be expected that all who neglected the advance payment in September last, will settle up—it being the regular period as *originally* proposed and agreed to, between the editor and his subscribers, for that *most important* purpose. And, when that period arrives those who yet remain 2, 3, 4, 5 or, some, 6 years indebted on our books, from the impossibility that has existed in determining the real state of certain accounts, by reason of the imperfect returns received from some of our agents—must expect to have their papers discontinued, if, in the interim, their accounts are not closed, of which they have been notified.

But, as a small tribute of respect to the *many* who have truly supported the WEEKLY REGISTER, and to shew to all that we are willing to exert ourselves to deserve support as it is afforded, we issue an *extra sheet*, as a supplement to the *last* number, to dispose of several interesting articles. Such a supplement causes an immediate cost of *sixty* dollars, merely for paper and workmanship; yet we most sincerely regret that we cannot publish them oftener than we do. "The spirit is willing" but the means are weak.

☞ Though there are many subjects more really important before the public consideration, there is not, perhaps, any thing that more interests it than the dispute between captain *Perry*, of the navy, and captain *Heath*, late of the marine corps. To assist a just determination, we have copied the speech of Mr. Johnson, of Virginia, as introductory to his motion for an enquiry, and followed it by the documents furnished at the request of the house of representatives; so arranged at the end of the present number as to be concluded at the commencement of the next, and prevent a break when the volume is bound.

The editor of the Democratic Press mentions the receipt of a letter "concerning the late disturbances in the Mediterranean fleet." No particulars are given, and the editor at present declines to communicate them. We suppose they have some connection with the affair between capts. Perry and Heath.

## American Cotton.

This very valuable product of agriculture, and great staple for export from the United States, is about to undergo a large diminution in price, or encounter a most formidable reduction as to its *European* consumption.

England was our chief market for and still requires a vast quantity from us; but whether the demand, except at very low prices, in-

deed, will last longer than two or three years more, is very doubtful.

Cotton can be raised in India cheaper than we can raise it; and, in the present state of commerce, the *carriage* of it has a very small effect on its price. The culture in India is extending, and can be extended to any demand for the material—from the vast population whose labor may be directed to it.

It is only about *three* years since the trade of the East Indies was thrown open to the British merchants, generally; and the import of *cotton*, of no consideration with the *lords of India in London*, has required the expenditure and risk of private individuals better than, perhaps, any other trade that they can employ their vessels in, in time of peace.

What is the consequence? Three years ago no cotton (comparatively speaking) was imported from India—but last year ninety-thousand bales were received in England; the present year may give an import of 150,000; the next of 250,000;—the next, a quantity sufficient to exclude all American cottons, except sea-islands, from the British market, unless at exceedingly low prices. The *increase* of ships, since the "free trade to India," has been at the average of 60 ships of 400 tons each, *per annum*. Calculate the amount that the probable number of vessels now engaged in the trade will carry.

"A wise man foreseeth the evil." Our planters have been told of this over and over and over again; and it has been made known to them "as though an angel spoke it," that they must rely upon a *domestic* consumption to insure to them a liberal and just price for their article. But, engulfed in the love of *foreign* trade, because at *this* moment they are making money faster than they know what to do with it, they enjoy the *present* and care nothing for the *future*. If they can make money enough in the *three* years that are to come to support themselves and those dependent upon them their lifetimes, it is well: but they ought to pause a little to enquire about it.

In the decay of this branch of the national industry, in consequence of the low price of the article, through the revolutions of commerce, it can easily happen, in less than ten years, that we ourselves may import cotton from India to supply our domestic wants.—Stranger things than this have happened in the trade of the world.

What will the people then think of the warning voice that told them—the interests of *agriculture* and *manufactures* in the United



States are inseparable; neglect the latter, and the former will not, *cannot*, supply our desires.

Let us take care of the "HOME MARKET"—it is the only one that can be depended upon; it is the stay and support of national prosperity—It is the ark of safety.

### Bank Anecdotes.

*Scene--neighboring. Time--before a late court.*

*President of a bank.* Well, Mr. Clerk, we shall give you a fine harvest next court; we have nearly one hundred writs to issue.

*Clerk of the court,* (rubbing his hands)—That's good news—but what are all these writs for?

*President.* O, they are against persons indebted to the ——— bank, who have let their notes lie over.

*Clerk.* Well, well---that's right. But how is it that some persons do not issue writs against *you*, seeing that you suffer *your* notes to lie over every day, and have done so for several years?

*President.* They dare not. We would ruin any man that should attempt to make us pay him his money against our consent.

*Clerk.* When you are above the law?

*President.* To be sure—the law is only made for the government of the vulgar, such as farmers and mechanics—nor has it any thing to with them, *if they are bank directors.*

*Clerk.* That's lucky; or you would be warranted or sued one hundred times every day.

*The fact, by way of explanation.*—A bank at ———, which does not pay its debts and which has not paid them for several years, lately instituted almost 100 suits against individuals indebted to it—and the people suffer the wreck of property, thereby occasioned, with the meekness of slaves! Such things have happened in most country places and small towns where banks have been established.—Thousands of farmers, who lived happily and were prosperous, before the introduction of those institutions,—coming into contact with them, have been beggared and driven from their farms.

## Legislature of New-York.

### GOVERNOR'S SPEECH.

*Gentlemen of the senate and of the assembly.*

Among the important duties enjoined upon the executive by the constitution, he is required to recommend such subjects to the consideration of the legislature, as shall appear to him to concern the good government, welfare and prosperity of this state. On this occasion I feel a peculiar gratification in the performance of this duty, from a persuasion that I address myself to a legislature competent to distinguish, and anxious to promote the true interests of our country.

As agriculture is the source of our subsistence, the basis of our strength, and the foundation of our prosperity, it is pleasing to observe the public attention awakened to its importance, and associa-

tions springing up in several counties to cherish its interests. Having received but a small portion of direct encouragement from government, it has been left to its own energies; and supported by a fertile soil, cherished by a benign climate, cultivated by industry, and protected by liberty, it has diffused its bounties over the country, and has relieved the wants of the old world.—Relying hitherto almost exclusively on the fertility of our soil and the extent of our possessions, we have not adopted those improvements which the experience of modern times has indicated. And it has not been sufficiently understood that agriculture is a science, as well as an art; that it demands the labor of the mind as well as of the hands; and that its successful cultivation is intimately allied with the most profound investigation of philosophy, and the most elaborate exertions of the human mind.

If not the exclusive duty, it is certainly the peculiar province of the state governments to superintend and advance the interests of agriculture.—To this end, it is advisable to constitute a board, composed of the most experienced and best informed agriculturalists, and to render it their duty to diffuse agricultural knowledge; to correspond with the county societies, to communicate to them beneficial discoveries and improvements; to introduce useful seeds, plants, trees and animals, implements of husbandry, and labor-saving machines; to explore the minerals of the country, and to publish periodically, the most valuable observations and treatises on husbandry, horticulture and rural economy.—The county societies ought to be enabled to distribute adequate premiums; and a professorship of agriculture connected with the board or attached to the university, might also be constituted, embracing the kindred sciences of chemistry and geology, mineralogy, botany, and the other departments of natural history. By which means a complete course of agricultural education would be taught, developing the principles of the science, illustrating the practice of the art, and restoring this first and best pursuit of man to that intellectual rank which it ought to occupy in the scale of human estimation.

Good markets for agricultural productions are the vital incentive to agricultural industry; and nothing tends more directly to the promotion of these, than the establishment of cheap and easy modes of transportation, and the erection of flourishing villages, towns and cities under the auspices of commerce, trade and manufactures. As foreign markets are always fluctuating in their prices, and uncertain as to their exigencies, we must rely principally on our own internal consumption for the staple and permanent support of agriculture. But this can only be effected by the excitement of other kinds of industry, and the creation of a great manufacturing interest. Every friend of this country must contemplate with regret the prostration of our manufactures. The excessive importation of foreign fabrics was the signal of ruin to institutions founded by enterprising industry, reared by beneficial skill and identified with the general welfare. The raw materials of iron, wollen and cotton manufactures are abundant, and those for the minor and auxiliary ones can in most cases be procured at home with equal facility. Nothing is wanting to destroy foreign competition but the steady protection of the government and the public spirit of the country. High duties and prohibitory provisions applied to foreign productions, afford the most efficient encouragement to our manufactures

and these measures appertain to the legitimate functions of the national government. But much may be done by the state government by liberal accommodations, by judicious exemptions and by the whole weight of its influence, and much more may be accomplished by the public spirit of the community. For I am persuaded, that if every citizen who adopts the fabrics of other nations, would seriously consider that he is not only paying taxes for the support of foreign governments, but that he participates in undermining one of the main pillars of our productive industry, he would imitate the honorable preference which you have this day evinced in favor of American manufactures.

The internal trade of a country is equally essential to the prosperity of agriculture, of manufactures and of commerce; for embracing the interests of all, it extends its enlivening influence to every important department of human industry. But it can never be advantageously nor extensively pursued and cultivated without easy and rapid communications by water courses, roads and canals. and it is among the first duties of government to facilitate the transportation of commodities, by opening and ameliorating all the channels of beneficial intercourse; for in peace or in war it is equally essential to our cardinal interests.

The removal of the obstructions to the navigation of our principal river, has heretofore occupied the attention and received the assistance of the state. These impediments being principally occasioned by alluvial depositions and existing only at the head of the navigation, can be easily removed, if a proper plan be adopted. But instead of one concentrated effort, embracing the whole object and under the control of one board, several attempts have been made at different points and under different commissioners. And as they were confined to the improvements of particular parts, their efforts have not been attended with complete success. The unexpended appropriations, in addition to what has already been done, will go far towards accomplishing this important work. And it is a subject worthy of your particular attention and of your munificent interposition.

The immense capital expended in turnpike roads has been very conducive to the promotion of inland trade. But the statutes prescribing the mode of constructing them, of inspecting them before the proprietors are authorized to receive toll, and of coercing their repair, are not sufficiently circumspect in their provisions nor energetic in their enforcements. The inspectors appointed to pronounce on the completion of roads are sometimes selected with an imperfect knowledge of their qualifications, and without any information as to their connexion with the proprietors of the roads to be examined, and their proceedings are conducted without the sanction of an oath, and are not restrained by any declared penalties. The statutes providing for keeping their roads in good order, have been in a state of in-execution in most of the counties in consequence of the new appointment of commissioners. And it is not made the special duty of the ministerial officers of justice to complain when these communications are not maintained in a good state. Owing to this combination of unpropitious circumstances, the condition of these roads is a subject of general and well founded complaint, and calls loudly for the application of efficacious correctives.

I congratulate you upon the auspicious commencement and successful progress of the contemplated water communications between the great western and northern lakes and the Atlantic ocean.

Near sixty miles of the western canal have been contracted for to be finished within the present year, and it is probable that the whole of the northern canal will be disposed of in the same manner before the ensuing spring.

Notwithstanding the unfavorable season, the experience of the contractors, and the late commencement of operations, it is understood that work to the extent of 15 miles has already been done on the western canal. And it is confidently believed that the aggregate expense will be within the estimates of the commissioners. The enhancement of the profits of agriculture; the excitement of manufacturing industry; the activity of internal trade; the benefits of lucrative traffic; the interchange of valuable commodities; the commerce of fertile, remote and wide-spread regions, and the approximation of the most distant parts of the union by the facility and rapidity of communication that will result from the completion of these stupendous works, will spread the blessings of plenty and opulence to an immeasurable extent. The resources of the state are fully adequate without extraneous aid: and when we consider that every portion of the nation will feel the animating spirit and vivifying influence of these great works; that they will receive the benedictions of posterity and command the approbation of the civilized world, we are required to persevere by every dictate of interest, by every sentiment of honor, by every injunction of patriotism, and by every consideration which ought to influence the councils and govern the conduct of a free, high-minded, enlightened and magnanimous people.

In 1815, an act was passed for incorporating a company for opening the navigation between the head waters of the Seneca lake and the Chemung river. And in March last a law was enacted by the legislature of Pennsylvania, authorizing the appointment of commissioners to view and examine the route of a contemplated canal to connect the waters of the Seneca lake and Tioga river, and to report on the practicability, importance and probable expense of making and completing it. In pursuance of which, commissioners have been appointed, have made the requisite examinations, and have probably performed the other duties assigned to them. Although the obvious tendency of this project is to facilitate the transportation of commodities from this to neighboring states, yet from a full persuasion that the prosperity of our country will be best advanced by multiplying the markets for our productions, and by intimate and beneficial connexions between the different members of the confederacy, I consider it our incumbent duty to overlook local considerations and geographical distinctions, and to afford our cordial co-operation.

The fund appropriated to common schools consists of about one million of dollars, and eighty thousand acres of land. The income for distribution this year is 60,000 dollars. Having participated in the first establishment of the Lancasterian system in this country, having carefully observed its progress, and witnessed its benefits, I can confidently recommend it as an invaluable improvement, which by a wonderful combination of economy in expense and rapidity of instruction, has created a new era in education—and I am desirous that all our common schools should be supplied with teachers of this description. As this system operates with the same efficacy in education, that labor-saving machinery does in the useful arts, it will be readily perceived that it is peculiarly adapted to this country.



For if by its means one teacher can perform the functions of ten, and if a pupil can learn in one week as much as he would in one month in the common way, it is evident that more wealth, more labor, more time and more industry can be devoted to the ordinary occupations of life without interfering with the dispensation of knowledge. Wherever it has been attempted, it has succeeded, and several parts of the state have experienced its benefits. Competent teachers can be educated for this express purpose, and in sufficient number to supply all our common schools, by sending intelligent young men to the Lancasterian seminaries in New York, where they will be instructed gratuitously, and where in the course of a few months they will acquire sufficient knowledge of the system. Appropriations for this purpose by the several common schools out of their portion of the general fund, under the direction of the superintendant, will defray the small expense attending the attainment of this important object.

The flourishing condition of our higher seminaries of education is a pleasing demonstration of the increasing progress of mental improvement, and a powerful incentive to liberal dispensations of public patronage. Under the auspices of learned and enlightened instructors, our colleges are constantly increasing in students, and extending in usefulness; and the intermediate seminaries between the common schools and colleges, have also greatly diffused the blessings of education. Funds to the amount of 750,000 dollars have been granted to the three colleges, and about 100,000 dollars to the thirty eight incorporated academies. While this liberality of patronage reflects honor on the state, it cannot be too forcibly inculcated nor too generally understood, that in promoting the great interests of moral and intellectual cultivation there can be no prodigality in the application of the public treasure.

The colleges of physicians and surgeons are eminently deserving of public consideration.—The increase of the institution in New York in the number of its students, in the amplitude of its accommodations, and in the respectability of its character, has kept pace with the science and celebrity of its professors. And the recent addition of distinguished teachers to the establishment in Fairfield, places it on high ground, and in the road to prosperity and usefulness.—The appropriations to medical education do not exceed 60,000 dollars, a sum by no means commensurate with the importance of the object. Every well educated physician becomes not only a conservator of health, but a missionary of science. Wherever he establishes himself he will convey and communicate useful knowledge. Two hundred of our youth annually dispersed over the country, instructed in medical knowledge and its cognate sciences, will in the course of a few years effect an augmentation of the state of general information equally honorable and beneficial to the community. And no measure can be more conducive to the prosperity of our medical institutions, to the respectability of the profession, and to the preservation of the public health, than a law rendering an attendance upon lectures in the university an indispensable passport to medical practice.

The principal societies devoted to literature, science and the arts in the city of New York, have by the liberal patronage of the municipal authorities been collected in a spacious and accommodating edifice under the denomination of the New York Institute. These associations are forming

extensive and invaluable collections of the works of the fine arts; of our animal, vegetable and mineral productions; and of books and manuscripts illustrating our civil, ecclesiastical and natural history, our geography, antiquities and statistics. They are also zealously engaged in exploring the extensive field of natural science; in developing the principles of political philosophy, and in exalting the literature of our country. Whenever such institutions appear, they are entitled to the countenance of government, for there will ever be an intimate and immutable alliance between their advancement and the glory and prosperity of the state.

The state of our finances, demands your mature consideration. It appears that the funds of the state amount  $\$4,500,000$   
And that the debts of the state amount to  $2,710,082.50$ .

composed of the following specifications:

Stock bearing 7 per cent. interest,	$\$1,106,397.50$
Stock bearing 6 per cent. interest,	$777,009.00$
Debt to the bank of New-York, bearing an interest of 6 per cent.	$826,685.00$
	<hr/>
	$2,710,082.50$

It further appears that the sum total of expenditures for fortifications, arsenals, magazines, ordnance, arms, ammunition and other warlike stores; for the pay of militia, sea-fencibles, and volunteers, is  $\$846,350.82$

That the amount of direct taxes of the national government, assumed and paid by this state, is  $1,113,126.23$

Making in the whole  $\$1,959,477.06$ , of debt incurred by the state, in consequence of its patriotic exertions for the public defence, and for the payment of which a tax of two mills on a dollar has been imposed.

It will be observed that we pay a war interest of 7 per cent. for a considerable part of this debt.—As the stock is redeemable, it will be easy to pay it off by a new loan at six per cent. It will be advisable to dispose of the three per cent. stock, and to apply the avails to the reduction of the debt.—These proceeds, together with  $\$226,000$  of the revenue of last year, and a new loan of  $1,100,000$  dollars at six per cent. will extinguish the whole of the present stock in May or June next, and leave about  $150,000$  dollars applicable to extraordinary purposes. The canal stock is not included in this statement, because the finances of this work are to be kept distinct from the ordinary revenues of the state.

If this plan should be adopted, our debt would be reduced to  $1,900,000$  dollars.

I also recommend the reduction of the tax to half its present amount. The annual revenue will still be about  $500,000$ ; and as our permanent expenses, including the interests of the public debt, will not exceed  $440,000$  dollars, there will remain a surplus of  $60,000$  dollars applicable to extraordinary objects. This sum may be increased to upwards of  $100,000$  by financial improvements. The funds of the state will be augmented by the payment of the debt due from the United States, which has not yet been adjusted; and great and useful accessions may be made in other respects. The imposition of auction duties in lieu of those of the United States, lately withdrawn, will protect our regular traders, afford some relief to our manufactories,

and enlarge the fund for internal improvement.—The revenue from escheats, properly collected, would be considerable, and a much greater sum may be raised annually by the lotteries already authorised by law. And it may be proper to observe that our financial operations may be facilitated by the establishment of an office for the transfer of stock in the city of New-York, which can be done without any expense.

This view of our finances is certainly encouraging. It shews that our debt may be greatly reduced; that our taxes may be diminished one half, that all our contemplated improvements may be executed, and that a great fund will still remain for all the beneficial objects of society.

The public lands have not been comprehended in this exposition of our resources. Including the town lots, the islands and our rights of pre-emption, together with the detached parcels and large tracts, I consider them fully equivalent in value to the whole debt against the state. The immense fund appropriated to schools and academies, has also been kept out of view, because I deem it a sacred provision for the education of the present and all future generations, which ought never to be disturbed, diverted or impaired.

With respect to the debt which will be incurred in the prosecution of internal improvements, there can be no doubt but that light tolls on our own commodities, and higher transit duties on foreign productions, will in a few years not only accumulate a fund for its extinguishment, but be a prolific source of revenue for the general purposes of government. And this subject may in other respects form the basis of important arrangements in our system of political economy. It may be rendered a powerful instrument for encouraging our own manufactures, and for restraining the pernicious use of foreign commodities.

The best systems of finance are, however, vain and illusory, without the practice of economy.— Parsimony ought to be avoided as well as profusion, but all governments are too prone to give into wasteful extravagance. Appropriations of public money should be cautiously made, and its expenditures carefully watched. The accountability of public agents should be enforced, and the ordinary forms of legislation ought never to be varied, unless in extreme cases. With the observance of these salutary precautions; with the application of a well regulated economy, and the adoption of proper and judicious retrenchments, I feel a thorough persuasion that the flourishing condition of our finances may be completely restored; that all our improvements may be successfully executed; and that this state, rich in her resources, public spirited in her objects, wise in her deliberations, and determined in her purposes, may attain unprecedented prosperity.

