

# THE WEEKLY REGISTER.

[Vol. I.]

BALTIMORE, SATURDAY, NOVEMBER 30, 1811.

[No. 13.]

"——— I wish no other herald,  
"No other speaker of my living actions,  
"To keep mine honor from corruption  
"But such an honest chronicler."

Shakespeare—HENRY VIII.

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## Public Documents.

(CONTINUED FROM PAGE 217.)

B.

COPENHAGEN, JUNE 7, 1811.

To his excellency Mr. de Rosenkrantz, First Minister of State, &c. &c. &c.

SIR.—With my note of yesterday, I transmitted to your excellency a list (No. 1.) of the "convoy cases," twelve in number—the two last in that list are not depending on appeal before the high court, as is mentioned in a memorandum opposite to their names; the first eight vessels of the remaining ten were bound immediately from Petersburg and Constatz to the United States; they had all paid their sound dues, and several of them had been examined before the Danish marine tribunals on entering the Baltic, and they were all arrested in going out by a British force and compelled to join convoy; when that convoy was attacked by his majesty's gun-brigs, the Americans not conscious of any illegality in the nature of their voyages or of any irregularity in their own conduct, made not any efforts to escape, they were captured and brought into port: no question has been made as to the genuine American character of the vessels in question, but they have been condemned under the authority of the article "4" in the 11th clause of his majesty's instructions for privateers, issued on the 10th of March, 1810, which declares to be good prize "all vessels which have made use of British convoy either in the Atlantic or the Baltic." At the time of this declaration, these vessels were in Russia on the point of sailing, and wholly ignorant of it.

This is a brief history of the "convoy cases"—it is now my duty to protest against the principle assumed in the instruction referred to, upon which they have been condemned: I shall endeavor to shew to your excellency that it is wholly new, not founded in, or supported by any reasoning to be derived from the law of nations—not even countenanced by precedents, and as wholly repugnant to the doctrines heretofore held by Denmark, itself, as it is to the rights and to the interests of the United States.

That the belligerent has a right to ascertain the neutrality of vessels which he may meet with at sea, and therefore under certain suspicious circumstances to bring such vessels into port for examination, I am not disposed to deny: it may also be allowed that the being found under enemy's convoy does afford such reasonable ground of suspicion against the vessels so found, as to authorise their being sent into port for examination—but this is the full extent of the belligerent right on this point; the examination had, and the vessels being found bona fide neutral must be acquitted:—to say that the neutral shall be condemned on the mere fact that he was found under enemy's convoy, is to impose upon him a necessity of sailing without protection even against his own separate enemies; for the case might well happen,

indeed, has happened, that though neutral with regard to the belligerent powers, he has had an enemy against whom either of the belligerents was disposed to protect him—of such protection the American commerce has often availed itself during the war between the United States and the Barbary powers, nor was it ever supposed by either of the great belligerent powers, that such commerce so protected by its enemy had thus become liable to capture and confiscation; the case might also occur, that of two allied belligerent powers, a third power should be enemy as to one and neutral as to the other; in that case, his seeking protection of the common enemy of these allied powers against that of them to which he was enemy, could not subject him to capture and confiscation by the allied power with respect to which he was neutral; his right in either of these, and in all cases to protect himself against his enemy by availing himself of whatever convoy offers, is unquestionable. I state these arguments against the broad ground taken in the royal instructions above quoted—but it will be said that the belligerent having also an unquestionable right to ascertain the neutrality of vessels, and belligerent rights being paramount to neutral rights where the two happen to be in collision, hence the attempt of the neutral to deprive the belligerent of his right by putting himself under convoy, forms of itself a ground of capture and confiscation. To this I answer,

Firstly, that the belligerent rights where they come into collision with those of neutrals are not to be deemed in all cases, paramount, and that nothing can establish such a general rule, but force, which is not law or justice.

Secondly, that no presumption necessarily arises against the neutral from the mere circumstance of his being found under enemy's convoy—but that this point will entirely depend upon the peculiar circumstances of each case.