Although the cultivation of the blessings of peace is most congenial with the spirit of our government, the precepts of religion and the maxims of sound policy, yet the seeds of war and controversy are planted too deeply in the constitution of human nature for us to expect an exemption from the common fate of nations; and the experience of the United States utterly forbids the hope. Since our existence as a nation, besides the war of the revolution and contests with the savages of this continent and the barbarians of Africa, we have been engaged in hostilities with France and Great Britain. We are in the neighborhood of British and Spanish provinces. Our enterprising spirit of migration and commerce will bring us in contact

with the trading and colonial establishments of Russia. The West-India islands, owned by different sovereigns, may in the course of time be a fruitful source of controversy; and our extensive commerce will of en render it necessary to vindicate our neutral rights against the aggressions of the belligerent powers of Europe. Even at this present period, the patriotic struggle of the people of Spanish America for emancipation from the restraints of commercial monopoly, and the shackles of colonial subjection, may compromise our pacific relations. Whatever may be the cause, the time must arrive when it will become necessary to appeal to the sword, and this appeal ought never to be made without finding us in a state of ample preparation.

Permit me then to recommend to your attention the revision and amelioration of our militia system.

The statutes relative to the militia were not revised in 1812, and it is now necessary to combine them into one law; to reconcile their different provisions, and to engraft such amendments as experience has shown to be proper. It is believed that essential improvements may be made in the organization, dress and discipline of the militia; in the imposition, collection and disposition of fines; in the promotion of military instruction, and in the encouragement of meritorious service or distinguished skill. In consequence of some of the imperfect state of some of the returns, the precise number of our enrolled militia cannot be ascertained, but it may be safely estimated at 120,000 men. This immense physical force properly organized, arranged, armed and directed, may defy the efforts of any enemy. But it ought not to be concealed, that not one third of our militia is armed and equipped; and that too in a very imperfect manner. This state does not own more than twenty thousand stand of arms. The act of congress of 1803, for arming and equipping the whole body of the militia, however well intended, is totally inadequate to the object. Our militia increases more rapidly than the supply, and even if our population were stationary, it would take near half a century before ample provisions could be derived from that source.

The constitution of the state ordains that the militia at all times, as well in peace as in war, shall be armed and disciplined, and in readiness for service, and that a proper magazine of warlike stores proportionate to the number of inhabitants, shall forever at the expense of the state and by acts of the legislature, be established, maintained, and continued, in every county. Although it has not been practicable to comply with these injunctions in their strict sense and to their full extent, yet it is certainly our duty as well from reverence for the constitution, as from regard for the public safety, to replenish our arsenals and magazines, and to give our physical force all the advantages of energetic arrangement and complete equipment.

The system of criminal jurisprudence which was adopted in 1796, has not realized the expectations of benevolence. The expenses of this establishment to the first day of the present month, amount to the enormous sum of \$976,157 44, of which the following are the principal items:

For erecting the prison, including the site,	243,346 00
For the support of the institution, exclusive of the compensation of the officers and guard,	374,846 70
For the salaries of the officers of the prison, exclusive of the guard,	155,324 43



For the of the guard, including their arms, clothing, &c.	134,660	16
For transportation of convicts to the state prison, since 1812 inclusive, being before that year paid by the agent of the prison,	67,930	15
	976,157	44

The efficacy of this system in reforming offenders, has not stood the test of experiment; and as it is very difficult to obtain accurate accounts of the convictions under the old system, it is not in my power to state with certainty, whether crimes have increased under the new, because in order to arrive at a fair result, it is necessary to compare the convictions and the population under the operation of both codes: but I am induced to believe that in this momentous respect, it has not answered our wishes. It is with inexpressible regret that I am compelled by an imperious sense of duty, to make this communication. I have done it not with a view of re-introducing sanguinary punishments, which are as abhorrent to my feelings as they are to the policy of good government, but to attract your attention to this important subject, and to solicit the full exertion of your faculties in its investigation. I am persuaded that the penitentiary system has not been subjected to a fair experiment, and that under a proper arrangement, and a virtuous and able administration, it will answer all the ends of criminal justice, without imposing any great burden on the state.

It is reasonable to impute our disappointment in a considerable degree to the incompetency of the means provided for executing the system on an extensive scale. The want of room has been hostile to discipline, injurious to industry, and productive of heavy expenses; and when the state undertook to carry on extensive manufacturing operations, it became liable to losses, in every stage of their progress from the purchase of the raw material to the sale of the wrought article. The injudicious organization of the board of superintendence; the repeated changes in that body, and the unavoidable frequency of pardons have also produced detrimental effects. But making ample allowance for all these disadvantages and comparing our penitentiary with those of other states, I cannot resist the impression that there has been some radical error in the general management. I behoves the representatives of the people to institute a solemn enquiry; to ascertain the causes of the failure, and to apply the appropriate remedies.

The efficacy of the penitentiary system might be signally promoted by the erection of solitary cells in the several counties for the punishment of all offenders below the degree of grand larceny, and by doubling the value of the property stolen in order to constitute that crime. Solitary confinement is, next to death, the most appalling punishment which can be inflicted on a human being; and the expense of erecting these prisons and of maintaining the convicts will be very inconsiderable, when compared with the importance of the object. Under our present code, the pardoning power has been frequently exercised in a salutary manner by prescribing as a condition that the convict to whom mercy is extended, shall depart from the state and never return. This is in substance the punishment of banishment, and it would be well to fortify the efficacy of such pardons, by imposing severe penalties for their violation.

As connected generally with this subject, it is proper to mention that the dispensation of criminal

justice is attended with heavy, and it is believed, with unnecessary expense; and that, great benefits might probably arise from some improvements in the system, and from a new arrangement of the court of exchequer.

In the case of creditors and debtors our law has departed from its general policy, and has authorised the former to wield the power of punishment by the imprisonment of the latter for a default in the payment of debts, without considering whether the failure be imputable to misfortune or to fraud. Within a few years this code has been relaxed, and the debtor has been liberated from close incarceration, and admitted to the benefit of extensive limits on giving security that he will not depart from them. The consequence is that it entangles, and holds only the poor and the forlorn, while those favored with friends or opulence escape from its severity. If the legislature shall consider it expedient to change the present system and exempt the unfortunate debtor from the penalties of imprisonment, rigorous provisions ought to be adopted for the punishment of fraud, and the rights of creditors should be fortified by the terrors of criminal punishment. But if it shall be deemed unadvisable to proceed to that extent, the poor debtor confined within the walls of a prison, ought at least to be supported by his unrelenting creditor, and the repetition of scenes at which humanity shudders ought no longer to disgrace our country.

Our statutes relating to the poor are borrowed from the English system. And the experience of that country as well as our own, shews that pauperism increases with the augmentation of the funds applied to its relief. This evil has proceeded to such an alarming extent in the city of New York, that the burdens of heavy taxation which it has imposed, menace a diminution of the population of that city, and a depreciation of its real property. The consequences will be very injurious to the whole state; for the decay of our great market will be felt in every department of productive labor. Under the present system the fruits of industry are appropriated to the wants of idleness; a laborious poor man is taxed for the support of an idle beggar; and the vice of mendicity, no longer considered degrading, infects a considerable portion of our population in large towns. I am persuaded that the sooner a radical reform takes place, the better. The evil is contagious, and a prompt extirpation can alone prevent its pernicious extension. The inducement to pauperism may be destroyed by rendering it a greater evil to live by charity than by industry; its mischiefs may be mitigated by diminishing the expenses of our charitable establishments and by adopting a system of coercive labor: and its causes may be removed by preventing intemperance and extravagance, and by intellectual, moral and religious cultivation. It is the decree of heaven that our lives should be spent in useful or active employment. "In the sweat of thy face shalt thou eat bread, till thou return unto the ground," was the declaration of the Almighty to our first parent; and a course of blind indiscriminating prodigal benevolence defeats its own object, by attempting to counteract the laws of our nature, and the designs of Providence.—Charity is an exalted virtue, but it ought to be founded on reason and regulated by wisdom—While we must consider as worthy of all praise and patronage religious and moral societies, Sunday, free, and charity schools, houses of industry, orphan asylums, saving banks, and all other establishments, which prevent or al-

leviate the evils of pauperism, by inspiring industry, dispensing employment and inculcating economy; by improving the mind, cultivating the heart and elevating the character, we are equally bound to discourage those institutions which furnish the aliment of mendicity by removing the incentives to labor, and administering to the blandishments of sensuality.

The Indians in our territory are experiencing the fate of all savage and barbarous tribes in the vicinity of civilized nations, and are constantly deteriorating in character and diminishing in number; and before the expiration of half a century there is a strong probability that they will entirely disappear. Their reservations amount to about 250,000 acres of excellent land, but as the greater part is within the cession to Massachusetts, the state has but little interest in the pre-emption. It is understood that the western Indians are desirous that ours should emigrate to an extensive territory remote from white population, and which will be granted to them gratuitously. As this will preserve them from rapid destruction, as it is in strict unison with the prescriptions of humanity, and will not interfere with the blessings of religious instruction; and as their places will be supplied by industrious and useful settlers, who will augment our population and resources, it is presumed that there can be no reasonable objections to their removal.

This, however, ought to be free and voluntary on their part, and whenever it takes place, it is our duty to see that they receive an ample compensation for their territory. At the present time they are frequently injured and defrauded by intrusions upon their lands, and some of the most valuable domains of the state are subjected to similar detriment. It is very desirable that our laws should provide adequate remedies in these cases, and that they should be rigorously enforced.

The evils arising from the disordered state of our currency, have been aggravated by the banking operations of individuals, and the unauthorised emission of small notes by corporations. They require the immediate and correcting interposition of the legislature. I also submit it to your serious consideration, whether the incorporation of banks in places where they are not required by the exigencies of commerce, trade or manufactures, ought to be countenanced. Such institutions having but few deposits of money, must rely for their profits principally upon the circulation of their notes, and they are therefore tempted to extend it beyond their faculties. These bills are diffused either in the shape of loans, or by appointing confidential agents to exchange them for those of other establishments. But the former mode being conducive to profit, is at first generally adopted, and in the early stages of their operations, discounts are liberally dispensed. This produces an apparent activity of business and the indications of prosperity. But it is all fictitious and deceptive, resembling the hectic heat of consuming disease, not the genial warmth of substantial health. A reaction soon takes place. Their bills are in turn collected by rival institutions, or pass to the banks of the great cities, and payment being required, the only resource left is to call in their debts, and exact partial or total returns of their loans. The continual struggle between conflicting establishments to collect each other's notes, occasions constant apprehension. The sphere of their operations is narrowed. Every new bank contracts the area of their paper circulation; and after subjecting the communities within their respective spheres of operation

to the pernicious vicissitudes of loans at one period profusely granted, and at another parsimoniously withheld, they finally settle down into a state of torpid inaction, and become mere conduits of accommodation to a few individuals. The legislature are then solicited to apply a remedy by the incorporation of other banks, whereas every new one of this description, unless attended by peculiar circumstances, paralyzes a portion of capital and augments the general distress.

The banishment of metallic money, the loss of commercial confidence, the exhibition of fictitious capital, the increase of civil prosecutions, the multiplication of crimes, the injurious enhancement of prices, and the dangerous extension of credit, are among the mischiefs which flow from this state of things. And it is worthy of serious enquiry, whether a much greater augmentation of such institutions may not in course of time produce an explosion that will demolish the whole system. The slow and periodical returns of husbandry being incompetent to the exigencies of banking establishments, the agricultural interest is the principal sufferer by these proceedings. And it is with deep regret that I feel constrained to mention that some practitioners of the law, regardless of the high respectability of their profession, have added to the distresses of the country by buying up notes in order to obtain exorbitant premiums and the costs of prosecution. The fall of the manufacturing interests, the excessive consumption of foreign commodities, and the introduction of wide-spreading luxury and wide-wasting extravagance, have had a most pernicious effect on the public welfare.

But I felicitate you on the prospect of better times. The blessings of Heaven have visited the labors of the husbandman during the last year, and the products of another season will in all probability create a balance in favor of the country. Public attention is awakened to the encouragement of the useful arts, and to the diffusion of the lights of religion and knowledge, and we are, I hope, returning to these habits of economy and those observances of republican simplicity, which are demanded by the voice of patriotism, and the genius of our government. And when we compare our actual and prospective state with that of other nations, we have every reason to be grateful to Divine Providence for the exalted destinies of our country.

I shall now lay before you a letter from the governor of Pennsylvania, respecting the contemplated canal between the Seneca Lake and one of the branches of the Susquehannah river; a communication from the secretary of state enclosing a representation of the minister of Great Britain respecting the statute of the state "to amend an act entitled an act relative to the pilots of the port of N. York"; a request from the engineer of the U. States who superintends the erection of the important works at Rouse's Point on lake Champlain, for further cessions of soil and jurisdiction; certain proceedings of the states of Kentucky, New Jersey and Connecticut, respecting amendments to the national constitution, and sundry papers relative to the demand of this state against the United States. All these subjects will require your attention in the course of the session, but the last, from the circumstances of the case, ought to be immediately considered.

I should do injustice to my feelings, were I not to express my grateful and respectful sense of the confidence reposed in me by the people of this state.—Conscious that I ought to be judged by my



conduct and not by my professions, I shall waive the usual expressions on these occasions, and shall only declare that in the proper performance of my official duties I rely upon the cordial concurrence of the co-ordinate authorities, and the magnanimous support of the people. And I humbly implore the blessings of Almighty God upon the faithful execution of our high responsibilities, and upon our zealous co-operation with the national and state governments, in all wise and patriotic measures to promote the happiness, to advance the honor and to perpetuate the freedom of the American people.

DE WITT CLINTON.

Albany, January 27, 1818.

## Indian News.

From the Georgia Journal, Extra.

[OFFICIAL.]

Copy of a letter from maj. gen. Gaines to the governor of this state, received last night by express.

HEAD-QUARTERS,

Hartford, Geo. January 23, 1818.

SIR—By a letter just now received from brigadier general Glascock, I am informed, that a party of Indians concealed in the swamp of Cedar creek, 7 miles east of Flint river, yesterday morning, fired upon and killed Mr. Thos. Leigh, assistant wagon master, and Samuel Lofters, of captain Avary's company of Georgia militia. The wagon master had been sent out with a small party of men and a drove of pack-horses, laden with provisions; which, by a prompt and judicious arrangement on the part of major Heard, were secured, with the residue of the party and horses. Gen. Glascock immediately ordered out a detachment under major Morgan, in pursuit of the Indians.

By a letter from col. Arbuckle of the 18th inst. I learn, that the Indians were to assemble near the mouth of Flint river, on the 21st. for the purpose of concerting measures for the destruction of the inhabitants on the Chatahoochie, and the reduction of Fort Scott. The latter they calculate upon starving out. Fort Gaines it was apprehended would be attacked. One of the inhabitants (Mr. Weaver) had been killed near the fort; a house had been burnt, and some property destroyed.

The detachment and vessels under maj. Muhlenburg with military stores arrived at Fort Scott without any material loss, other than that mentioned in my last, although incessantly annoyed by a very large force from each shore, from the 15th to the 25th of December. A supply of provision ordered in November last, had not reached the Appalachiecola at the date of col. Arbuckle's letter, (the 18th inst.) The troops were then without meat, but had engaged nearly one month's supply upon the Chatahoochie, part of which left Fort Gaines under a strong guard on the 16th. The supply of flour at Fort Scott is sufficient allowing full rations of that article for the troops there, until the middle of next month; and the arrival of sixty thousand rations from New-Orleans is daily expected; and even should this supply fail, I have not a doubt of having a competent supply sent down the Flint and Chatahoochie, in time to prevent the troops from suffering.

I have been thus particular in communicating to your excellency the state of our supplies, as well as the movements of the enemy, from an impression, that a knowledge of these subjects would be acceptable to you, and beneficial to the state over which you preside—as well as from a wish to draw from you free communications of your views and

wishes upon whatever relates to the public service, connected with my command.

I have seen in the newspapers, with equal surprise and indignation, the attempts that have been made to lull the public mind into a belief, that the hostile Indians desire peace, and are willing to lay down their arms! Sir, there will be no peace until those Indians are severely chastised.

The chiefs were required to surrender the offenders! It was deliberately resolved in a large council of the Seminoles and "Red Sticks" at Mickasukee, that the offenders should neither be punished nor surrendered.

Some of their chiefs have triumphantly asserted, that we cannot beat them!—that we never have beaten them, except when we had "*red people to help us.*" It is not extraordinary they should entertain these opinions—they know little or nothing of the strength or resources of our country—and whatever information they have derived from their white friends (British officers and traders) could have no tendency to give them favorable impressions towards us. *They must be beaten before we can reasonably calculate upon peace.*

It is well known that seven of our citizens were killed by those Indians in the two years immediately succeeding the late war with England. Their chiefs admitted this, and that among the number was a woman and two children (Mrs. Garrett of this state.)

The principal chief, Chapichimico, in notifying the warriors of the resolution of the chiefs in council, added that, "the day never should come when he would give up or punish a red man for killing a white man." These facts have been communicated to me by Indians, and though interpreters who I believe to be men of truth—nor have I a doubt but these facts were well known to those philanthropic writers of *Peace*, who have had the sagacity to discover, that hostilities were commenced by the troops under my command, on the 20th of November last—and that we are the aggressors.

It is not an act of war, according to this doctrine, to massacre and scalp seven unoffending persons, among them a woman and her infants! What number then, I would ask, the massacre of which would constitute an act of war? Sir, my own humble impressions upon this subject are, that the wanton massacre of an *infant not yet able to lisp* the enviable declaration of "*I am an American citizen,*" should be as promptly avenged, as if fifty, or fifty thousand citizens had been thus massacred. When reparation is refused by the nation (whether red or white, civilized or savage) to whom the offenders belong—the nation itself becomes accountable, and should be chastised for the outrage.

I have little confidence in the expectation of obtaining any considerable aid from the friendly Indians; even should they join me, the loss of their chiefs may induce them to follow the example of the warriors under Perryman, and go over to the enemy; and I owe it to myself and to the public service to apprize you of the existence of a spirit of opposition, tending to counteract my efforts, having recently manifested itself in what is deemed to be the friendly part of the Creek Nation; originating as I have reason to believe, with some evil disposed white persons, actually engaged in smuggling negroes into the United States from East Florida. A considerable number, as I am credibly informed and believe, have been taken to the immediate vicinity of the Creek Agency. It rests with the agent to detect or explain this apparent violation of law. The movement of the

troops and the active and general hostility of the Indians near the Florida line, will have a strong tendency to render this abominable traffic difficult and perilous; hence I expect to be honored with the ill will of every one engaged in it.

I have the honor to be, very respectfully, your obedient servant,

EDMUND P. GAINES,  
Maj. Gen. commanding.

*His excellency Wm. Rubun.*

*Office of the Georgia Journal,  
Milledgeville, Jan. 30.*

An express from gen. Gaines to the executive, reached here this morning, with the following unpleasant intelligence.

*Head-quarters, Hartford, Ga. Jan. 28, 1818.*

Sir—I have just now received a letter from Wm. Harris, esq. of Telfair, containing the painful intelligence of the massacre of Mr. Daniel Dikes and his family, by a party of Indians, on the Satilla, 40 miles from Telfair court house. Mr. Harris adds, that there was reason to apprehend some other families have fallen near the residence of Mr. Dikes. I have ordered a detachment of cavalry to that frontier, to pursue the Indians as far as practicable.

A detachment of col. Wimberly's regiment of infantry will be sent down the Flint on the Indian side, towards the Big Bend, with orders to reconnoitre the country, and arrest or attack any parties found in that quarter.

I have the honor to be, very respectfully, your obedient servant,

EDMOND P. GAINES,  
Major-general commanding.

*His excellency Wm. Rubun.*

General Jackson left Nashville on the 23d inst. for Fort Scott, to take command of the army against the Seminoles. The 1000 mounted volunteers from Tennessee were to rendezvous at Fayetteville on the 31st ult. The general was accompanied by a handsome company of young men, promptly equipped, as his guard.

## CONGRESS.

### SENATE.

February 6.—Mr. Williams, of Miss. submitted the following resolution:

*Resolved,* That the committee on the public lands be instructed to enquire into the expediency of providing by law for the reservation of such tracts of land within the several land districts of the United States, as may in the opinion of the president be suitable sites for the laying out and establishing towns; and for the sales of the lots therein. [Adopted next day.]

Mr. Wilson submitted the following resolution:

*Resolved,* That the committee on the judiciary be instructed to enquire whether any, and if any, what alterations are necessary in the laws relative to the promulgation of the acts of congress.— [Adopted next day.]

The request of the other house for a conference on the disagreeing votes, respecting brevet extra pay, having been announced—

On motion of Mr. Campbell, the senate agreed to the proposed conference, appointed, as managers on their part, Messrs. Williams, of Ten. and Barbour; and

The senate went into the consideration of the executive business; after which

The senate adjourned to Monday.

Feb. 9.—Mr. Goldsborough, from the committee to whom the subject was referred, reported a bill regulating the transportation of persons of color

for sale, to be held to labor, which was passed to a second reading.

Feb. 10.—A good deal of preparatory business was transacted this day and shall be noticed as it progresses.

Mr. Daggett presented the memorial of the Milford (Connecticut) Marble company, praying the imposition of a duty on the importation of foreign wrought marble.

Mr. Lacoek presented the memorial of the Philadelphia society for the promotion of American manufactures; praying further protection to domestic manufactures.

Mr. Ruggles submitted the following resolution for consideration:

*Resolved,* That the committee on military affairs be instructed to enquire into the expediency of making provision by law to compel a more prompt settlement of the accounts of the pay-masters and quarter-masters of the late army.

Agreeably to notice given, Mr. Barbour introduced, by leave, a bill to promote the progress of the useful arts, and to repeal all the acts heretofore made for that purpose; which was read and passed to a second reading.

Feb. 11.—A message was received from the president of the United States, by Mr. J. J. Monroe, transmitting copies of the reports, in relation to the surveys and examinations made by naval officers, in co-operation with officers of the corps of engineers.

The senate resumed the consideration of the motion made yesterday, respecting the settlement of the accounts of the paymasters and quartermasters of the late army, and agreed thereto.

The resolution to instruct the committee of claims to enquire into the expediency of providing for the examination and allowance of moneys paid by the state of Massachusetts for the supplies and services of the militia of that state, employed during the late war in the common defence, so far as the same may be due, on principles of equity and justice, was taken up and agreed to, without debate.

Feb. 12. After a good deal of other business—

Mr. Campbell, from the managers on the part of the senate, of the conference upon the disagreeing votes of the two houses on the senate's amendment to the military appropriation bill, made a report embracing a detail of the proceedings of the conference, and of their inability to agree on the subject; which report was read.

### HOUSE OF REPRESENTATIVES.

Friday, February 6.—Mr. Taylor, from the committee of elections, made a report, accompanied by sundry documents, amongst which is a letter from Mr. Mumford to the committee, on the case of George Mumford, a member of this house from North-Carolina, whose right to a seat has been questioned, because he had not, previously to attending the house, resigned the office of principal assessor in his district. The report concludes, on the ground that the duties and compensation of the office (and of course the office itself) had expired, that Geo. Mumford is entitled to a seat in the house. The report was read and committed.

The speaker laid before the house a letter from the secretary of war, stating that the report to this house from the war department, dated on the 20th of February last, contains all the information to be found in that department, in relation to the claims of the state of Massachusetts, for the expenses of calling out the militia of that state during the late war, and the reasons why they have not been al-



lowed; which was read and ordered to lie on the table.

On motion of Mr. Forsyth, it was

*Resolved*, That the president of the U. States be requested (if in his opinion not inconsistent with the public interest) to lay before this house the correspondence with the government of Spain, to which the letter\* of Geo. W. Erving, the American minister near that court, of the 26th October, 1816, communicated with his message of the 29th Jan. 1818, refers, and any subsequent correspondence between the two governments on the same subject.

And a committee was appointed to lay the said resolution before the president.

The house took up the senate's message, *insisting* on their amendment to the military appropriation bill, (respecting brevet pay) and agreed to insist on its disagreement thereto; and to ask of the senate a conference thereon: to manage which conference on the part of this house, Messrs. Lowndes, Smith, of Md. and Pitkin were appointed.

The engrossed bill for the relief of maj. gen. Arthur St. Clair, was read a third time, passed and sent to the senate for concurrence.

*Monday, February 9.*—Several reports were received from committees, of no general importance.

Mr. Newton reported a bill "to increase the duties on iron in bars and bolts, iron in pigs, castings, nails and allum; and to disallow the drawback of

duties on the exportation of gun-powder. [The duties to be substituted for those now existing are, on iron pigs, 50 cents per hundred weight; on iron castings, 75 cents per hundred weight; on nails four cents per pound; on iron in bars and bolts, excepting iron manufactured by rolling, one dollar per hundred weight; and on allum, two dollars per hundred weight.] The bill was twice read and committed.

The speaker laid before the house the annual report of the commissioners of the sinking fund, (the president of the senate, the chief justice of the U. States, the secretary of the treasury, and the attorney general.) [The amount of the public debt on the 1st of Jan. 1818, stands at \$99,004,800 51]

[Both houses of congress adjourned at very early hour this day—"probably," the National Intelligencer observes, "on account of the excessive cold."

*Tuesday, February 10.*—Mr. Simkins, from S. C. appeared yesterday, was qualified and took his seat.

On motion of Mr. Hopkinson, it was

*Resolved*, That the committee on the judiciary be directed to enquire into the expediency of increasing the salaries of the judges of the supreme court of the United States.

The house then resolved itself into a committee of the whole, Mr. Smyth in the chair, on the bill "concerning half-pay pensions, &c. and for other purposes."

After many amendments, the details having been gone through, the committee rose, reported the bill to the house, which then adjourned.

[The National Intelligencer, of Wednesday, observes—"The bill reported in the house of representatives, by Mr. Forsyth, from the committee to whom was referred so much of the president's message as relates to the commercial intercourse between the United States and the British West-India islands and possessions in North America, was worthy of more particular notice, than from its technical title of "a bill supplementary to the act regulating duties on imports and tonnage, &c." we gave to it. It is a literal transcript, we believe, of the bill reported by the same committee at the last session; which was ably debated, but was laid over as deserving more mature consideration. Few subjects of the present session are likely to excite more interest than this bill for countervailing the British colonial policy; if we except, perhaps, the bill for establishing an uniform system of bankruptcy, which seems to be loudly demanded from all sections of the country.]

*Wednesday, Feb. 11.*—On motion of Mr. Mills, the committee of ways and means were instructed to enquire into the expediency of exempting from duty the articles of Sicilian sumac and merino wool, imported into the United States.

The house then took up the report of the committee of the whole on the bill concerning half-pay pensions, &c. and agreed, successively, to all the amendments thereto reported by the committee.

After several proposed amendments and much debate,—The question was then taken on ordering the bill to be engrossed and read a third time, and decided in the negative, as follows:

YEAS—Messrs. Anderson, Ken. Barber, Ohio, Beecher, Bellinger, Bloomfield, Bryan, Butler, Campbell, Colston, Comstock, Cruger, Culbreth, Earle, Ellicott, Erving, S. C. Floyd, Forney, Fuller, Gage, Harrison, Hendricks, Herkimer, Hitchcock, Holmes, Mass. Hunter, Irving, N. Y. Johnson, Ken. Kinsey, Lawyer, Little, Marr, Mason, Mass. Mercer, Merrill, Mosely, Murray, T. M. Nelson, New, Ogle, Palmer, Parrott, Patterson, Pindall, Porter, Quarles, Reed, Ringgold, Robertson, Lou. Silsbee, Simpkins, Smith, Balt. Southard, Spencer, Stuart, Md. Tallmadge, Trimble, Tucker, S. C. Walker, N. C. Walker, Ken. Wallace, Wendover, Whiteside, Whitman, Williams, N. Y. Wilkin—65.

\*The following is the letter referred to:

MR. ERVING TO MR. CEVALLOS.

MADRID, Oct. 25th, 1816.

To his excellency Don Pedro Cevallos, first secretary of state, &c.

SIR—By your excellency's note of the 17th inst. in reply to mine of Sept. 26th, respecting the proclamation blockade of gen. Morillo, and the ravages on the American commerce, which are committing under it, I am told that his majesty has ordered that information shall be taken (*se pida informe*) of the tribunal of admiralty.

That gen. Morillo has issued such a proclamation as I have described in my note of Sept. 26th, is a fact of universal notoriety; your excellency has had before you long since, the correspondence between the American secretary of state and Mr. Onis on the subject, and I have transmitted to you a copy of the letter of Don Francisco Montalvo, viceroy of Santa Fe, to the American commissioner, Mr. Hughes, in which the existence of the blockade is admitted, and in which the American government is referred for redress to his Catholic majesty. It was, therefore, that, by the orders of my government, I wrote to you on the subject. With the fact which I have above stated before to you, I am wholly at a loss to imagine what kind of information the tribunal of admiralty can afford, which may regulate the decision of his majesty on the subject.

The tribunal cannot deny the existence of the proclamation; it cannot show that the proclamation is legal; it cannot deny that American vessels have been taken under the proclamation; it cannot contest the right of the American government to demand the restitution of such vessels.

In fine, sir, it is my duty to assure you, that any demur or delay in affording the satisfaction demanded, in a case of this principal importance, cannot but be very sensibly felt by the government of the United States.

I renew to you assurances of the very distinguished consideration with which I am yours, &c.

G. W. ERVING.

NAYS—Messrs. Abbott, Adams, Allen, Mass. Allen, Vt. Ball, Barbour, Va. Bateman, Bayly, Bennett, Blount, Boss, Burwell, Claiborn, N. C. Co. Crafts, Cushman, Darlington, Desha, Drake, Edwards, Folger, Forsyth, Garnett Hale, Hall, Del. Hall, N. C. Hasbrouck, Hogg, Holmes, Con. Hopkinson, Huntington, Kirtland, Linn, Livermore, Lowndes, McLane, W. Maclay, W. P. Maclay, McCoy, Marchand, Moore, Morton, Mumford, Jer. Nelson, Ogden, Orr, Owen, Pitkin, Poindexter, Rhea, Rich. Richards, Robertson, Ken. Ruggles, Savage, Scudder, Sergeant, Settle, Seybert, Shaw, Sherwood, Slocumb, J. S. Smith, Stewart, N. C. Storrs, Strong, Tarr, Taylor, Terrill, Terry, Tompkins, Townsend, Tucker, Va. Tyler, Upham, Westerlo, Williams, Conn. Williams, N. C. Wilson, Penn.—79.

So the bill was rejected.

Mr. Storrs, under a belief that the bill had been rejected from a dislike to the 3d section, or some other feature, and that, divested of the objectionable provisions, the bill would pass, moved to reconsider the vote just taken, that the bill might be modified and rendered acceptable to the house.

This motion after some discussion, was negative—ayes 53, noes 86; and the house adjourned.

Thursday, February 12.—After other business—Mr. Lowndes, from the committee of conference on the disagreeing votes of the two houses, on that part of the general military appropriation bill which respects extra pay to officers of brevet rank when on separate service, made a detailed report, stating the views of the committee of this house, adverse to that appropriation, and the arguments by which the conferees, on the part of the senate, sustained their preference of it. It appears the committees of the two houses parted without being able to come to an agreement, each retaining its own opinion.

After the reading of the report, Mr. Lowndes, remarking that the views taken of the subject by the committee rendered unnecessary the attempt to elucidate it by any farther remarks from himself, moved that this house do adhere to its disagreement of the amendment of the senate which proposes an appropriation for the brevet extra pay.

Mr. Mercer, suggesting that the length of the report was such as to prevent a due comprehension of the force and scope of its reasoning by hearing it once read, therefore moved that the report lie on the table and be printed; which motion was agreed to.

Mr. Trimble's motion, relative to Mr. Meade, was referred to a select committee.

Mr. Johnson, of Ky. called up his resolutions, submitted early in the session respecting military affairs—see page 254. They were all rejected except the 4th and 6th. The former was laid over, and the latter was agreed to by a large majority.—There was much discussion, and the house adjourned at a late hour.

## Capt. Perry and Capt. Heath.

HOUSE OF REPRESENTATIVES.

Thursday, Jan. 22, 1818.—Mr. Johnson, of Va. rose for the purpose of submitting to the house a proposition for amending the act of 1800, establishing rules for the government of the navy. He begged leave to premise that he was a friend to the navy; that he considered it a most important portion of the military defence of the country—and an establishment which, of a size and force proportioned to our resources, and under wholesome and just regulations, he believed would always be found of the most essential service, as well in defensive as in offensive operations. But, his attention having been called by recent circumstances to the act to which he had referred, he was, on mature deliberation, fully convinced, that the act ought to be amended. He had seen, he said, a distinction made by the provisions of that act between the superior and inferior officers of the navy, which, in

his opinion, would disgrace the most despotic government in the world. He asked if the superior officers of the army and navy had not sufficient distinction over the inferior officers in the honors, and in the emoluments of their station, and in the rewards and gratitude of the public? When, forgetful of self-respect and of their duty to the public, they should commit crimes, why should a distinction still be made between them and their inferiors? In this country, he understood, that all men committing crimes, equally violate the laws and ought therefore to stand on the same footing. The only difference between them should be this: that stronger testimony would, in the opinion of the jury, be required to convict a man of a fair, high and honorable character, than one of a different description. Will you, said Mr. J. make the distinction that one officer shall be punished by death for an offence, which, in another is punishable by a simple reprimand? Look at the law for the government of the navy. You will find that the inferior who commits an assault on a superior officer, forfeits his life! Why punish him more severely than for a like offence you would any other citizen of the United States? If any other citizen commits an assault, even on this officer, what is his punishment? If it be within a state, he is liable to an indictment, and to a fine and imprisonment, light in proportion to the lightness of his offence; he is also liable to an action for damages by the party injured, where the damages given are proportioned to the injury received. Why should so important a distinction in this respect be made between officers and citizens? As this law had been passed many years ago, and as, perhaps, the attention of many members had not been particularly directed to it, Mr. J. read, for their information the following clauses of it:

"Art. 14. No officer or private in the navy shall disobey the lawful orders of his superior officer, or strike him, or draw, or offer to draw, or raise any weapon against him, while in the execution of the duties of his office, on pain of death, or such other punishment as a court martial shall inflict."

"Art. 20. No commanding officer shall, of his own authority, discharge a commissioned or warrant officer, nor strike nor punish him otherwise than by suspension or confinement, &c. Any commanding officer offending herein shall be punished at the discretion of a court martial."

I presume, said Mr. J. no question to be more clear, than that no court can impose the penalty of death, unless the power to punish by death be expressly given. How incompatible is such a distinction, as is contained in these clauses with the genius and spirit of our government! What a libel on the principles of freedom and equality every where claimed in the United States! To what ridicule would it subject the inferior officer who should boast of the declaration of independence and the equality of rights in this country. I ask if the discrimination be just? If the offences committed by the superior officers be not the most likely to prove injurious to the service?—the most calculated to produce demoralizing and bad effects by their example? I have no question that all evil and bad examples set by men high in office, and in the confidence of the country, descend on society with the accumulated force of gravity. Yet whilst the same act, if performed by an obscure subaltern, would be ridiculed and condemned—if performed by some distinguished and popular favorite, it would, if not openly approved, at least find many apologists. The true policy of this government is



to afford equal protection to all; to deal out equal and exemplary punishments against all offenders. If any distinction be made, I would punish with most severity the man high in office, the popular idol, who should become forgetful of his duties and obligations to society. There is little danger that the rights of the superior in the navy will be violated, his person attacked, or his feelings insulted, by those under his command. Experience, and recent occurrences, prove to us, that that the subaltern officer is in a very different situation. I allude to a recent occurrence on the Mediterranean station. It has been published to the world, and, so far as I am informed, never contradicted, that, whilst on that station, a most distinguished naval officer, captain Perry, did so far forget his own dignity as to order in his presence captain Heath, of the marine corps, and first load him with the most vulgar and abusive epithets, and then proceed to inflict blows on his person—and immediately order him under an arrest. Can such conduct be tolerated in this country? I hope, I trust not. But captain Perry has submitted to, and received the sentence of a court martial. I will not at present speak of the proceedings of that court. I am not possessed of the facts in a way to authorize me. If the present resolution should be adopted, it is my intention to call for the proceedings of that court. Sir, if congress do not interpose its aid to prevent the recurrence of similar abuses in that department, I shall consider the sum of glory which had risen with such unusual splendor on the navy of the United States, as shorn forever of his beams. What man of honor, under existing circumstances, with the present law, would either enter your navy himself, or permit his son to do so? I would as soon become the miserable slave, who licks the dust from the foot of despotism, as to enter, with the commission of a subaltern officer, in the navy of the United States, with the existing law, under the command of a proud, supercilious, and tyrannical commander. I believe that no acts of distinguished valor, and great importance to society, were ever performed except by those who possess strong passions. Passions are the winds which fan the sacred flame of human genius. When regulated and properly directed, they raise the owner of that rare gift to the most sublime heights of glory and renown. But, when irregular and unrestrained, they as frequently precipitate the possessor of the most brilliant genius into the gulf of ruin and destruction. It is the province and the duty of the legislature, by salutary laws, to curb and restrain the wild, irregular, and pernicious sallies of human passion. No man, said Mr. J. deserved more of his country for his gallantry than captain Perry, the hero of Lake Erie—he who during the late war, shed the brightest beam on this nation by which its course was lighted. Sir, said Mr. J. I should despise myself, if I possessed a heart so cold as not to participate in the general feelings of respect, gratitude, and admiration for the man who, by his prowess, achieved such unfading glory to the nation. But the most radiant beam which ever played about the head of the hero may be obscured, and the most blooming laurels may become tarnished by subsequent acts of tyranny and oppression. Who can behold, without the deepest regret, and without being ready to drop a tear for the frailty of poor human nature, the hero, surrounded by the trophies of military fame and renown, basking in the sunshine of popular favor, enjoying the respect and confidence of his own nation, and commanding the respect and applause of fo-

reign nations—stooping from his elevation, forgetful of his own dignity and the principles of justice, bringing before him a subaltern officer—first bestowing on him vulgar and scurrilous abuse, and then violating his person by blows! Sir, the American flag, wherever it waves, whether it floats to the soft, voluptuous, and demoralizing air of the Mediterranean, or glitters in the northern blast, should afford protection, complete and ample protection to every citizen who sails under it, from the common sailor who stands before the mast, to the proud commodore who commands the squadron.

I hope the resolution will be adopted. I am influenced by no other consideration than a regard to justice, and a just regard for the true and lasting prosperity of the navy. To all the parties, capt. Heath, capt. Perry and com. Chauncey, I am a perfect stranger.

Mr. J. then handed to the chair the following resolution:

*Resolved*, That the committee for the department of the navy, be instructed to enquire into the expediency of so amending the act entitled "An act for the better government of the navy of the United States," approved April 23, 1800, which imposes the penalty of death on an officer or private in the navy, who shall disobey the lawful orders of his superior officer, or strike him, or draw, or offer to draw, or raise any weapon against him, while in the execution of the duties of his office, as to make the punishment, in case of an officer, a forfeiture of his warrant or commission, and dismissal from the service; and in the case of a private, dismissal from the service; and so to amend the said act as to subject the superior officer who shall strike, or draw, or offer to draw, or raise any weapon against his inferior officer, to a forfeiture of his commission, and dismissal from the service.—And further, to provide that no officer dismissed from the service of the navy of the United States, for either of the cases above enumerated, shall be re-instated by the president of the United States.

Mr. *Harrison*, of Ohio, said he had always made it a rule to vote for *enquiry* into any subject, when proposed by a member. In consistency with that rule, he should vote for this motion; but he thought it proper to say, that the resolution contained principles which he could never sanction in the shape of law, and on which therefore he reserved to himself the right to decide, when the question should in that shape come before the house.

Mr. *Smith*, of Maryland, suggested the propriety of referring the subject generally to the committee for enquiry, without specifying any particular amendment to the laws for the government of the navy.

Mr. *Forsyth*, of Georgia, moved to amend the resolution, by striking out the first part of it, so as to confine the enquiry to that part of the act referred to which relates to the punishment of a superior officer for misconduct to an inferior. He could not think it necessary to enquire into the expediency of the remaining part of the proposition, since to amend the laws as therein proposed would have a tendency to destroy subordination: at the same time, however, he agreed with the gentleman from Virginia as to the necessity of providing for the punishment of a superior officer who so far forgets the respect due to his country and to his station, as to treat his inferior with contumely and violence. With respect to the circumstances that had given rise to this motion, Mr. F. said, he knew no more than any other member of this house.

The case referred to, as he and others had seen it stated, appeared to be an extraordinary one; but, he said, he had always reserved to himself the right to form an opinion on such transactions when all the circumstances should be before him, and not on the *ex parte* statement of any of the parties concerned.