Thirdly, that where the belligerent and neutral rights conflict, all other circumstances being equal, the plea of necessity ought to decide the question in favor of the neutral; in the case supposed, the belligerent is seeking the mere exercise of a right, but the neutral is occupied in his self-preservation.

Fourthly, superadded to this reason in favor of the neutral right, is one springing out of the immutable principles of equity; for, since according to modern practice, the neutral has no representative in the judicature by which his cause is tried, that it is no longer an umpirage or a court of arbitration, so his claim to a favorable leaning towards his right in all questionable cases is very much strengthened.

But it is also proper to enquire whether the vessels in question did in fact put themselves under convoy, with a view to avoid examination by Danish cruisers. Now it appears in the first place, that they did not seek convoy for any purpose, but that they were forf into it. Apart however from that question, there were not any Danish laws or

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ordinances which they knew of subjecting them to capture, nor could they apprehend or anticipate any such, the less as they had previously passed through the sound or belt with safety and without convoy—hence they had not any motive to seek convoy as a protection against Danish cruisers—they had, indeed, other inducements to put themselves under convoy, the decrees of his majesty the emperor of France (since happily for the harmony between the United States and France, repealed) were then in force, that system working against the English orders in council produced such a state of things with regard to the commerce of America, that scarcely one of its ships could move on the face of the ocean without being exposed under this unfortunate co-operation of hostile systems, to capture and confiscation; hence it is not surprising, if American vessels have from time to time been terrified into the convoy now of one party, now of the other—but had this happened in the cases before us, yet it would not have formed a just ground of capture and confiscation, for the merits or demerits of the Berlin and Milan decrees out of question, those decrees have not been adopted by Denmark—indeed at the time the vessels were taken, his majesty had not assumed any course with respect to the American commerce from which evil was to be apprehended, hence I beg leave to repeat that the vessels in question, cannot be presumed to have sought protection under British convoy for the purposes of avoiding his cruisers. But if the contrary had been proved, if it stood confessed that they had sought convoy against Danish cruisers—in that case they would have been liable to capture certainly, but it is equally certain that they would not have been liable to condemnation. I must again totally deny that the rule laid down in the article of the royal instructions above cited, is supported by any principle to be found in the law, and I can confidently ask your excellency to show me any authorities in its favor. If the writers be silent on the subject, then their silence is to be construed favorably for the neutral, it supposes that his right to sail under convoy in all cases is indisputable; what is not expressed against the claim cannot be implied—but I will add that all the analogies to be drawn from the law, are in favor of the neutral: in this view, the rule laid down in the instructions, by its sweeping latitude forms its own condemnation; for it would comprise not only vessels which might accidentally be within sight of, or at any indefinite distance from an enemy's convoy, but vessels found in enemy's harbors under cover of his guns; but the law says that neutral goods so found under his forts within his territory, or even on board his vessels at sea—which is to be as immediately and totally under his protection as is possible—that these are not liable to confiscation, but shall be restored to the neutral owners. The doctrine laid down by Grotius in the "de jure belli ac pacis" on this point, has never been relented, but has on the contrary been adopted by subsequent writers; treaties indeed may have said otherwise, but treaties change not the law, they bind only the parties to them. I may equally ask your excellency to shew me examples in the practice of nations, countenancing the rule laid down in the royal order; and I can quote in favor of the neutral right the example of England, a power which neither your excellency or myself are disposed to extol for her moderation in the exercise of her belligerent rights, or for any dispositions which she has manifested favorable to those of neutrals. England herself has never gone to the extent of condemning vessels upon the mere ground of their having been taken

under enemy's convoy; but she has captured them in that situation and acquitted them.