Mr. Johnson said he hoped the proposed amendment to his motion would not be adopted, for, if his whole proposition should be incorporated into the existing acts it would not even produce an equality of punishment. Under the present law, for an assault of an inferior on a superior officer, courts martial were authorized to award the sentence of death; whilst, reversing the facts, the offender was liable to no other punishment than dismissal from the service. Why, he asked, this difference? Mr. J. said he had no doubt thousands of instances might be found, in which the hearts of the inferior officers were actuated by as patriotic and honorable sentiments as that of the superior officer, who struts on the quarter-deck with his pair of epaulettes. Was there any reason why a distinction should be made, in our laws, between persons who commit crimes of the same grade? When on the land our penal laws were so ameliorated as to punish even murder in the second degree, with imprisonment in a jail or penitentiary—(such was the case in Virginia, and in Pennsylvania, and in other states)—why punish an officer in your service by death for a mere assault? But it was said that an equalization of punishment for these offences, would produce insubordination. He conceived not; for, even if the laws were amended as he proposed, the inferior officer committing the offence, would be liable to be dismissed from the service. If a superior officer should commit a like offence, with the stronger inducements of patriotism and respect for the laws which belong to higher station and maturer age to refrain from it, no higher punishment would await him. Mr. J. repeated, that he trusted the amendment would not prevail.

Mr. Pleasants, of Virginia, said, that before the amendment had been moved by Mr. Forsyth, he was about to object to the resolution on the ground of the specific direction it contained to the committee as to the particular points to be enquired into. He thought the subject a proper one for enquiry, as respected the duty of the house and the interest of the nation. He would not give any opinion on the transaction adverted to as having occurred in the Mediterranean, because he had seen but one side of the question, to which indeed much respect was due, and the more so no reply had been made to it. That statement, he very much regretted to say, did set the conduct of the officer who had stood so high in his esteem, in a point of view which he had regarded with pain. His objection to the enquiry was to its limited nature, when, it appeared to him, the whole law, or the several laws on the subject, should be open to the investigation of the committee. The committee would then enquire whether abuses had been committed and direct their attention to the means of preventing them for the future. He should vote against the present amendment, and if it was negatived, should propose an amendment for a general enquiry.

Mr. Forsyth, withdrew his motion, with the intimation that he should not have made it, had he been apprized that the chairman of the naval committee, (Mr. Pleasants) meant to make any motion on the subject.

Mr. Pleasants then moved to amend the resolution before the house, so as to read as follows:

“Resolved, That the committee on naval affairs be instructed to enquire whether any, and, if any, what alterations are proper to be made in the several laws for the government of the navy.”

Mr. Johnson said, as his object was accomplished in drawing the attention of the house and of the committee to the particular point which he wished to see investigated, he would accept the proposed amendment as a modification of his own motion.

And, thus modified, the resolution was agreed to.

Mr. Johnson then submitted the following resolution, the adoption of which he thought followed as a necessary consequence of that just agreed to.

“Resolved, That the secretary of the navy be directed to report to this house the proceedings of a certain court martial, ordered by commodore Isaac Chauncey, on the Mediterranean station, for the trial of captain Oliver H. Perry, also, the proceedings of a court martial, on the same station, ordered by the same officer, for the trial of captain John Heath, of the marine corps.”

The resolution was adopted without opposition.

LETTER FROM THE SECRETARY OF THE NAVY, TRANSMITTING, IN OBEDIENCE TO A RESOLUTION OF THE HOUSE OF REPRESENTATIVES, OF THE TWENTY-SECOND INSTANT, COPIES OF THE PROCEEDINGS OF THE COURT MARTIAL ORDERED BY COMMODORE ISAAC CHAUNCEY, ON THE MEDITERRANEAN STATION, FOR THE TRIAL OF CAPTAIN OLIVER H. PERRY; ALSO, FOR THE TRIAL OF CAPTAIN JOHN HEATH OF THE MARINE CORPS. JANUARY 30, 1818. READ, AND ORDERED TO LIE ON THE TABLE.

Navy Department, January 29, 1818.

SIR—In obedience to the resolution of the House of Representatives of the 22d instant, I have the honor to transmit, herewith, copies of the proceedings of the court martial, ordered by commodore Isaac Chauncey, on the Mediterranean station, for the trial of captain Oliver H. Perry; and also, of the proceedings of the court martial, on the same station, ordered by the same officer, for the trial of capt. John Heath, of the marine corps.

I have the honor to be,

With the highest respect, sir,

Your most obedient servant,

B. W. CROW NINSHIELD.

*The hon. the speaker of the House of Representatives.*

*Charges and specifications preferred by John Heath, Captain in the Marine Corps of the United States, and commanding a guard on board the United States Frigate Java, against Oliver H. Perry, Esq. Captain in the navy of the United States, and commanding said ship.*

*Charge 1st.* Ungentlemanly and unofficer like conduct.

*Specification.* In that, on the night of the eighteenth day of September, in the year of our Lord one thousand eight hundred and sixteen, in contempt of, and in direct violation of the laws for the better government of the Navy of the United States, Oliver H. Perry, Esq. a Captain in the Navy of the United States, and in command of the United States' frigate Java, did, in the cabin of said frigate, while laying in the harbor of Messina, then and there without cause or provocation, make use of most abusive and unwarrantable language, to John Heath, a captain in the marine corps of the United States, and commanding a detachment on board the United States' Frigate aforesaid, in words to wit, that he, the said John Heath, was a “damned rascal



and scoundrel, and had not acted like a gentleman," or words to that effect

*Charge 2d. Oppression and cruelty.*

*Specification.* In that, on the night of the eighteenth of September, in the year of our lord one thousand eight hundred and sixteen, Oliver H. Perry, Esq. a captain in the Navy of the United States, and in command of the United States' frigate Java, did, in the cabin of said frigate Java, while laying in the harbor of Messina, then and there, without cause or provocation, violently strike John Heath, a captain in the marine corps of the United States, and commanding a detachment on board of the U. States' frigate aforesaid, being in contempt of, and in direct violation of the laws of the United States for the better government of the Navy.

(Signed)

JOHN HEATH,

*Captain Marines.*

*Witnesses*—Lieutenant P. G. Howle,  
Mr. Anderson,  
Corporal Philpot.  
John Coleman.  
Capt. John Heath.

*Minutes of the proceedings of a court martial, assembled on board the United States' frigate Java, in the harbor of Port Mahon, upon the 10th day of January, 1817, for the trial of Oliver H. Perry, Esq. a captain in the navy of the United States.*

PRESENT.

Captain John Shaw, *President.*

William M. Crane  
John O. Creighton  
John Downes  
Thomas Gamble

} Members.

Robert S. Kearney, *Judge Advocate.*

All parties admitted, read the order of Isaac Chauncey, Esq. commodore and commander in chief of the naval forces of the United States, in the Mediterranean sea, dated Port Mahon, January 10th, 1817, directed to John Shaw, Esq. a captain in the navy of the United States. Captain Perry appeared in court, and being asked, made no objections to the members of the court. The members and judge advocate duly sworn: the annexed charges and specifications were read. Captain Perry being desired to plead to the foregoing charges and specifications, pleaded not guilty; whereupon the court proceeded to trial.

The following witnesses were duly sworn on the part of the prosecution, viz. Lieutenant Howle, lieutenant McCall and corporal Philpot, all of the Java; all the witnesses were ordered to withdraw, except lieutenant Howle, who was retained for examination.

Lieutenant Howle. I was in the ward-room on the evening of the day specified in the charge, and was laying in my cot directly under the cabin. I heard loud talking between some persons in the cabin, and overheard captain Perry say he wanted me. I hastened out of bed, and as soon as I got my clothes on, went into the cabin; I there discovered captain Perry and captain Heath in conversation; they were standing by the after gun in the forward cabin; as I opened the door, I heard captain Heath say something about feelings; I believe captain Perry ordered him to keep silence, but will not be very positive about that; as soon as captain Perry saw me, he said, sir, I have arrested this man, (alluding to captain Heath,) you will take charge of him, and I have a great mind to put him in irons. He has not only dared to write me an insulting letter, but he has insulted me in my cabin: he then addressed himself to captain Heath and said, I would serve you right if I did put you in irons; to which captain Heath re-

plied, "very well sir;" captain Perry said don't repeat those words again, or I will knock you down; captain Perry repeated these words two or three times, in an attitude with his arm extended, and shaking either his finger or his fist, I do not know which, at Captain Heath. Captain Heath again replied, "very well sir;" upon which Perry struck him. I then got in between them, and capt. Perry called for his sword, but it was not given to him that I perceived; he then ordered me to take him below and put him in irons and place a sentry over him; during the time I was in the cabin, I heard captain Perry make use of the word puppy, to captain Heath. I took captain Heath as far as the hatch leading to the ward-room; I then returned and asked captain Perry if I should put him in irons; he told me no I need not, but to put him in his state room and place a sentry over him; which order I obeyed. He then sent for me and observed, it was not probable that the business would stop there, and requested me to notice the circumstances on paper as they had occurred, which I did the next morning. On leaving the cabin, I asked what order I should give to the sentry who was placed over captain Heath; he told me I might remove the sentry, but to confine him to his state-room: the next morning captain Perry told me I might allow him the use of the ward room. Lieutenant Howle ordered to withdraw.

Lieutenant McCall's testimony declares none of these circumstances came under my observation. I was in bed at the time.

*Witness questioned by prosecutor.*

*Question.* Did you not hear captain Perry order me in irons?

*Answer.* I did not.

Corporal Philpot's testimony. I was on guard on the night referred to in the charge. I was sitting outside the cabin door on one of the match tubs; captain Heath passed and went into the cabin; the door was left on a jar; I heard captain Perry address captain Heath and say, how dare you have the assurance to write me; some reply was made by captain Heath; I overheard the word feelings; captain Perry said if you repeat those words again I will knock you down; he then called for the officer of the marines, and before he arrived he called for his sword; when the officer of the marines arrived captain Perry ordered him to take captain Heath and put him in irons; lieutenant Howle then led captain Heath out of the cabin, returned and asked captain Perry if he should put captain Heath in irons; captain Perry said no, put him in his state room and place a sentry over him. Lieutenant Howle ordered me to have a sentry in readiness to place over captain Heath, which I attended to. In about fifteen minutes lieutenant Howle returned to the ward room, and ordered me to withdraw the sentry, which I did.

The witness ordered to withdraw.

John Coleman, duly sworn on the part of the prosecution, states as follows: I was on post, at the cabin door, the night referred to. I heard captain Perry send for captain Heath; captain Heath passed me, and went into the cabin; the first thing which I heard, was captain Perry asking for his sword; he then called for the marine officer, to put some one in double irons. I did not know who was meant at the time, nor until I saw lieutenant Howle, lead captain Heath out of the cabin. Lieutenant Howle then stepped back and asked captain Perry, if he should put captain Heath in irons; he said, no, put him in his state room, and place a sentry over him.

*Question.* By the court. Did you see the parties referred to?

*Answer.* No. I did not.

The witness ordered to withdraw.

Captain John Heath, was duly sworn, states as follows: On the evening of the 16th September, while lying in the harbor of Messina, I was ordered below, by captain Perry, from the quarter deck of the ship without a knowledge of the cause; with these words or to this effect, "you may go below sir, I have no further use for your services on board this ship." I remained below, for two days, under feelings the most mortifying. At length being no longer able to bear the indignity which I conceived attached to the manner of sending me below, I resolved to apply immediately to captain Perry, for arrest and charges, as I felt anxious to know the cause of my suspension from duty. With this view I addressed captain Perry, as I thought a respectful letter, on the evening of the 18th September, requesting my arrest and charges, at the same time stating my ignorance of the cause of his treatment to me. Captain Perry received my letter on the same evening, I think, about 11 o'clock. After his return on board, he sent for me in the cabin, and on approaching him, I was received in a manner I did not expect—his language was harsh and irritating, giving me an angry look, and in an angry tone of voice, said, how dare you to write me this insolent letter.

I was much surprised at captain Perry's manner, as I was unconscious of having offended him; I replied, as nearly as I recollect, that, I was sorry that he should construe the letter into disrespect or insolence, as none was intended, that it was merely a request for my arrest and charges. Captain Perry then said, "you damned rascal you have insulted me, it was not my intention to have arrested you, but I will now work you for it," or words to that effect; I immediately replied, captain Perry you must recollect I have the feelings of a gentleman—hold a commission as well as yourself, and will have redress for this language. Captain Perry observed, that I had not acted like a gentleman. I replied, "very well sir." Says he, do you know to whom you are speaking; my reply was, yes sir, I am speaking to captain Perry. Captain Perry then continued his abusive language, the precise words I do not recollect, except those of rascal and scoundrel, which were repeated; I replied, "very well sir," and was preparing to leave the cabin, when he said, stop sir, you shan't go yet, you have insulted me in my cabin, and I have a great mind to put you in irons. Being unused to such language, and not in a situation to have immediate redress, and finding captain Perry became more and more irritated, and apprehensive of the consequences, I made another effort to withdraw; he, however, ordered me to remain, and called for lieutenant Howle, of marines. Captain Perry and myself were at this time in the forward cabin; lieutenant Howle entered, and captain Perry turned towards him, and said, I have arrested this man, (alluding to me,) you will take charge of him, he has not only dared to write me an insolent letter, but has also insulted me, in my cabin, and I have a great mind to put him in irons. I replied, "very well sir." Captain Perry now advanced towards me, and, to the best of my recollection, with his fist clenched, saying, "if you repeat those words again, I will knock you down;" seeing captain Perry advancing towards me, in this manner, I immediately replied, captain Perry don't strike me; I think it was nearly at the same instant, I received a blow from him; I drew back to defend myself, and lieutenant Howle rushed in between us. During the time I was in the cabin, captain Perry called for his

sword, but I do not recollect exactly at what period. He ordered lieutenant Howle to take me below and confine me to my state room, and place a sentry over me; the sentry was placed in this ward room, but removed shortly afterwards.

There being no other witnesses to examine, in the case, captain Perry submitted to the consideration of the court, two letters, which are hereunto annexed, and which are copies from originals, together with an address, which is also annexed.

The court was then cleared, and the whole of the evidence read over by the judge advocate, and the following sentence pronounced.

*Sentence.* The court having maturely weighed and considered the whole matter, are of opinion, that the prisoner is guilty, in part, of the first charge and specification, in that he used improper language. The court also find the prisoner guilty, in part, of the second charge and specification, in that he did strike captain Heath. The court doth, therefore, from all the circumstances of the case, and in consideration of the honorable overtures made to capt. Heath, for a reconciliation, only adjudge the prisoner to receive a private reprimand, from the commander in chief, and he is hereby sentenced accordingly. The court adjourned sine die.

(Signed)

JOHN SHAW, *President.*  
WM. M. CRANE,  
J. N. ORDE CREIGHTON,  
JOHN DOWNS,  
THOS. GAMBLE.  
ROBERT S. KEARNEY, J. A.

*United States' Ship Washington,*  
*Port Mahon, 11th January, 1817.*

Approved.

(Signed)

I CHAUNCEY,  
*Commodore and commander in chief.*

*United States' Ship Java,*  
*19th of September, 1816.*

SIR—In order to prevent all mistakes, we have thought it advisable to repeat to you in writing the prompt and voluntary proposal of captain Perry, that he regrets he should have been so much excited as to offer you personal violence, and that he will make you an honorable and personal apology, such as will be proper for you to receive and him to make.

For the above reasons we request your answer in writing.

Respectfully, your obedient servants,

W. M. CRANE,  
J. MACPHERSON.

*Capt. John Heath, Marine Corps.*

(Copy.) *United States' Ship Java, Tunis Bay,*  
*October 8th, 1816.*

SIR—I am under the painful necessity of informing you of a circumstance, and of detailing to you the causes which led to an event of a very unpleasant nature.

The apparent violation of the laws of my country, which may be imputed to me in my having offered personal violence to the captain of the marine guard of this ship, I trust will be in a great measure extenuated by the consideration that, although I do not absolutely defend this mode of redress, yet I insist the consequences were produced by a sufficient provocation.

The general deportment of captain Heath towards me, so contrary to the usual address of my officers, and moreover, his marked insolence to me in many instances, induced me to believe, that his conduct proceeded from a premeditated determination to insult me on every occasion.



His palpable neglect of duty on several important emergencies, together with the usual indolence and inattention to the calls of his office, made it a desirable object with me to solicit his removal the first convenient opportunity, not only to obtain a more active and vigilant officer, but to save him the rigorous severity of a court martial.

I will now, sir, narrate to you, the circumstances which have thus compelled me to address you.

On the evening of the 16th of September last, while this ship lay at anchor in the harbour of Messina, two of her marines deserted, by jumping overboard and swimming on shore. Informed of the fact captain Heath, as their commanding officer, was immediately sent for and acquainted therewith, but he refused to go on deck, alleging as a reason therefor, the subterfuge of indisposition. I then repeated the order for him to come on deck, and muster the marines. This duty he executed in so careless and indifferent a manner, and at the same time neglecting to report to me until called by me, and requested so to do, that (conscious that such an occasion ought to animate the most careless and inattentive officer, to decision and promptitude,) I was induced from such a manifest neglect of duty, to say to him, "that he might go below, and should do no more duty on board the Java."

On the evening of the 18th September, he addressed to me a letter, written by himself, which he caused to be laid on the table in the cabin, and which I received at a very late hour. This letter being couched in language which I deemed indecorous and disrespectful, I sent for him and demanded why he thus addressed me, and particularly why he had selected a time so obviously improper. He immediately assumed a manner so highly irritating and contemptuous, that I believed it my duty to arrest him, (after having expressed to him my indignation at such conduct) and for this purpose sent for the 2d. marine officer, at the same time ordering him to be silent. In utter disregard of this order, though repeatedly warned of the consequences of his disobedience, he persevered in the same irritating tone and manner, until at length, after reiterating attempts to effect his silence, I gave him a blow. Frequent outrage added to frequent insult, provoked this disagreeable consequence.

Mortified, that I should so far *forget myself*, as to raise my arm against any officer holding a commission in the service of the United States, and however improper his conduct might have been, and however just the cause, I immediately, in conformity to this principle, offered to make such an apology as should be proper for both: this proposal was refused, which precluded the necessity of any further overtures.—The offer was consonant to the views of some of the most distinguished officers of the squadron, after their being made fully acquainted with every particular.

From my having been educated in the strictest discipline of the navy, in which, respect and obedience to a superior was instilled into my mind as a fundamental and leading principle; and from a natural disposition to chastise insolence and impertinence, immediately when offered me, even in private life, must be inferred the burst of indignant feeling, which prompted me to inflict personal satisfaction on an officer who thus daringly outraged the vital interests of the service in my own person.

I have thus gone through this unpleasant recital with as much candor and conciseness as possible.—I might indeed detail to you other acts of delinquency in this officer, but I will not further weary you with the circumstances of this unfortunate

affair, but confine myself, to the request, that you will be pleased to order a court of inquiry or court martial, as you may see fit, to examine into the causes which led to this seeming infraction of the laws of the avy.

After eighteen years of important and arduous services in the cause of my country, it can hardly be imagined that I have any disposition to infringe that discipline which is the pride and ornament of the navy; and to prevent any intention being falsely ascribed to me, I beg you will give immediate attention to this request, that the navy, as well as my country, shall be satisfied of the integrity of my motives.

I have the honour to be, Sir,

Very respectfully,

Your obedient servant,

O. H. PERRY.

(Signed)

To Isaac Chauncey, Esq. commodore and commander in chief of the naval forces of the United States in the Mediterranean.

MR. PRESIDENT,

*Gentlemen of the Court—*

I shall confine myself to a few brief remarks on the subject which has brought me before this honorable court, begging leave to refer them to my letter to the commodore in chief, requesting this court martial for a detail of circumstances, trusting, that a character gained in a long and honorable service is safe in the possession of gentlemen of your rank and professional respectability.

I am deprived of a most important witness in my favour by the absence of Mr. Anderson, who was present at the commencement of this affair: (the time the conduct of the prosecutor was most offensive:) it is my good fortune, however, that several of the members of this court have frequently heard him express his opinion of the provoking and insulting conduct of capt. Heath, particularly on his entrance into my cabin; this cannot fail to have its weight on the minds of the court, as from the peculiar situation of a captain, (and such was mine) he may be insulted when alone in his cabin, while his prosecutor shall have the advantage of corporals and privates stationed at his door, to distort and mangle circumstances and language imperfectly seen or heard. Although I had been so highly insulted by captain Heath, not only on this occasion, but on others, yet as I had raised my hand against him while holding a commission, I immediately from that consideration, offered him prompt and honorable atonement, as will appear by the paper signed by capt. Crane and lieutenant Macpherson, which they deemed sufficient, and earnestly recommended to his acceptance, but notwithstanding, this officer had before suffered a blow, and for which he was content to receive moderate satisfaction, yet this was too favourable an opportunity to give his commander (who had so frequently overlooked his offences) trouble, to let pass. I must appeal to the knowledge the president and members of this respectable court have of my general character for a refutation of these charges, and I ask if it is possible that I could in mere wantonness, commit an act of violence. No, gentlemen, it was the outrageous conduct of this officer that produced the consequences that resulted. I will therefore leave my case in your hands, with perfect confidence in your justice and liberal construction of the delicate situation in which I am, and was then placed, with one more remark, viz. the evident contradiction of the testimony and a misrepresentation of a part thereof.

# NILES' WEEKLY REGISTER.

NEW SERIES. No. 26 - VOL. I.] BALTIMORE, FEB 21, 1818 [No. 26 - VOL. XIII. WHOLE No. 338.

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

## The close of the Volume.

The 13th volume, or 1st of the new series of the WEEKLY REGISTER, is herewith closed. The title and index for it may be expected with the first number of the next volume.

The indispensable obligation to conclude the proceedings on the cases of captains Perry and Heath, and to get into the number other articles that belonged to the *period of the volume*, leaves us no room for any thing of our own, except to assure our readers that we close it under a grateful sense of the unparalleled increase of support which this work has received within the last six months, and to express our determination to enter upon the new volume with the best endeavors to deserve its continuance—and in which, so far as ability is afforded, several subjects of great importance are intended to be treated on—especially the demoralizing and pernicious business of *banking*; which we seriously believe is the *Pandora's box* that is to fill the republic with all sorts of moral and political diseases.

At this proper period for it, the editor entertains his distant subscribers carefully to examine how matters stand between him and them—and that, if any thing should be due, it may be immediately remitted by mail, at the editor's cost and risk, if the subscriber pleases so to send it. Regularity of payment is the 'essential oil' that keeps the press running, and the only way in which its *independence* and *usefulness* can be preserved; it is the grand excitement of industry, and stimulus to liberality—and enables an editor to disregard any reasonable expense in furnishing acceptable matter to his customers.

*Minutes of the proceedings of a general court martial assembled and held on board the United States frigate Java, in the harbor of Port Mahon, upon the 31st day of December, 1816, and held every day afterwards (Sunday excepted) until the 9th day of January, 1817, inclusive.*

PRESENT.

Captain John Shaw, *president*. William M. Crane, John O. Creighton, John Downes, Major John Hall, (marine corps) Captain George W. Rodgers, Thomas Gamble, H. B. Breckenridge, M. C. William Hall, M. C. Doctor R. S. Kearney, *judge advocate*.

All persons admitted, read the order of Isaac Chauncey, esq. commodore and commander in chief of the naval forces of the United States in the Mediterranean sea, dated the 30th day of December, 1816, directed to captain John Shaw, at Port Mahon, for the trial of such prisoners as shall be brought before them.

Capt. John Heath, of the marine corps, appeared in court, and being asked, declared he had no

objection to the members of the court. The members of the court and the judge advocate were then duly sworn. The following charges and specifications were then read.

*Charges and the specifications of charges exhibited by Oliver H. Perry, esq. captain in the navy of the United States, and commander of the United States frigate Java, against captain John Heath, commanding the guard of marines attached to said ship.*

*Charge 1st.* Disrespectful, insolent, and contemptuous conduct to me, his superior officer.

*Specification 1st.* That he did, on or about the 22d of July, 1816, on board the U. States [frigate] Java, then standing into the bay of Naples, on being asked by me "why a certain marine was suffered to appear on deck in so filthy and dirty a dress?" reply to me in an insolent, disrespectful, and contemptuous manner.

*Specification 2d.* That he did, late in the evening of the 18th of September, 1816, on board the United States ship Java, then at an anchor in the harbor of Messina, cause a letter written by himself, and couched in language highly improper to be used towards his commanding officer, to be left on my table in the cabin of said ship.

*Specification 3d.* That he did when sent for into the said cabin, on being asked why he took such a time to write me a letter of that kind, assume a deportment towards me highly provoking and disrespectful. The aforesaid charge and specifications being in violation of a part of the 15th article and a part of the 13th article of rules and regulations for the better government of the navy of the United States.

*Charge 2d.* Neglect of duty and unofficerlike conduct.

*Specification 1st.* That on or about the evening of the 16th of September, 1816, on board the United States' ship Java, then at anchor in the harbor of Messina, he, the said captain John Heath, did, on two marines jumping overboard to swim from the ship, neglect to come on deck, although called and informed of this circumstance, alleging as a reason therefor the subterfuge of his being sick.

*Specification 2d.* That he did when ordered by me at said time and place to come on deck and muster the marines, execute that duty in a careless and indifferent manner, and when the marines were mustered, did neglect to report to me until called and directed so to do.

*Specification 3d.* That he did neglect, on the desertion of said marines from the ship, to take those immediate steps for their recovery, that become him as commanding officer of the detachment to which they belonged, and were required by the urgency of the case. This charge and specification being in violation of a part of the 20th article and the 28th article of rules and regulations for the better government of the navy of the United States.

*Charge 3d.* Disobedience of orders.

*Specification.* That he did, at the time and place referred to in the 3d specification of the 1st charge, though repeatedly ordered to be silent, continue to speak, although warned of the consequences, and in the same indecorous and contemptuous manner as therein alleged, thereby violating a part of



the 14th article of rules and regulations for the better government of the navy of the United States.

(Signed) O. H. PERRY.

*U. States' ship Java, Algiers Bay, 14th Oct. 1816.*

Captain Heath being desired to plead to the foregoing charges, pleaded "not guilty;" whereupon the court proceeded to trial.

The following witnesses were duly sworn on the part of the prosecution; to wit, lieut. Joseph Macpherson, lieut. Edward R. McCall, and lieut. Park G. Howle, all of the frigate Java. The two latter witnesses were directed to withdraw, and the court proceeded to the examination of lieut. Macpherson, who states as follows:

I recollect, on standing into the Bay of Naples, captain Perry sent or called to captain Heath, and spoke about a marine who was on deck very dirty. Captain Heath replied, the marines were in want of clothing, or they had no clothes.

*Witness questioned by the court.*

*Question.* Was captain Heath's reply to captain Perry, when he asked why the marine was suffered to come on deck dirty, disrespectful and insolent, or otherwise unbecoming?

*Answer.* His manner of reply to captain Perry was, I thought, very disrespectful.

*Question.* What did captain Heath say; will you describe his manner?

*Answer.* When he came up to captain Perry he had his hands in his pockets and his hat a little on one side of his head, with a swagger. It was this circumstance which attracted my notice. I heard him make some remark about the marine clothing, but do not distinctly recollect what it was.

*Question.* What notice did captain Perry take of captain Heath's conduct at the time, and did he appear to feel it as an indignity?

*Answer.* Captain Perry told captain Heath if he did [not] take better care of the marines he should get somebody that would. Captain Perry then went over the hammock cloths, evidently to restrain the feelings excited by captain Heath's manner.

*Question.* Is not captain Heath in the habit of wearing his hat on one side and his hands in his pockets?

*Answer.* I should say that he was in the habit of wearing his hat a little on one side, as well as my recollection serves me. I cannot say that I have observed that he has the habit of carrying his hands in his pockets.

*Question.* Is it usual for captain Heath when addressing captain Perry on duty, to keep his hands in his pockets?

*Answer.* No, I never saw it.

The witness states in relation to the second specification of the first charge, that he knows nothing in relation thereto; his information being altogether hearsay. His knowledge of the third specification is also derived entirely from hearsay. This witness knows nothing in relation to the second and third charges and specifications.

*The witness questioned by the prosecutor.*

*Question.* Lieutenant McPherson has stated that I told captain Heath that if he did not pay more attention to the marines, I would get somebody else that would. Had not captain Heath previously said to me, that if the marines were dirty he could not help it?

*Answer.* I recollect that captain Heath used that reply to captain Perry.

*Question.* Was the marine, although in worn out cloths, clean in compliance with the orders that had been issued? *Answer.* No.

*Witness questioned by the prisoner.*

*Question.* Have you not frequently told me that you did not believe I intended any disrespect to captain Perry that day?

*Answer.* I recollect on going into the ward room to have made some remark which led to the subject. You protested solemnly that it was not your intention to offer any disrespect to captain Perry: I then said I believed you did not, and added that I thought you shewed too much dignity on the occasion. I have had frequent conversations with captain Heath, and he has always made the same protestations, which I was bound to believe.

*Question.* Did you never tell me that you thought at times there was something unpleasant in my manners, and have I not as often repeated that if so I was unconscious of it and regretted it extremely?

*Answer.* Yes, I have made that observation to captain Heath, and he has often remarked that he regretted that his manner at times was unpleasant.

*Question.* Have I not frequently expressed to you that nothing was further from my intention than treating captain Perry with disrespect?

*Answer.* I have heard captain Heath say so.

*Question.* Have you not frequently heard me say that I used every exertion to please captain Perry in the discharge of my duty?

*Answer.* I have heard captain Heath say that there was no man in the navy he would sooner please than captain Perry; that he regretted exceedingly what had happened. I heard him say so since his arrest. Captain Heath has always spoken in favor of captain Perry as have all the officers of the ship.

The witness withdrew.

Lieutenant McCall of the Java, states as follows: He knows nothing in relation to the first charge; states in relation to the second, it was reported to me that two marines had jumped overboard. I sent down to captain Heath to come on deck; he sent me word he was unwell, and requested me to call on lieutenant Howle. I heard lieutenant Howle engaged in turning out the marines to muster them. After relieving lieutenant Turner, who went in a boat in pursuit of the deserters, I sent down to inform captain Perry of the circumstance. When he came on deck he asked for the commanding marine officer. I then sent down for captain Heath in captain Perry's name. Captain Heath then came on deck. I heard him hurrying the sergeant, who might have been rather slow in executing his duty. Captain Perry then called captain Heath to him.— Their conversation was so low that I overheard nothing.

*Witness questioned by the court.*

*Question.* Did captain Heath neglect his duty, and was his conduct unofficerlike?

*Answer.* I cannot say with certainty whether he did or did not.

*Question.* At what time in the evening did this occurrence take place?

*Answer.* About eight or half-past eight.

*Question.* Did captain Heath do his utmost to recover the men, or make any exertions to effect it?

*Answer.* I believe he made none.

*Question.* Do you know whether captain Heath was on the sick list at the time the men deserted?

*Answer.* I do not know: he came from shore, said he was unwell, and turned in.

*Question.* Had captain Heath been absent from the ship that day, and did you know of his being indisposed?

*Answer.* He had been absent from the ship. I

did not know that he was unwell until he mentioned it.

*Question.* How often had capt. Heath been called, and how long was it before he appeared on deck?

*Answer.* Only twice to my knowledge. I suppose it was from ten to fifteen minutes before he appeared on deck.

*Question.* Do you know the nature of his indisposition?

*Answer.* No.

*Question.* Did it appear to you that captain Heath, from indisposition, was unable to attend to his duty earlier?

*Answer.* I think he might have got up sooner.

*Question.* Has captain Heath generally paid proper attention to the marines under his command?

*Answer.* I believe he has.

*Question.* Did captain Heath receive an order to pursue the men, and was there a boat at his disposal for the purpose?

*Answer.* There were boats for the purpose; but I do not know that captain Heath received such an order.

The prosecutor declined asking the witness any question.

*Witness questioned by the prisoner.*

You have stated to the court, that you believe I made no exertions to recover the marines who had jumped overboard. After I had ascertained who were absent, what exertions do you suppose could have been made on my part to recover them without orders from my commanding officer?

*Answer.* I presume you could have made none without orders from captain Perry.

*Question.* By the court—

Was captain Heath active or dilatory in mustering the marines?

*Answer.* I heard captain Heath hurrying the sergeant. I heard him three or four times tell him to bear a hand.

*Question.* Was captain Heath prompt and active on the occasion?

*Answer.* Not very.

*Question.* By the prosecutor—

Did captain Heath attend to the marines until directed so to do by me?

*Answer.* I believe not. The witness knows nothing in relation to the third charge and specification.

The witness withdrew.

Lieutenant Howle, of marines, examined. Knows nothing in relation to the 1st specification of the 1st charge. States in relation to the 2nd specification, that when he was called into the cabin, he was shown by captain Perry the letter referred to; that he is not competent to decide on its merits; presumes it will be laid before the court, who will be better able to judge. The witness was not present at the time referred to in the 3d specification of the 1st charge.

*Question.* By the court—

Do you know whether the conduct of captain Heath was highly disrespectful and provoking towards captain Perry?

*Answer.* I do not.

The witness states, in relation to the second charge, as follows:

On the 16th of September, captain Heath went on shore and returned on board in the evening; he complained of being unwell, and after some short time retired to his state room. Lieutenant Forrest, who was on deck, sent below to inform me, that two marines had jumped overboard from the ship. I hastened on deck, and meeting one of the

marines, I sent him below to the sergeant to hurry the marines on deck for a muster. Captain Perry appeared on deck and inquired where capt. Heath was. I told him he was below and unwell. He inquired what the matter was. I replied I could not inform him. I went on the birth deck, and with the assistance of the sergeant, got all the marines on deck. When I returned this time, I found captain Heath was on deck in conversation with captain Perry. All I heard captain Perry say was, "go, sir, and muster the men, and report to me who are absent." While captain Heath was mustering the men, captain Perry asked him, "if he meant to be all night about it." As soon as captain Heath found out who the absent men were, he reported them. After captain Heath had reported to captain Perry, he looked at him for some time, and said, "go below, sir, I have no further use for your services."

*Question.* By the court—

Do you know that captain Heath was indisposed?

*Answer.* I only know it from his coming on board earlier than usual, and his saying so.

*Question.* How long was it after you told captain Perry that captain Heath complained of being unwell before he appeared on deck?

*Answer.* In a few minutes; in a very short time, for a man who was in bed and had to dress himself.

*Question.* Was the conduct of captain Heath prompt and active on this occasion, or otherwise?

*Answer.* He turned out, I suppose, as soon as he could, and he hurried the sergeants in their duty.

*Question.* Did captain Heath make any efforts to muster the marines and ascertain who was absent before captain Perry directed him to do so?

*Answer.* The marines were got on deck nearly as soon as captain Heath got there. He was in conversation with captain Perry when I came up.

*Question.* Did captain Heath make those exertions that the occasion called for?

*Answer.* As far as was in his power, I suppose, he did. There was no delay in getting the marines on deck. I had them on deck as soon as captain Heath got there.

*Question.* Was captain Heath so much indisposed, as, in your opinion, to be incapable of attending to his duty?

*Answer.* It might have been an inconvenience to him to attend to duty, notwithstanding he did so.

*Question.* You have stated that captain Heath, ate supper after he came on board, did he eat heartily?

*Answer.* I did not observe what he ate.

*Question.* Did captain Heath report his case to the surgeon?

*Answer.* I do not know. I do not know whether he was on board.

The witness states, in relation to the third charge, that when he entered the cabin captain Perry said to him, "sir, I have arrested this man; he has not only dared to write me an insulting letter, but he has insulted me in my cabin." The only words I heard from captain Heath, were about feelings. Captain Perry ordered him to keep silence, or he would put him in irons. Captain Heath said very well. Captain Perry then told him if he repeated those words again he would knock him down. Captain Heath again replied very well; upon which captain Perry struck him. He then ordered me to take him out and put him in irons. I conducted captain Heath out of the cabin, returned and asked captain Perry if I should put him in irons. He told me to confine him to his room and put a sentry over him.



*Witness questioned by the court.*

*Question.* Were captain Heath's language and manner respectful or disrespectful to captain Perry at the timespecified?

*Answer.* I did not conceive them disrespectful. The only words I heard him say, were "very well." His gestures I did not observe.

*Question.* Were those words uttered in a contemptuous manner?

*Answer.* I did not conceive that they were.

The court adjourned to meet on Wednesday morning, 10 o'clock.

*Wednesday morning, January 1st, 1817.*

The court met pursuant to adjournment. Present, the president, members, and judge advocate.

Lieutenant Howle's examination continued.—The prosecutor declined questioning the witness.

*The witness questioned by the prisoner.*

*Question.* When you was first apprised of the two marines having deserted from the ship on the evening of the 16th September, did you not know that I had retired to bed and believe me to have been unwell?

*Answer.* I believed you to be unwell from your retiring, and from your saying so.

*Question.* Did you receive any orders or instructions from me to muster the marines to discover who were missing, and to take proper steps to recover them?

*Answer.* I received orders from captain Heath through a midshipman to muster the marines and ascertain who were missing, and to attend to the duty, that he himself was unwell. I received no order which related to the recovery of the men.

*Question.* After I came on deck, and had the marines mustered and reported to captain Perry, do you believe that I had it in my power to have made any further exertions for their recovery?

*Answer.* No, I do not think you had.

*Question.* Was I careless and indifferent in mustering the marines after I came on deck on the evening of the 16th September?

*Answer.* I did not perceive that you were careless about it. After you were done with captain Perry you spoke to and hurried the sergeant.

*Question.* Have you any reason to believe from my general character and conduct on board this vessel that I would descend to a falsehood or subterfuge in order to evade my duty?

*Answer.* Not the least.

*Question.* From the observations which you made in the cabin on the evening of the 18th September, when I was in conversation with captain Perry, do you not think that my language and deportment towards him were extremely forbearing and mild?

*Answer.* I should suppose it was mild.

The witness withdrawn.

Doctor Parsons, surgeon of the Java, duly sworn.

*Question.* Was captain Heath on the sick list on the evening of the 16th September, or did he report himself to you at that time?

*Answer.* He was not on the sick list on that evening. He complained to me on the following morning of a slight indisposition. He did not report himself to me on the evening of the 16th September.

*Witness questioned by prisoner.*

*Question.* Were you on board this ship early in the evening of the 16th September.

*Answer.* I do not recollect being out of the ship on that evening.

*Question.* Have I ever endeavored to evade my duty by feigning indisposition, or alleging as an excuse, the subterfuge of being sick?

*Answer.* I do not recollect that captain Heath ever feigned indisposition. He was always actually indisposed when he applied for my assistance.

*Question.* Do not causes of indisposition often occur which disqualify a man for the exercise of duty, when there is no symptom apparent to a person unacquainted with medicine?

*Answer.* Such cases do occur.

*Question.* Could he then form an opinion of the existence of such indisposition?

*Answer.* He could not.

The witness withdrawn.

Lieut. M'Pherson examined by the prisoner.

*Question.* You are the executive officer of this ship, did you convey to me the order which you received from captain Perry when going into Naples on the 22d July, for the ship's crew to be cleaned?

*Answer.* The order was promulgated throughout the ship in the usual manner. I cannot recollect whether or not captain Heath was especially notified of it.

*Question.* You say that my manner of replying to captain Perry relative to the dirty appearance of the marine, was disrespectful; was it also contemptuous or insulting?

*Answer.* Yes.

*Question.* Did captain Perry, after this occurrence on the quarter deck, ever speak to you of the disrespectful, contemptuous, and insulting reply he had received from me, and if so, how long after.

*Answer.* Three or four days afterwards, captain Perry mentioned to me that his feelings had been very much excited at the manner in which captain Heath replied to him on the occasion referred to.

*Question.* Did captain Perry notice my reply to him at the time in any manner, either by arrest, suspension from duty, reprimand or otherwise?

*Answer.* He did not arrest or suspend captain Heath, but told him if he did not pay more attention to the marines, he would get somebody that would.

*Question.* How long have you been under the command of capt. Perry.

*Answer.* I served under capt. Perry in 1803, at New York, and also on lake Ontario, and have been his first lieutenant for the last fourteen or fifteen months.

*Question.* From the knowledge you have of capt. Perry's character, and his rules and system of discipline, do you think he would suffer any officer under his command to treat him in a disrespectful, insolent and contemptuous manner, without an immediate arrest or suspension from duty, or otherwise notice it?

*Answer.* I have never known an instance but the present.

*Question.* Have you any reason to believe from my general character and conduct on board this ship, that I would descend to a falsehood or subterfuge, in order to evade my duty?

*Answer.* I have no reason to believe you would. The witness withdrawn.

Lieut. M'Call re-examined by the prisoner.

*Question.* Were you on the quarter deck of this ship on the 22d of July when I replied to capt. Perry relative to a certain marine who was dirty in his appearance?

*Answer.* I might have been but I do not recollect the circumstance.