I might occupy your excellency's attention by expatiating on the conduct of Denmark in former times, by carrying back your view to a consideration of that great system of neutral rights which she so boldly adopted and so ably supported in the year 1780, which are again recognized in her convention with Sweden in 1794, which she has subsequently co-operated with Russia to establish, and the leading feature of which still appears in the very royal instructions on which I have been commenting; but it would be an ungrateful task, and not necessary to be undertaken because the mere mention of the subject carries conviction to the mind on the point to which I would apply it, and because on every other I have already said more than enough to establish the chief position with which I began, viz. that nothing to be found in the law will authorize the condemnation of neutral property upon the mere fact of its being found under enemy's convoy, and that therefore on due proof of its neutrality it must be acquitted.

I consider it to be a propitious circumstance, that in acting upon this very important question, his majesty's government is unembarrassed by the claims of privateersmen, and that the cases of these vessels are thus presented in the plainest form, unmingled with any extraneous matter: the captures having been made by public ships, leaving the fullest scope to the magnanimity and justice of his majesty's disposition.

I have the honor, &c.

GEORGE W. ERVING.

No. 1.

*List of American vessels taken in company with the remainder of a fleet under convoy of a British gun brig and sent into Christiansand, by five Danish gun brigs in July, 1810.*

Ship Annawan, captain Donaldson, from St. Petersburg, bound to Philadelphia, and owned in Philadelphia.

Ship Hesper, Cushing, do. Boston, Newburyport.

Ship Hope, Rhea, do. Providence, R. I. Providence.

Ship Janus, Gawn, do. Newburyport, Newburyport.

Barque Mary, Ropes, do. Salem, Salem.

Brig Elizabeth, Campbell, do. Philadelphia, Philadelphia.

Brig Hope, Meik, do. Marblehead, Marblehead.

Brig Polly, Graves, do. do. do.

Schooner Rebecca, Meik, Gothenburg, do. do.

Schooner Iris, Russel, do. Salem, Salem.

\*Brig Sophia, McKentire, do. Liverpool.

\*Barque Eliza, Luftkin, do. do.

No. 2.

*List of American cases now pending before the high court of admiralty at Copenhagen, June 1, 1811.*

Captured May 14, 1810, schooner Egeria, capt. Law, owned in New-York, from New-York, bound to St. Petersburg, detained in Fahrstrand.

June 5, do. brig Minerva, Baker, Portland, Portland, do. do.

June 2, do. ship Oscar, Cunningham, Baltimore, Baltimore, do. do.

July 31, do. ship Minerva Smyth, Mann, Philadelphia, Philadelphia, Kiel, Kiel.

July 31, do. ship Fairtrader, Craig, do. do. do. do.

\*These vessels American, but the cargoes on freight, supposed for English account, no appeal declared for either vessel.

July 31, do. brig Ariel, Butler, do. do. do. do. in relation to, and the actual state of the business with which I am charged.  
 August 18, do. ship Resolution, Eldridge, New-York, Gottenburg, Christiansand.  
 August 8, do. brig Nimrod, Smith, do. do. Elseneur, Alsborg.  
 August 8, do. ship William and Jane, Bunker, do. do. Russia, Callenbourg.  
 August 29, do. brig Richmond, Jervis, Philadelphia, Philadelphia, Gottenburg, Fahrund.  
 October, do. ship Pittsburg, Yardsley, do. do. do. Hickford.  
 October, do. ship Maria, Theresa, Phelps, New-York, New-York, Keil, Fahrund.  
 November, do. ship Amiable Matilda, Hague, do. do. do.  
 December, do. ship Washington, Almy, do. do. Russia, Callenbourg.  
 April 1, 1811, brig Rachel, Joseph, Salem, Boston, do. Copenhagen.  
 April, do. ship Charlotte, Pierce, Boston, do. Stockholm, Isle of Bonholm.

## TO THE SECRETARY OF STATE.

Copenhagen, July 15th, 1811.

SIR—I have the honor herewith to enclose copies of my correspondence with this government since my last communication, viz.

No. 1. Mr. de Rosenkrantz his note of June 28th.  
 No. 2. My note to Mr. de Rosenkrantz of June 30th, in reply to the above.

No. 3. Mr. de Rosenkrantz his note of July 9th, in reply to mine of the 30th of June.