*Question.* Do you believe that my complaint of indisposition on the evening of the 16th September, when sent for in consequence of the desertion of

the two marines, was a subterfuge or an excuse to evade my duty?

*Answer.* No.

*Question.* When I came on deck I hurried the sergeants in mustering the marines, did you at the time think I performed that duty in a careless, indifferent manner?

*Answer.* He hurried the sergeant very often, he appeared very anxious to get through, in order to make his report.

*Question.* After I had mustered the marines, and reported them to capt Perry, did you hear capt. Perry say to me that he had no further use for my services on board that ship, and order me below?

*Answer.* Captain Heath was called by captain Perry. Some conversation took place between them which I did not hear. Captain Heath then went below, and I concluded he was suspended.

The witness withdrawn.

Midshipman Buchanan, of the Java, duly sworn on the part of the prisoner:

States he was on deck the night the two marines jumped overboard. He was sent below to inform captain Heath of it. Captain Heath observed to him that he was unwell, and to give his compliments to lieutenant ——— and request him to let lieutenant Howle know the circumstance.

*Question.* From my manner of speaking to you did you not think me indispoused?

*Answer.* I only thought so from your telling me so. You spoke in a low tone of voice.

The witness withdrawn.

Midshipman Overton, of the Java, duly sworn.

*Questioned by the prisoner.*

*Question.* When you came to my state room on the evening of the 16th of September, to inform me that captain Perry wished to see me on deck, was I not making every exertion to obey the summons?

*Answer.* Yes.

The witness withdrawn.

Corporal Philpot and John Coleman, belonging to the Java, duly sworn on the part of the prisoner.

*Corporal Philpot questioned by the prisoner.*

*Question.* Do you know of any thing that took place in the cabin of the frigate Java, between captain Perry and myself, on the evening of the 18th of September last?

*Answer.* I was corporal of the guard on the evening referred to. I was sitting outside of the cabin door, on a match tub. Captain Heath passed me and went into the cabin. I heard captain Perry say to captain Heath, how dare you, sir, have the assurance to write me such a letter. Captain Heath replied to him and I heard him use the word feelings. Captain Perry said, if you repeat that again, I will knock you down. He called for his sword, and for the officer of marines, to take captain Heath and put him in irons. Lieutenant Howle appeared, and led captain Heath by the arm out of the cabin, and took him to his state room. Lieutenant Howle returned, and enquired of captain Perry if he should put captain Heath in irons; he told him no, but to put him in his state room, under charge of a sentry. I had a sentry in waiting, and when lieutenant Howle returned, I was ordered by him to withdraw him, which order I obeyed.

*Question.* Did you see any thing disrespectful, insolent or contemptuous in my conduct towards captain Perry, that evening?

*Answer.* I was not present during their conversation, and captain Heath spoke so low, that I could not understand what he said.

*Witness questioned by the court.*

*Question.* Where did this conversation take place; in the forward or after cabin?

*Answer.* In the forward cabin.

*Question.* How long was captain Heath in the cabin?

*Answer.* About ten or fifteen minutes.

*Question.* Was the door open or shut?

*Answer.* The door was on a jar, it wanted two or three inches of being shut.

*Question.* Did captain Perry call for his sword before Mr. Howle came in, or was it after?

*Answer.* Before Mr. Howle came in.

The witness was ordered to withdraw.

John Coleman examined as follows, by the prisoner:

*Question.* Do you know any thing that took place in the cabin of the frigate Java, between captain Perry and myself, on the evening of the 18th of September last?

*Answer.* I remember captain Perry sending for captain Heath. After captain Heath came in'o the cabin, I heard captain Perry call for his sword. I did not know what it was for, at that time. Then he called for the marine officer, as far as I could understand, to put captain Heath in double irons. Then lieutenant Howell (Howle) led captain Heath out of the cabin door. Lieutenant Howle stepped back, and asked captain Perry if he should put captain Heath in irons. Captain Perry said no; put him in his room, and place a sentry over him.

*Question.* Did you see any thing disrespectful, insolent, or contemptuous in my conduct towards captain Perry that evening?

*Answer.* No; I did not.

*Witness questioned by the court.*

*Question.* Was the cabin door shut or open?

*Answer.* The cabin door was nearly shut.

*Question.* Are you sure it was double irons?

*Answer.* Yes.

*Question.* Did you distinctly hear captain Perry order captain Heath in irons?

*Answer.* I heard captain Perry order some person put in irons. I did not know who it was at that time.

*Question.* Did you hear what captain Heath said to captain Perry, to cause his being ordered in irons.

*Answer.* No; I did not.

*Question.* In what part of the ship were you when this took place?

*Answer.* I was on post, at the cabin door.

*Question.* Was there any other person in the cabin besides captain Perry and captain Heath, at the time you heard somebody ordered to be put in irons?

*Answer.* There was another person besides: he came on board with the captain, that night.

The witness withdrew.

Evidence on the part of the prisoner closed.

The court adjourned, to meet on Thursday morning, 10 o'clock.

*Thursday morning, January 2, 1817.*

The court met pursuant to adjournment. Present, the president, members, and judge advocate.

Captain Perry being called upon to give his evidence in the case, addressed the court to the following purport:

Permit me, gentlemen of the court, before I commence my testimony, to observe, that I have been upwards of eighteen years in the service, and this is the first time I have ever stood before a court martial as a prosecutor, and captain Heath is the first marine officer with whom I ever had



any difficulty. Amongst that class of officers there are many, who, from a long acquaintance, I entertain a sincere respect for, and it is with extreme regret that I have been compelled to bring charges against one of the corps. How much I have looked over in the conduct of captain Heath, he well knows. Whenever he has acted improperly, he has only received friendly admonition, and until the evening of the 18th of September, respectful and kind treatment.

Captain Perry was then duly sworn, and stated as follows: On standing into the bay of Naples, at the time referred to, in the charge, I observed a marine come on the quarter deck, in a very dirty condition, although an order had been issued before, that every person should be particularly clean in their dress. I sent for captain Heath or called to him, I do not recollect which, and pointed to the marine; captain Heath approached me in a manner which I thought indecorous, and unbecoming. I told him, that a man in the dress and condition of the marine, was a disgrace to the ship, and I believe I said to the corps. He replied, he had reported a want of clothing, and if the marines were not clean, he could not help it. I then told him if he could not, I would find some one that would. I leant over the hammock cloths, to suppress the feelings occasioned by the conduct of captain Heath. On captain Heath sending me the letter which is now before the court, and of which, I complain, I sent for him to come into the after cabin; I merely asked him the occasion of his sending me such a letter. He assumed at once a manner which was irritating, in the highest degree, both in person and in looks, shaking his head at me; this had the effect which might have been expected, and I expressed my indignation in warm terms. After some further conversation, I ordered him to be silent, and sent for the second marine officer. Captain Heath paid no attention to my orders. Previous to this I asked him if he was aware to whom he was speaking, and where he was. He replied, in an insulting tone, and throwing himself back, with a contemptuous smile, said he presumed he was speaking to captain Perry, and was in the Java's cabin, or words to that effect. I arrested, and repeatedly ordered him to be silent. He continued to reply until he was taken out of the cabin, and all my efforts to make him keep silence, were ineffectual.

When the marines jumped overboard and after I had got on deck, I asked for captain Heath; to my surprise he was not on deck. I was told he was sick; it was the first time I had heard of his being so. I enquired repeatedly the nature of his indisposition. No one could tell. I then ordered him on deck. When he made his appearance there, he said nothing about his indisposition; nor did I find his name on the sick report of the surgeon the next day; neither have I heard since, that he really was indisposed. I directed him to muster the marines. After a lapse of some time, being extremely anxious to know the number of men who had deserted, I sent for him, and demanded why he was so dilatory; he replied, the marines were mustered; I asked why he had not reported; he said he did not yet know how many were gone. After some further delay, I at length obtained a report; not however in the short time stated by lieutenant Howle. It was from fifteen to twenty minutes, at least, after I got on deck, and after I had given the order to muster the marines, that I obtained the report; a length of time which I deemed altogether unnecessary.

The following is a copy of the letter referred to in the foregoing testimony:

*U. S. frigate Java, Messina, 18th Sept. 1816.*

SIR—On the evening of the 16th instant, I was ordered below by you from the quarter deck of this ship, with these words, or to this effect: "I have no further use for your services on board this ship."

I have waited until this moment to know why I have been thus treated, and, being ignorant of the cause, request my arrest and charges.

Very respectfully, your obedient servant,

(Signed) JOHN HEATH, capt. marines.

*Capt. O. H. Perry, commanding U. S. F. Java.*

*Capt. Perry questioned by the court.*

*Question.* Was it in the forward or after cabin that this conversation with captain Heath took place?

*Answer.* A part in the forward and a part in the after cabin.

*Question.* When captain Heath replied that he was speaking to captain Perry, &c. &c. did he smile?

*Answer.* Yes. He had a sardonic grin on his face and a contemptuous look.

*Question.* Was any other person in the cabin at the time?

*Answer.* Mr. Anderson, the consul at Tunis, was present. He is a very material witness in the case, and I regret very much that I cannot have the benefit of his testimony.

*The witness questioned by the prisoner.*

*Question.* What were the precise words which I used in reply to you relative to the dirty appearance of the marine alluded to in the first specification of the first charge, and which you say was insolent, disrespectful and contemptuous.

*Answer.* I do not recollect the precise words.

*Question.* Why did you not arrest or suspend me at the time, conceiving, as you did, that my conduct merited it?

Captain Perry objected answering this question and submitted it to the court. The court was then cleared, and it was decided that the question was an improper one, and the witness not bound to answer it. The parties were then admitted, and the determination of the court made known. Captain Perry explained that he only objected to the question from a sense of its inutility in the case. He would now, however, give a voluntary answer to the question, in order to remove any impressions, if such there were, that he was influenced by any other motive than that which he had already stated. He gave the following answer: "That it was from a reluctance to suspend or arrest any officer when there was a possibility to avoid it." The prisoner prayed the court to record the proceedings in this case, which the court hereby grant.

*Question.* Did you not, on the quarter-deck of this ship, on the evening of the 16th of September, when I came to you by your orders, tell me I had been sent for several times, and that I had sent you word I was sick, and did I not, on that occasion, reply to you that I was unwell, and had been so all day?

*Answer.* I have no recollection of your telling me you were sick.

*Question.* Did not lieutenant Howle inform you before I came on deck, that I was unwell?

*Answer.* He did so.

*Question.* Was not lieutenant Howle attending to sending up from below and mustering the marines when you sent for me on the evening of the 16th of September?

*Answer.* I believe he was. I directed him so to do

*Question.* What reason have you to suppose tha

my complaint of indisposition, on being sent for from deck, was a subterfuge or an excuse to evade my duty?

*Answer.* I supposed that an active officer, on such an occasion, even if he was a little indisposed, ought to have come on deck.

*Question.* Have you any reason to question my veracity?

*Answer.* I must have had some reason from the circumstance of your not appearing on the sick list. This is the universal custom of the service and of this ship, and I am entitled to the services of all my men and officers who are not so reported.

*Question.* Would it have been proper for me to have ordered a boat and sent officers and men in pursuit of the deserters without your orders?

*Answer.* Certainly not. You must first obtain permission from myself or from the executive officer.

*Question.* Did you not prevent my taking any further steps than I did to secure the deserters, by telling me you had no further use for my services on board, and ordering me below?

*Answer.* Certainly. You were suspended and sent below, and could not, of course, take any further steps.

*Question.* What do you mean to be understood by the words in the third specification of the first charge—"why he, (captain Heath) took such a time to write to me a letter of that kind?"

*Answer.* What I meant by that was your sending me the letter at night. I think it was about eleven o'clock. This, I consider, a very improper time to be addressed on business of that kind.

*Question.* Do you know at what time I sent you this letter?

*Answer.* I found the letter in my cabin, on my table, when I returned on board. I had left the ship about an hour before.

*Question.* What do you perceive in the letter I addressed to you, requesting an investigation of my conduct, to be either improper or reprehensible?

*Answer.* I have already expressed my entire disapprobation of the letter. It is before the court, for them to judge of.

*Question.* Do you not think that every officer, when laboring under a suspension from duty, and conscious himself that he is injured, has a right to request an investigation of his conduct?

*Answer.* At a suitable time.

*Question.* What was the language you addressed to me on approaching you in your cabin, on the night of the 18th of September?

*Answer.* I addressed myself to you with some degree of warmth, but respectfully. I enquired why you chose such a time to write me a letter of that description.

Captain Perry not being bound to answer the foregoing question, the reply which he has given to it is a voluntary one, and the court direct that it shall be so noted.

*Question.* After you spoke to me concerning the letter I wrote to you on the evening of the 18th of September, did I not reply to you in this manner, or to this effect: that I was very sorry you had construed the letter into insolence, as it was very far from my intention to insult you, my object being to obtain arrest and charges?

*Answer.* At some period of the conversation you assured me it was not your intention to insult me, but your conduct was so much at variance with your assurances, that I paid no attention to them.

*Question.* On finding you much irritated in your cabin, on the evening referred to, did I not attempt to leave the cabin, when you ordered me to remain?

*Answer.* Yes: he did so, but I told him to remain that I was not yet done with him. I then sent for the second marine officer, and arrested captain Heath.

*Question.* Did I not report to you on the evening of the 16th of September, the marines who were absent, and was not my report made in a very respectful and explicit manner?

*Answer.* Yes.

The evidence for and against the prosecution being here closed, captain Heath moved the court to allow him until Saturday, morning, 11 o'clock, to prepare his defence, which was granted accordingly.

The court adjourned, to meet on Friday morning, 11 o'clock.

*Friday morning, January 3, 1817.*

The court met and adjourned, to meet on Saturday morning, 11 o'clock.

*Saturday morning, January 4, 1817.*

The court met pursuant to adjournment. Present, the president, members, and judge advocate. Captain Heath appeared in court, and being called upon, addressed the court, a copy of which address is hereunto annexed.

The court was then ordered to be cleared, and the whole of the evidence read over by the judge advocate, and the following sentence pronounced.

SENTENCE.

The court, after mature deliberation on the testimony adduced, and having weighed and considered the whole matter, together with what the prisoner had to offer in his defence, agree that the charges are in part proven. The court doth, in conformity thereto, find the prisoner guilty of the first charge, and guilty of the first and third specification of said charge. The court also find the prisoner guilty of the second specification of the first charge, so far as it accuses the prisoner with writing and sending the letter, but acquit him of using language therein highly improper to be used to his commanding officer.

The court acquit the prisoner of the second charge, and of all the specifications annexed thereto, and find him guilty of the third charge, and the specification to said charge. The court doth, therefore, from the circumstances of the case, adjudge the prisoner to receive a private reprimand from the president of the court, and he is hereby sentenced accordingly.

(Signed) JOHN SHAW, *President.*

WILLIAM CRANE,

JOHN ORDE CREIGHTON,

JOHN DOWNES,

JOHN HALL,

GEORGE W. RODGERS,

THOMAS GAMBLE,

H. M. BRECKENRIDGE, *capt. M. C.*

WILLIAM HALL.

R. S. KEARNEY, *J. A.*

*United States' ship Washington,  
Port Mahon, 10th January, 1817.*

(Approved.)

(Signed)

I. CHAUNCEY,

*Commodore and commander in chief.*

*Mr. President and members of this honorable court,*

I little expected, on leaving my native country, that I should be arraigned before a public tribunal. But it appears it has fallen to my lot to be thus conspicuous. I will not waste the time of this court in needless declamation or unnecessary digressions; but shall aim at the vindication of my character and conduct; to rescue which, from the



imputation of a charge, I submit to your consideration a few remarks.

I shall proceed to notice the first specification to the first charge, of disrespectful, insolent and contemptuous conduct. It appears, from the evidence which the witness has stated in this case to the court, that he thought my conduct disrespectful to captain Perry; yet it also appears, when questioned by me, that he does not believe I intended any disrespect to captain Perry. My manner of disrespect is also described by having my hat on one side of my head, and my hands in my pockets. It really did not occur to me before, that being in this particular situation (as described by the witness) was intended to convey disrespect, or considered as a mark of insolence or contempt: if so, I have been frequently guilty of the same thing I have frequently, Mr. President, been in such a situation, and without a knowledge of it at the time: yet the witness does not inform this court, that as soon as I was called by captain Perry, that I placed my hat and my hands in the situation he described: my manner of approaching captain Perry, too, is not unnoticed: it is represented as being in a kind of swagger. I confess, Mr. President, I have not the advantage of some men, as regards the attitude of walking. It may be also true, that I am not remarkable for walking in a handsome manner; I have probably not paid that attention to this particular as others have. Every circumstance which the witness has stated, may have occurred, and yet by no means intended as disrespect, insolence or contempt to captain Perry. As I have before observed, the witness has stated to the court, that when questioned by me as to the circumstance, he did not believe I intended any disrespect to captain Perry, yet he observes, he was bound to believe me, from me solemnly asserting that I did not. I do not recollect of ever pledging my honor, or solemnly averring on the occasion, as I deemed my word sufficient. The evidence of the witness is however before this honorable court, and they will judge how far it will affect me.

I have a faint recollection of the circumstances, as the first specification states to have occurred on the 22d July. I remember, however, captain Perry's calling or sending for me on the quarter deck, and pointing out to me a marine who was badly attired. I confess, I was much mortified to see the situation of the marine, particularly as I had always endeavored to make the detachment appear as respectable as possible. I mentioned to captain Perry the situation of the guard as respected clothing, that I had addressed him before on the same subject, and could not help it, or words to that effect. I observed this, I thought, to captain Perry, in my usual manner when I addressed him, which I have ever deemed respectful and polite.

Captain Perry, from his manner, was evidently much incensed, but I presumed it was more at the appearance of the marine, than any thing else; for I can assure this honorable court, that so far from intending to treat captain Perry with disrespect on the occasion, I was astonished to find it a charge against me.

Captain Perry has been pleased to state to this court, in answer to my question, "why he did not arrest or suspend me at the time," that it was from an indisposition to arrest or suspend any officer where there was a probability to avoid it. Does it not appear then, that captain Perry overlooked my conduct on that day? It was passed over. I was punished, inasmuch as I received a reprimand.—

Why then, let me ask this honorable court, is this circumstance produced against me as a charge, under the arrest of the 18th September? I beg that the court will take this under their serious consideration.

With regard to the second specification of the first charge, I have to observe, that the letter, as therein expressed to be written, has been produced to this court, and will be left to its wise determination to judge how far it may be deemed insolent and disrespectful. But I hope this court will take into consideration the circumstances under which it was written. I was ordered below on the 16th September without knowing the cause. I remained below for two days, under feelings the most mortifying—I felt no longer able to bear the indignity which I conceived in the manner attached in sending me below. The wise and salutary laws of our country provide for the punishment of offenders in any situation, and also afford redress to the injured. Had I neglected my duty, or acted in any manner unbecoming the officer and gentleman, I will ask this honorable court if the proper mode of proceeding was not by a court martial.

Under those feelings of mortification, which I have already observed to the court, I wrote the letter which is stated in the second specification of the first charge.

The third specification I shall duly notice. We come now to the charge of neglect of duty, and its several specifications. I am charged, in the first instance, with having screened myself from duty on the night of the 16th of September, under the subterfuge of being sick. As this charge, it appears, has attracted no little attention of the court, it may not be amiss to dwell a little on it. I am accused of resorting to the subterfuge of sickness, in order to evade the exercise of my duty. In the first place I shall observe, that in the numerous catalogue of diseases by which we are occasionally afflicted, many often occur where it is entirely impossible for the most sagacious physician to detect the nature and extent, by any external signs. They may elude the most subtle tact of medical art. For the truth of this fact I appeal to the testimony of all medical men. These cases, of indisposition, too, may be so sudden and severe, as to disqualify us immediately for the exercise of duty. But it is asserted that the commanding officer is not bound to believe any man unfit for duty until he is reported so by the surgeon. But is the surgeon bound to report every case of sickness, immediately on his knowledge of it, without an order to this effect from the captain? This will not be found to be the case, in any of the existing customs or regulations of the navy. The surgeon is ordered to make his report of sick at certain specified times, and never recurs to his commanding officer to inform him of every individual case, immediately as it may happen to be presented to him. It follows then from the above facts, that in the case of sickness, the testimony of the sick man must ultimately be admitted as complete and sufficient evidence for its existence that the report of such indisposition is always regulated by order of the captain himself. If then, the circumstance of sickness be received as a satisfactory plea for incapacity of duty, the charge here exhibited in this specification, even if examined by the most rigid mode of reasoning, in such cases, is entirely invalidated. But I trust I am not here reduced to the necessity of appealing before this court, to the rigid decrees of law, even supposing that they did not in this instance, operate in my favor. No, I feel conscious of bearing such

a reputation among my fellow men, as to defy the malicious attacks of any one. I trust it will appear to this honorable court, that the evidence is perfectly satisfactory in my behalf.

As to the second and third specifications under the charge of neglect of duty, and unofficer-like conduct, I shall pass them unnoticed. The evidence relative to those specifications, is before this court, which will judge how far my conduct is reprehensible.

The last charge of disobedience of orders, and the third specification of the first charge, present themselves to view. My prosecutor has stated to this honorable court, that when I approached him in his cabin, on the evening of the 16th of September, that I assumed at once a manner which was irritating in the highest degree. He does not inform this court the language I received on approaching him in his cabin. Suppose we admit for a moment, that I did assume such a manner, (but which I do not admit) is there a being in existence, possessing nice and honorable feelings, could tamely submit to be abused with impunity? On approaching captain Perry, I received harsh and improper language. I felt conscious that I did not deserve such treatment; I was thunderstruck for a moment; I was at a loss to know whether the scene before me was real or imaginary. I found captain Perry much irritated; I used gentle language to appease him; I found my efforts ineffectual; I informed captain Perry I possessed the feelings of a gentleman, held a commission as well as himself, and should have redress for such language. I attempted to leave the cabin, but was ordered to remain. Figure to yourselves, Mr. president, and members of this court, my peculiar situation on that evening. I was arraigned before my commanding officer in his cabin; I received harsh and irritative language; I was ordered to be silent, and not to leave the cabin. Is it possible that my feelings could have been restrained on the occasion? My indignation was, no doubt, expressed in my countenance. I might have assumed a deportment observed to this honorable court, by my prosecutor; but was it without cause? Show me the being in existence, who regards his honor and reputation, who would have acted with less appearance of resentment. A wanton and outrageous attack is made on me, and I am debarred by the exertion of an arbitrary power, the privilege of self defence, which is guaranteed to us all by the laws of God. My character, which is dearer to me than life, assaulted, and every weapon of defence interdicted. Can this be suffered? Nature herself revolts at it; she will not endure that all the finest and noblest feelings, the sublimest portion of her ethereal spirit be thus rudely violated. The ground of honor is consecrated, it is impaled by barriers which the hand of tyranny must not invade.

Mr. president, I am about to submit my cause to this honorable court. A few words and I have done. My replication to the charges and specifications in question, has been drawn up in a hurry. I have not replied to them as I could wish, but my sentiments are conveyed. It is sufficient. From the evidence which has been adduced before this court, I trust it will appear that I am not guilty of any one charge or specification alleged against me. If my manner has been construed into contempt, and my words misrepresented, I regret it, because such was not intended; and it has already been stated to this court, that it is believed I never intended any disrespect to captain Perry.

Whatever, then, may be the determination of this court from the proud consciousness of my innocence, I shall derive consolation.

(Signed)

JOHN HEATH,  
Captain Marines.

## Increase of the Navy.

OFFICIAL REPORT.

*Navy Commissioners' Office, January 20, 1818.*

SIR—The board of navy commissioners have been honored with your communication of the 9th instant, enclosing a copy of a resolution of the honorable the senate, and requiring of them all the information within their knowledge, in relation to the objects of that resolution.

In obedience to this call, they make the following report, and accompany it with a detailed statement, marked A, which they trust will be found to meet fully your views of the information required.

Of the proceedings which have been had under the act for the gradual increase of the navy, the exhibit will show:

That contracts have been entered into for the live oak frames, cut to moulds, of eight line of battle ships, and eight frigates; that the frame of one line of battle ship and one frigate, is now cutting from Blackbeard Island, under the direction of the board, from timber belonging to the United States; that one line of battle ship is now building from promiscuous timber, collected at this navy yard, and that there is also promiscuous live oak for framing a frigate, collected and collecting at this yard, which make the frames of ten line of battle ships and ten frigates.

Of the contracts, however, it has been ascertained that one which embraced the quantity of live oak required for the frames of one line of battle ship and two frigates, will not be executed; and doubts are entertained whether another of the contracts, which is for the frames of two ships of the line and two frigates, will be executed. Hence the commissioners can only state, with any degree of certainty, that provision has been made for the frames of seven ships of the line and six frigates.

Of the copper and lead required in the construction of the ships authorized, when the quantity contracted for shall be delivered, (and nearly all has been delivered,) we shall have a sufficiency for all the ships of the line authorized and for ten frigates.

Of white oak and pine, it will be perceived that we have contracted for, and otherwise provided, as follows:

A sufficient quantity of oak plank for seven ships of the line and four frigates, and nearly all the pine plank required for seven ships of the line and four frigates.

Beams for five ships of the line and four frigates. Ledges, long combings, and ranging timber for seven ships of the line and five frigates.

Knees for six ships of the line and three frigates. Mast stuff for three ships of the line and two frigates; and we have also engaged, and have now delivering, the keels and keelson pieces for five ships of the line and one frigate.

Of cannon, carronades, round and grape-shot, we have contracted for the quantity required for two ships of the line.

Of iron, we have engaged, and have now on hand, nearly all that is required for four ships of the line and one frigate.

Upon the subject of the steam batteries, authorized by the law for the "gradual increase of the



navy," the commissioners have engaged one steam engine of one hundred horse power.

The commissioners have also established an anchor shop at this navy yard, where all the anchors required will be made. They are also making at this yard iron cables.

One ship of the line is ordered to be laid down at each of the following navy yards, viz:

Portsmouth,	Boston,
New-York,	Philadelphia,
Washington,	Norfolk,

Preparations are also making in each of these yards, and materials to a considerable extent have been collected.

Of the ships ordered to be laid down, those at New-York, Norfolk, and Washington, have been put on the stocks, and are progressing; those at the other points named, will be laid down as soon as circumstances will admit.

The ships now building under the act for "the gradual increase of the navy," are regular two-deck ships, and unless guns be mounted on their gang-way, which is not usual, they will mount the same number of guns with our present seventy-fours.—Hitherto no ship having but two decks, has rated higher than an eighty; and we beg leave to observe that the ships now building, are of inferior capacity to some ships of other nations having but two decks.

The payment of moneys not coming within the province of the board, they can offer no definitive information upon that subject. Upon this branch of the enquiry they can only afford information as to the probable amount of the contracts made by them. As to the payments made upon these contracts, and upon the purchases of the respective navy agents, as also the payments to the superintendants of timber, moulding, the carpenters and laborers employed in procuring timber, in the construction of the ships, and in the preparatory arrangements in the different navy yards, and for the transportation of timber, it is presumed that the auditor of navy accounts can afford precise information.

On the subject of advances upon contracts, the board beg leave to observe, that in two instances only, namely, those for cannon, carronades, and shot, have they stipulated to make advances. In these cases they agreed to depart from their general rule upon the subject, with a view to the improvement of the ordnance of the navy, which, having been found extremely defective, rendered it necessary to make a series of experiments, which subjected the contractors to considerable expense.

The navy commissioners would here respectfully observe, that their attention has been engaged, since the act of the 29th April, 1816, in procuring, within the shortest period possible, the live oak timber necessary in the construction of the ships authorized by that act. They found in the outset much difficulty in forming contracts for this article; the live oak growing only in places remote from our navy yards, and where it can be got out only in certain months in the year, interposed insurmountable difficulties to its being immediately procured: no contractor would engage to deliver the frame of a frigate in less than two seasons.—One cutting season only having elapsed since the passage of the act of the 29th April, 1816, will show why a greater quantity of this timber has not at this time been delivered.

The commissioners now entertain no doubt of being able to procure all the live oak required for the ships authorized, as well as every other mate-

rial necessary in their construction; and if it should be the wish of the executive, to launch them within the period contemplated by the law, and for the sum appropriated.

I have the honor to be, with great respect, sir, your most obedient servant,

JONH RODGERS.

*President of the navy board.*

*The hon. B. W. Crowninshield,*  
*secretary of the navy.*

To the foregoing is attached minute details of the proceedings of the navy commissioners. The live oak timber contracted for, in the whole is estimated to cost \$462,463 43;—the copper, 1,608,835 pounds \$491,922 60;—cannon, carronades and shot, \$113,496;—oak and pine plank, beams, &c. &c. a great quantity, estimated to cost \$201,878 19;—American canvas to cost \$49,700;—lead and iron, large quantities. The steam engine, of 100 horse power, is contracted for, at \$30,000, exclusive of the boilers.

## Foreign Articles.

### EUROPE, GENERALLY.

The coasts of France, England, &c. were visited with dreadful gales of wind in December. Lloyd's lists from the ninth to the twenty-third of that month gives the names of nearly 200 vessels wrecked! Many lives were lost, several of the vessels being transports.

### ENGLAND, &c.

There have been considerable fluctuations in the British stocks—but consols were at 82. One of the causes of the fluctuation is said to be in the differences between Spain and Portugal, whence it would make "it necessary for England at least to go to the expense of preparation in order to prevent a war."

The dreadful fever that we have frequently spoken of as raging in several parts of Ireland, instead of affording a prospect of diminution, appears to be gaining a more extensive ground. It is considered contagious.

We lately noticed an account of an immense estate left to a youth in England, by a stranger, and a person unknown—we have also read ten columns of matter, perhaps, about a girl named M'Avoy that pretended to see through the ends of her fingers; and could, completely blindfolded, tell the hour by a watch on feeling the outside of the glass!—These things are were *Carabooings*.

### FRANCE.

The French government seems very anxious to raise an army of 150,000 men besides guards, &c. It is impossible that the present generation can feel easy under the present yoke, and patiently submit to the dictates of foreigners.

### NETHERLANDS.

The duke of Wellington has failed in another action against a printer at Brussels, for a libel, and been condemned to pay all the costs attending the prosecution.

### AUSTRIA.

The imperial family has returned to Vienna, after a four months tour through the Austrian states. A match between the crown prince of Austria and a princess of Bavaria is spoken of.

### SWEDEN.

Paper currency in 1802, 14 millions—in 1817, 30 millions.

### RUSSIA.

The whole east and north east part of Siberia, and Kamschatka were infested with a great num-

ber of bears, rendered desperate for the want of food. Sometimes they had killed and devoured each other, and many were found that had perished with hunger. In several settlements they had killed between 2 and 300 of them—they never were known to have been so savage and blood-thirsty. The cause of these things is attributed to the want of fish for two years past in the neighboring seas.

## EAST INDIES.

*Moderate.* The Nabrattas have been compelled to cede to the East India company a territory producing a revenue of a million and a half.

## CHINA.

The importation of opium, "dirt for smoking," is prohibited in the "celestial empire" of China.—The merchants of Canton have given notice that they will not become securities for any ships that bring it.

## SPANISH AMERICA.

*Death of general Mina.*—If any doubt has heretofore existed respecting the fate of the patriot general MINA, the question is now put at rest by the subjoined documents, translated from our late Spanish papers. The blood-thirsty myrmidons of Ferdinand have at length succeeded in destroying one of the bravest and most enterprising assertors of independence; and that their "adored master" may be well assured of the fact, *his excellency* the viceroy has caused to be published, *minus* certificates of all the BUTCHERS engaged in the laudable work of murdering a great man—a hero—at whose name they often trembled.—*Charleston City Gazette.*

Translated for the City Gazette, from the Havana Commercial Daily Advertiser, of the 24th of January, 1818.

Mexico, December 15.

*Punishment of the traitor XAVIER MINA.*

OFFICIAL REPORT, by don Pacuel de Linan, field marshal.

*Most excellent sir*—I have the honor to forward to your excellency, the documents proving the execution, and the inquest held by a person of the faculty, on the body of the traitor *Xavier Mina*, which took place on the 11th inst. pursuant to the order issued by your excellency, on the 3d, after having performed your instructions therein received, relative to drawing from him, answers to all the questions put by your excellency, and after he received the Christian assistance.

In conjunction with all the officers under my command, I tender you our sincere acknowledgments, for the thanks that your excellency has been pleased to give us, in the name of the king our lord, for the capture of the rebel.

May God preserve your excellency many years.

General orders on the hill of Bellaco, 17th of November, 1817.

PASCUEL DE LINAN.

To the most excellent vice-roy,  
Don John Ruiz de Apodaca.

We, don Francis Romeo, lieutenant colonel, commanding the regiment of the line infantry of New-Spain; don Joseph Martin, commanding the 1st American battalion; don Joseph Polledo Lorenzana, of the same rank and corps; as also, don Joaquin Sanchez Badajoz, don Joseph Maria Quintero, commanding the 1st battalion of Zaragoza; and don Joseph Fernandez Cobos, and don Joaquin Gata, both brevet captains, belonging to the line infantry regiment of Ferdinand VII.—Do certify, that on the 11th November inst. at 4 o'clock, P. M. the traitor Xavier Mina; was shot on the top of the hill Bellaco,

where the general quarters of the division under the command of don Pascuel de Linan, field marshal, are actually stationed in obedience to the superior order of the third inst. issued by his excellency don John Ruiz De Apodaca, viceroy; and having been directed by said order, to witness the performance, we did so; and in order that it may so appear, we hereunto set our signatures at the same spot of Bellaco, on the 14th November, 1817.

Francis Romeo.

Joseph Martin

Joseph Maria Quintero Castro.

Joaquin Sanchez Badajoz.

Joseph Polledo Lorenzana.

Joseph Fernandez y Cobos.

Joaquin Gata.

I, Don MANUEL FALCON, surgeon of the 1st American battalion, do certify, that at 6 o'clock P. M. of this day, I was called upon to inspect the corpse of the traitor Xavier Mina, which had been shot two hours before; wherein I found a wound sufficiently large in the head, at the occipital bone, which was entirely fractured, as the balls which made said breach went out through the mouth, destroying both jaws; also, another wound in the shoulder, inflicted by the same weapons, whereby the breast was perforated; which wounds are reciprocally mortal, as the corpse exhibited.

I declare this to be the truth; certifying it at the top of Bellaco, this 11th November, 1817.

MANUEL FALCON.

I, Don Joseph Anthony Benavides, adjutant major of the 1st American infantry regiment, actually charged with the duties thereof, it being accidentally under the command of Don John Rafols, sergeant major; do certify, that the signature which appears in the preceding certificate is that which Don Manuel Falcon, associate surgeon to the regiment, did always, and does actually write. And in order that it may so appear whenever required, I sign these presents, with the approbation of my commander, on the top of Bellaco, November 17, 1817.

JOSEPH ANTHONY BENAVIDES.

## FLORIDA.

Some of the forces that were under Aury had left Amelia, on the 24th ult. destination unknown. The commodore still remained, but was expected soon to sail in his brig, the Mexican Congress, formerly the Calypso, of Baltimore. He had been arrested and held to answer, by civil process, for several debts.

We see an article from a Jamaica paper on the value of Florida. The attention of the British government is invited to it that the Americans may be prevented from forming a durable navy—saying that all the live oak timber we had collected was destroyed by sir Alexander Cochrane, and that we have only a few scattered trees standing, "sufficient perhaps to build a frigate." This shews "how the wind blows." We have not a very great supply of live oak, but the frames of seven 74's and six frigates are contracted for, from "scattering trees"

The Savannah Republican, speaking of the same article, says—"Our fleet, we know, is not an empty phantom that haunts the terrified imagination of John Bull, but a scourge which the Ruler of all nations has created to punish the tyrant and despoiler of the seas. We are not therefore surprised that he should view its increase with fearful forebodings of the future sorrow it is to occasion him, and that he should adopt every measure calculated to avoid the coming blow. But into the hands of whomsoever the Floridas may fall, our navy will be very little affected by the event. Not to speak of



the immense forests of live-oak spread over the coast of Louisiana and that part of West Florida in our possession, enough of that valuable timber may be obtained in Georgia and South Carolina to build a sufficient number of American ships to chase the English fleet from the ocean and capture it in the best defended harbors of the British empire."

## CONGRESS.

The following message of the president of the United States was received on the 10th inst.

*To the senate and house of representatives of the United States.*

As the house appropriated for the president of the United States will be finished this year, it is thought to merit the attention of congress in what manner it should be furnished, and what measures ought to be adopted for the safe keeping of the furniture in future. All the public furniture provided before 1814, having been destroyed with the public building in that year, and little afterwards procured, owing to the inadequacy of the appropriation, it has become necessary to provide almost every article requisite for such an establishment; whence, the sum to be expended will be much greater than at any former period. The furniture, in its kind and extent, is thought to be an object not less deserving attention than the building for which it is intended. Both being national objects, each seem to have an equal claim to legislative sanction. The disbursement of the public money, too, ought, it is presumed, to be provided for in like manner be provided for by law. The person who may happen to be placed by the suffrage of his fellow citizens, in this high trust, having no personal interest in these concerns, should be exempted from undue responsibility respecting them.

For a building so extensive, intended for a purpose exclusively national, in which, in the furniture provided for it, a mingled regard is due to the simplicity and purity of our institutions, and to the character of the people who are represented in it, the sum already appropriated has proved altogether inadequate. The present is, therefore, a proper time for congress to take the subject into consideration, with a view to all the objects claiming attention, and to regulate it by law. On a knowledge of the furniture procured, and the sum expended for it, a just estimate may be formed, regarding the extent of the building, of what will still be wanting to furnish the house. Many of the articles being of a durable nature, may be handed down through a long series of service; and being of great value, such as plate, ought not to be left altogether, and at all times, to the care of servants alone. It seems to be advisable that a public agent should be charged with it during the occasional absences of the president and have authority to transfer it from one president to another, and likewise to make reports of occasional deficiencies, as the basis on which further provision should be made.

It may also merit consideration, whether it may not be proper to commit the care of the public buildings, particularly the president's house and the capitol, with the grounds belonging to them, including likewise the furniture of the latter, in a more especial manner, to a public agent. Hitherto the charge of this valuable property seems to have been connected with the structure of the buildings, and committed to those employed in it.

This guard will necessarily cease when the buildings are finished, at which time the interest in them will be proportionably augmented. It is presumed that this trust is, in a certain degree at least, incidental to the other duties of the superintendent of the public buildings, but it may merit consideration whether it will not be proper to charge him with it more explicitly, and to give him authority to employ one or more persons under him, for these purposes. JAMES MONROE.

*Washington, Feb. 10, 1818.*

The message was read and referred to the committee of the whole to whom is referred the bill to provide for erecting additional buildings for the accommodation of several executive departments.

## SENATE.

*Feb. 13.* The bill supplementary to the act further extending the time for issuing and locating military land warrants; the bill to authorize certain purchasers of public lands to withdraw their entries and transfer the monies paid thereon; and the bill for the relief of Richard M. Johnson; were successively read the third time, passed, and sent to the house of representatives.

*Feb. 16.* Mr. Sanford presented the memorial of the New-York Irish emigrant association, praying that a portion of unsold lands (in the Illinois territory) may be granted to trustees, on an extended term of credit, for the purpose of being settled by emigrants from Ireland.

Mr. Lacock presented the petition of sundry dry good traders and master-tailors of Philadelphia, representing certain grievances and evils under which their business labors, from various causes, from which they pray relief: and also praying that additional duties may be imposed on imported ready made clothes, and means devised to prevent the illegal introduction thereof.

*Feb. 17.* After other business—

Considerable discussion again took place and several amendments were proposed. Nothing important decided.

Mr. Tait, from the committee on naval affairs, reported a bill authorizing the president of the United States to establish two naval depots and dock-yards, at such fit places as he shall designate, and appropriating—dollars for the object; which was read and passed to a second reading.

A message having been received from the house of representatives announcing their determination to adhere to their disagreement to the senate's amendment to the military appropriation bill—

Mr. Campbell moved that the senate recede from said amendment; which motion was decided in the affirmative.

So this amendment was accordingly withdrawn, and the secretary ordered to inform the house of representatives thereof.

The senate then occupied a considerable time on the bill providing for the surviving revolutionary soldiers; but adjourned without coming to any important decision.

*Feb. 18.* Mr. Crittenden, from the committee on the judiciary, reported the bill from the house of representatives, to provide for the recovery of fugitive slaves, &c. with sundry amendments.

The senate took up the report of the committee of finance, on the enquiry referred to them, into the expediency of repealing the duty on salt, and in concurrence with that report, it was

*Resolved,* That it is not expedient to repeal the law imposing a duty on salt.

Mr. *Barbour* submitted the following resolution for consideration:

*Resolved*, That the committee on military affairs be instructed to inquire into the expediency of changing the mode of supplying the troops of the United States by contract, and substituting one cheaper and more efficient, by subjecting the parties undertaking that duty to military law, in case of delinquency.

The senate, in committee of the whole, resumed the consideration of the bill for the relief of the surviving revolutionary patriots, and made some progress therein.

The vice president of the United States and president of the senate, having heretofore been prevented by indisposition, arrived in Washington city this day.

#### HOUSE OF REPRESENTATIVES.

*Friday, Feb. 13.* Mr. *Johnson* of Ky. from the committee on military affairs, reported a bill repealing so much of the act of July 6, 1812, as allows extra pay and emoluments to brevet rank; which was read, and (after some conversation on the course it should take, and after once deciding against a commitment, but which decision subsequently was reconsidered and reversed) was committed to a committee of the whole house.

On motion of Mr. *J. S. Smith*, the secretary of the treasury was requested to lay before the house a statement of the number of tons of bar iron, iron in pigs, and cast and rolled iron, that has been imported into the U. States annually, and from what countries, from the first of May, 1812, to the first of May, 1817, and if any, what quantity has been exported during the same period.

Mr. *Johnson* of Kentucky, offered the following motion for consideration:

*Resolved*, that the secretary of war be directed to report to the house of representatives, *his opinion* as to the propriety of continuing the office of claims for the term of one year, from the 9th of April next.

After some remarks the resolution, as stated, was agreed to.

Mr. *Harrison* rose, according to notice yesterday given, to ask leave to bring in a bill to extend half-pay pensions for five years, to the widows of soldiers who died in the public service during the late war, &c.

The leave asked was given, by a vote of 55 to 52, and a committee appointed to prepare a bill accordingly.

The house took up the report of the conferees on the part of this house, on the subject of the disagreeing votes of the two houses; and

On motion of Mr. *Lorondes*, the house resolved to adhere to its disagreement to said amendment.

The house then resumed the consideration of the resolution yesterday offered by Mr. *Robertson*, of Louisiana, to instruct the military committee to enquire into the expediency of educating at the military school of the United States the sons of all officers, non-commissioned officers, or privates, who have fallen in fighting for their country.

After disposing of several propositions to amend the resolution, and some discussion of its objects,

A substitute was offered by Mr. *Moore*, of Pa. as follows, which, after being amended, by expunging the words in *italic*, was agreed to:

That the committee on military affairs be instructed to enquire into the expediency of bringing in a bill embracing the following principles, viz. That in all applications hereafter, for the admission of cadets into the military academy of West

Point, a preference shall be given to the sons of the officers, non-commissioned officers and soldiers, who were killed in battle, or died in the service of the United States, in the late war, giving a preference to those least able to educate themselves, and best qualified for the military profession, and to be distributed as equally as practicable throughout the several states and territories, according to the ratio of representation.

In this shape the resolution was adopted by a considerable majority.

The house then, on motion of Mr. *Hopkinson*, resolved itself into a committee of the whole, Mr. *Smith* of Md. in the chair, on the bill to establish an uniform system of bankruptcy throughout the U. States.

The reading of this bill (which contains fifty four printed folio pages) occupied the remainder of the sitting; after the reading was finished;

The committee rose, obtained leave to sit again, and

The house adjourned to Monday.

*Monday, Feb. 16.*—Mr. *Williams*, of N. C. made a supplementary report on the petition of John Ireland, which had, on his motion, been recommended to the committee of claims.

This report adduces as further testimony against the claim of John Ireland, a letter addressed by com. Barney to a member of the house, denying the fact that the destruction of the house for which compensation is claimed, was attributable to the occupation thereof by the flotilla-men under his command, &c.

On this report some little debate took place, in which Mr. *Stuart* questioned the force of this sort of epistolary declaration, in contradiction to the opposing evidence of several persons on oath; and Mr. *Smith*, of Md. questioned the correctness of a particular part of the report. To both of these gentlemen Mr. *Williams* of N. C. replied.

The report was ultimately ordered to lie on the table.

On motion of Mr. *Bloomfield*, the committee on foreign relations were instructed to enquire into the expediency of establishing the residence of a consul at Mogadore, in the empire of Morocco.

[Mr. B. assigned as a reason for this motion the advantages which would result from a consulate there, &c. and particularly from the opportunity it would afford of redeeming from captivity our ship-wrecked mariners and other citizens, who might be unfortunate enough to fall into the hands of the Arabs, &c.]

The house then resolved itself into a committee of the whole, Mr. *Bloomfield* in the chair, on the bill to establish an uniform bankrupt law.

Mr. *Hopkinson* rose, and in an elaborate speech, the delivery of which occupied from 1 until near 4 o'clock, spoke in support of the measure; when

The committee rose, and reported progress; and The house adjourned.

*Tuesday, Feb. 17.*—On motion of Mr. *Comstock*, the committee on military affairs were instructed to enquire into the expediency of making further provision by law for the maintenance and support of Catharine Low, who, since the commencement of the late war, has lost her husband, two sons and a son-in-law, in the military service of the United States, and is in indigent circumstances.

#### Executive messages.

A message was received from the president, enclosing a report of the secretary of state, transmitting to him the remainder of the correspondence between our minister in Spain, and the Spanish



government, touching Morillo's blockade of the southern coast. The documents are not of much importance, but shall be published at an early day.

The following message was also received from the president, by the hands of Mr. J. J. Monroe, his secretary:

*To the senate and house of representatives of the United States.*

WASHINGTON, Feb. 12, 1818.

I lay before congress copies of two communications received at the department of state, from the minister of Great Britain, and submit to their consideration the propriety of making such legislative provisions as may be necessary for a compliance with the representations contained in them.

By the express terms of that compact, it was, when ratified by the two governments, to be in force for the term of four years from the day of its signature. The revocation of all the discriminating duties became therefore the obligations of both the governments from that day, and it is conceived that every individual who has been required to pay, and has paid, any of the extra duties revoked by the convention, has a just and lawful claim upon the respective governments for its return. From various accidents, it has happened that, both here and in Great Britain, the cessation of the extra duties has been fixed to commence at different times. It is desirable that congress should pass an act providing for the return of all the extra duties incompatible with the terms of the convention which have been levied upon British vessels or merchandize of the U. States, in the ports of Great Britain since that day. It is not doubted that the British government will comply with this requisition, and that the act suggested may be passed by congress with full confidence that the reciprocal measure will receive the sanction of the British parliament.

JAMES MONROE.

*Mr. Bagot, envoy extraordinary and minister plenipotentiary, to Mr. Monroe, secretary of state.*

WASHINGTON, Nov. 18th, 1816.

SIR—I have the honor to call your attention to one of the provisions of an act of the United States' congress, passed on the 27th of April last, entitled "an act to regulate the duties on import and tonnage," which appears to have originated in some misapprehension of the real nature of one of the principal manufactures of Great Britain, and which has had an operation not only very prejudicial to the British manufacturer, but contrary, as it should seem, to the spirit and intent of the 2d article of the commercial treaty.

By the 2d article of the commercial treaty between Great Britain and the United States, it is stipulated "that no higher duties shall be imposed on the importation of any articles the growth, produce, or manufacture, of his Britannic majesty's territories, in Europe, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign countries."

By the act of the United States, to which I have referred, it is among other things, enacted in the 6th section, that, upon importation into the United States, iron in bars and bolts, except iron manufactured by rolling, shall pay a duty of 45 cents per cwt. and that in bars and bolts, when manufactured by rolling, and anchors, it shall pay a duty of 150 cents per cwt.

It was probably not known that the bar and bolt iron, manufactured in Great Britain, is in the last process rolled, whereas the same article, both in

Sweden and in Russia, instead of being rolled, is, in the same process, hammered, but when the iron is manufactured into bar or bolt, whether by rolling or hammering, it is in precisely the same progress of manufacture, and is in every respect applicable to the same purposes of use and ulterior manufacture, and consequently is, to all intents, a "like article." But, by the inequality of the duties which have been imposed, it seems to have been imagined, that rolled bar and bolt iron is in a stage of manufacture beyond that of hammered iron, and you will observe that this supposition is strengthened by the circumstance of its being classed with anchors, which are in a state of complete and finished manufacture, and are worth 35l. per ton in the British market, whilst bar and bolt iron is only worth 11l. per ton.

It is to be assumed that whenever duties are imposed on any foreign article, in a graduated scale proportioned to its manufactured state, it is intended that the duty should be regulated by that state alone, and not by the process of which it is brought to that state.

Iron, in a certain state of manufacture, is to be charged with a certain duty; the means of bringing it to that state, whether by hammering or rolling, is not to be had in consideration; for, if it were, the effect would be to force each nation to use exactly the same process, and what certainly never could have been intended, to check and punish the application of ingenuity and improvement.

Considering, therefore, that the bar and bolt iron manufactured in Great Britain is, according to the true spirit and intent of the 2d article of the treaty of commerce, in every respect a "like article" with that manufactured in Sweden and Russia, it is hoped that such measures will be taken by the government of the United States, as will allow of its admission to importation at the same rate of duty, and will place the British manufacturer in that state of equality, in respect to foreign nations, as may accord with the undoubted intention of the late treaty of commerce between the two countries.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,  
CHARLES BAGOT.

*Mr. Bagot, envoy extraordinary and minister plenipotentiary, to Mr. Adams, secretary of state.*

WASHINGTON, December 8th, 1817.

SIR—In my letter to the secretary of the department of state of the 9th of July, 1816, I had the honor to point out the difference of the periods at which effect had been given, in the two countries, to the convention of the 3d of July, 1815, and to request that all discriminating duties of a nature similar to those described in his royal highness the prince regent's order in council of the 17th of August, 1815, which might have been levied between the date of that order, and the 22d of the following December, upon goods imported into the United States in British built ships might be refunded.

No mention having been made in his royal highness's order in council of alien tonnage duties, they were not adverted to in the application which I had the honor to make; but as it was known that they had in fact been remitted by Great Britain, the American legislature, in strict observance of the spirit and intention of the convention, included them in the act passed on the 3d of last March, authorising the secretary of the treasury to cause

repayments to be made of certain alien duties.—By this act however, it was only provided, that the alien tonnage duty levied upon British ships in American ports subsequently to the 17th of August, 1815, should be refunded; whereas the same duties levied upon American ships in British ports, were remitted from the date of the signatures of the convention.

In order, therefore, that his majesty's subjects may partake of the full benefit of the reciprocity intended by the convention, I have the honor to request, that remission may also be made of the amount of the alien tonnage duties which may have been levied upon British ships in the ports of the United States between the 3d of July and the 17th of August, 1815.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,  
CHARLES BAGOT.

The message was read and referred to the committee of ways and means.

#### *Uniform bankruptcy law.*

The remainder of the day was spent in committee of the whole on the bill to establish an uniform system of bankruptcy throughout the United States.

Mr. Tyler moved to strike out the first section of the bill, and supported the motion by a speech of considerable length.

Mr. Holmes, of Mass. followed, in a speech of about the same extent, on the same side of the question.

Mr. Pindall next took the floor; and had spoken for an hour and a half on the same side of the question; when, having given way for a motion to that effect,

The committee rose, reported progress, and obtained leave to sit again,

And the house adjourned.

Wednesday, Feb. 18.—Mr. Hugh Nelson, from the committee on the judiciary, reported a bill for the more convenient organization of the courts of the United States, and for the appointment of circuit judges. [Providing that the judges of the supreme court shall, from and after April next, cease to perform the duties of circuit judges; that the supreme court shall consist permanently of one chief justice and four associate justices, whenever vacancies shall reduce it to that number; that this court shall be holden in May and December, annually; that there be appointed eight circuit judges, to hold circuit courts twice a year in the several districts, in conjunction with the district judges, &c.] The bill was twice read and committed.

The house again resolved itself into a committee of the whole, Mr. Bloomfield in the chair, on the bill to establish an uniform system of bankruptcy.

Mr. Pindall having concluded his remarks against the bill, Mr. Sergeant and Mr. Smith, of Md. delivered able arguments in favor of it, the former at greater length.

And the committee rose, reported progress, and asked leave to sit again; which Mr. Bassett in vain objected to granting, the leave being accorded by a large majority.

And the house adjourned.

Thursday, Feb. 19. After much business of no present importance—

The house having again resolved itself into a committee of the whole, Mr. Livermore in the chair, on the bill to establish an uniform system of bankruptcy,

Mr. Mills, Mr. Storrs, and Mr. Williams of Con. delivered speeches of considerable length in favor of the bill, and Mr. Tucker of Va. against it; when

The committee rose, reported progress and obtained leave to sit again.

In the senate, Feb. 19. The vice president of the United States took his seat. Much debate was had on the bill for the relief of gen. St. Clair;—nothing decided.

## CHRONICLE.

*Maryland claims.* The editor of the WEEKLY REGISTER, with the public at large, believed that a part of the claims of the state of Maryland against the United States, for military services during the late war, were of the same character as those of Massachusetts, as having been caused by the oppugnation of our executive to that of the general government; and we were justified in this belief by certain silly anti-national proceedings of the legislature. But on Monday last the editor had the pleasure of a short and very interesting conversation with Mr. Kerr, who had then just returned from Washington, whither he was sent as agent of the state to have those claims adjusted. He stated, that there had not been any such oppugnation as had been supposed; but that the executive of this state had always submitted itself to that of the United States; and that the accounts, which had not been settled, were caused by the calling out of the militia to defend the shores of the Chesapeake against the assailants of the enemy, by their local officers—the opportunity to appreciate the governor of emergencies, owing to our peculiar situation, being, in many cases, denied; and that these things being duly considered, it was concluded that those claims ought to be paid and they will be paid as soon as the vouchers shall have undergone the needful examination.

*New-York claims, &c.* Gen. Lamb, deputed by the governor of New York for the purpose, has effected a final adjustment with the war department for ordnance, arms and other military stores furnished by New York to the general government during the late war. This adjustment, it is understood, restores to the state, upwards of thirty pieces of cannon, and twelve thousand stand of arms, and other military stores, exceeding two hundred thousand dollars in value.

*Exports of the United States.* The amount of the exports of the United States for the year ending Sept. 30, 1817, was of the value of \$87,671,596—viz. domestic articles 68,313,500; foreign 19,358,069. The usual tables shall be inserted as soon as we can find room for them.

*Internal taxes.* We have also a large volume relating to the internal duties and direct tax, of which a satisfactory abstract shall be made as soon as possible, for the use of our readers.

A famous chief, col. Richard Brown, head man of the Cherokees, lately died in Tennessee, on his way to Washington city, on the business of his tribe. He was a gallant warrior and an honest man, much relied upon in war and in peace by his people. He headed the Cherokees who served under gen. Jackson in the Creek war, and had the entire confidence of the general. He was severely wounded at the Horse Shoe.

The new bridge over the *Susquehanna*, at Lewisburg, is highly spoken of. From the face of the two abutments it is 1171 feet 6 inches long. It cost \$55,000. The contract was made on the 4th of July, 1816, and was finished in 1817.



A branch of the bank of the United States is to be established at the city of ALBANY, in New York.

Official information has been received that major general Jackson has removed the head quarters of the south division of the army to Fort Scott, near the confines of Georgia.

The legislature of New York has, on motion of Mr. Meigs, passed a resolution to remove the remains of the gallant general MONTGOMERY, who fell at Quebec, and which lie buried near the spot where he received his mortal wound, undistinguished by any monument.

A committee was appointed to provide the means of removing those remains to St. Paul's church in the city of New-York, to be deposited near the monument erected in that church to his memory.

**WEALTH OF LOUISIANA.** In inserting the article headed "Wealth of Louisiana," page 314, a note that we intended to have added, by way of explanation, was accidentally omitted, and not observed until now. Sugar land, by the Milledgeville paper, is said to sell as high as 5000 dollars per acre—which is to be understood as an *acre front*, running back the same width several acres, generally forty.

**Commerce of Virginia.**—The following is the amount of the proceeds of duties on import and tonnage paid at the three principal sea-ports of Virginia, for the years 1815 and 1816—

	1815.	1816.
Norfolk,	\$574,254 94	\$662,568 41
Petersburg,	285,528 66	302,915 44
Richmond,	328,728 33	262,544 05

\$1,183,511 95      1,228,027 90

**Manufactures.**—An English traveller in the United States, who, in the accustomed spirit of his countrymen, has attempted to demonstrate the necessity of "putting the Americans down," seems to have discovered the greatest cause of alarm in the extension of our manufactures.—"This he considers as an era of a systematic contest, which must inevitably endanger the safety of one or the other of the two nations."

**Hunting.** A party of thirteen persons turned out in Chatauque county, New York, for a hunt, and in two days killed—1 bear, 17 deer, 102 racoons, 242 squirrels, 1 skunk and 16 rabbits, besides considerable small game.

**NAVAL COURT.** *Washington City, Feb. 7.*—A court of enquiry having been called to enquire into the loss of the United States' brig Boxer, under the command of lieutenant commandant John Porter, the following opinion of the court is promulgated, having been approved by the secretary of the navy.

After mature deliberation upon the evidence adduced, the court are of opinion that the loss of the U. S. late brig the Boxer, is to be attributed to the strength of the current setting on shore, and the lightness of the wind; that her going to pieces is to be attributed to the decayed state of her timbers: and that her officers and crew made every possible exertion in their difficult situation. The court are, therefore, of opinion that no blame can be attached to lieutenant commandant John Porter, or to either his officers or crew, in consequence of the loss of the said brig.

The court adjourned, to meet to-morrow morning, the 16th of January, 1818, at ten o'clock.

The court met pursuant to adjournment. The foregoing minutes were read and approved, and the court adjourned, *sine die*.

R. T. SPENCE, President.

G. M. DALLAS, judge advocate.

Approved, B. W. CROWNSHIELD.

END OF THE THIRTEENTH VOLUME.

Letters from New Orleans announce that *Henry Johnson* is elected a senator in congress from Louisiana, vice W. C. Claiborne, deceased.

**Franklin 74.**—By a recent arrival in the Chesapeake, letters have been yesterday received from on board the Franklin, 74, commodore Stewart, from East Cowes, Isle of Wight, which is in sight of Portsmouth harbor, stating her arrival there on the 15th December, after a prosperous voyage of only *twenty-one days* from Cape Henry light house, (bad weather and severe gales of wind from the north and north east, during the first week of December, to the contrary notwithstanding;) and a subsequent date from Southampton, states her arrival at Portsmouth, and her being constantly visited by numbers of the curious gentry from the neighborhood—all ranks of naval and military officers—the builders and artisans of the royal docks, &c. &c. all of them speaking in commendation of her *exterior* appearance and her justly distinguished roomy accommodations within; some, however, saying she was a ninety gun, or first rate, in disguise! *Nat. Int.*

The London Star, of December 17, speaking of the arrival of the U. States' ship Franklin, says—"Some may feel a little sore at the political progress of our quondam colonists, in thus being able to send out ships of such a class, bearing an independent flag, and carrying an ambassador to their former parent. But such a feeling is unworthy of a great nation. May the period be not far distant when we shall have to hail the arrival of an ambassador from the Spanish colonies of America, in circumstances of as honorable a state as those in which we are now pleased to behold the ambassador from our own former colonies, come among us as the representative of a distinct and independent people!"

**Indian war.**—Gen. Glascock's brigade of Georgia militia; from the delays that attended their organization and march, &c. merely reached the neighborhood where their services were expected to be wanted, and then returned—their tour of duty being out. Thus all the expense of this brigade and the harrassing of the people it occasioned, have produced no possible good whatever. Another brigade had been previously called out to replace Glascock's; but it is believed that before it can reach the scene of action its time will also have expired! We have a hope that Jackson and his mounted Tennesseans will close this tedious and wasteful little war with the Seminoles; who are committing many murders on the Georgia frontier. It is understood that the pursuit of them will not be limited by the Florida line.

**War with the Seminoles.**—The volunteers from Tennessee will deserve the high character which that state so justly earned during the late war.—They were rushing to the concentration point.—Gen. Jackson has issued a spirited address to them; which we have not time to copy in this sheet. He has proceeded to head quarters, and left them to follow him under col. *A. P. Hayne*, well known to his country, and deserving its confidence. A company of *Kentucky* volunteers, from Russellville, has marched to join gen. Jackson.

**Bust of president Adams.** A resolution has passed the legislature of Massachusetts, requesting John Adams, late president of the United States, to consent that a model of his bust be taken for the purpose of being sculptured in marble, and placed in one of the public halls of the state house. The bust is to be formed of American marble, if any can be found of suitable quality.