On the 28th of June, I waited upon the minister for the purpose of conversing with him on such part of his note of that date as respected the convoy cases, but did not obtain any thing more satisfactory than what is contained in it; on the 29th he went into the country, from whence he did not return till the morning of the 2d inst.—in the mean time the cases were pressed forward in the high court, and it was determined to condemn four of them instantly, as though it were to preclude the possibility of any further remonstrance on my part. I had received an intimation of this intention on the 30th of June, and then wrote to Mr. de Rosenkrantz unofficially, hoping that he would be able to arrest the progress of the tribunal. On the 1st inst. having ascertained that intention, I again addressed him in the same way, and in terms rather more forcible. That communication, though unofficial, Mr. de Rosenkrantz, actuated by the most friendly motives, immediately sent to his majesty; yet it failed of its intended effect, and on the 2nd inst. four of the cases were condemned.

On the receipt of the minister's last note (on the 9th) I again waited on him, and warmly remonstrated against this precipitate procedure, and the determination taken to condemn all the convoy cases without admitting any justificatory pleas. He reverted to whatever is found in his written communications to support the determination, and yet seemed to regret that it had been taken, but withal was unable to effect, and did not afford the least encouragement to hope for any modification of it; nevertheless some of these are cases of great hardship, and I have concluded not to relax my efforts in their favor, whilst any one of them remains uncondemned.

In every other respect the position of our affairs is not unsatisfactory, the privateers are discouraged, and nearly all our vessels pass without interruption—I transmit herewith the list and statements as correct as is possible to make them, which place in the most distinct point of view whatever has passed

in relation to, and the actual state of the business with which I am charged.

With the most perfect respect and consideration, sir, your very obedient servant,

GEORGE W. ERVING.

## Affair of the Little Belt.

PROCEEDINGS OF THE COURT OF ENQUIRY.

[These proceedings, as officially published, do not appear to differ in any material point from the statement already inserted in the Register, (see page 36.) The following is the address of commodore Rodgers to the court of enquiry, with its judgment on the case.]

Mr. President, and Gentlemen of the Court:

I avail myself of the present moment to express my thanks for the patient investigation of the merits of the transaction which caused its convention; and I feel perfectly convinced that the evidence adduced is amply sufficient to ensure that my conduct in this affair will meet the approbation of every unprejudiced mind, as well for its general tenor as for the lenity shewn to an assumed enemy, whom I had it in my power to destroy by a single broadside more, and that too without any risk of injuring the ship under my command.

Many of the interrogatories put by myself to the witnesses may have appeared to the court superfluous, I fear: but when it considers the odious features of the statement which has been exhibited in the news-papers, said to be captain Bingham's official statement to admiral Sawyer, (dated his majesty's sloop Little Belt, May 21, 1811, lat 35, 53, long 71, 49, W. Cape Charles, bearing west distant 48 miles,) I am sure it cannot complain of the time I have taken up in proving (while I had it in my power) that unblushing representation to be palpably and wilfully false.

I should not now longer trespass on the time and patience of the court, was it not probable that the present proceedings may be published to the world, and a consequent desire that even my motive for chasing the Little Belt should be known—and this I am the more desirous of, as great pains have been taken by a few individuals who call themselves Americans, to impose a belief that I chased with a hostile intention, not however because I entertain a hope of producing any change in sentiment of men like themselves, (and for the honor of my country, I hope there are but few such) who are disposed to represent all the acts of their government, as well as of its agents, in an odious light; but to undecieve not only my own countrymen, but even every liberal Englishman, who may have been deceived by their sophistry.

That I did chase the Little Belt, I acknowledge; but that I did so with the intention of offering menace or insult to the British flag, I declare, in the presence of my God, is without any foundation whatever; neither would the orders under which I was acting authorise such a course, any more than they would have justified my submitting to an insult from a British, or any other ship of war.

Without further observation or comment than is necessarily connected with the subject, the following are therefore my reasons for having chased that ship:—On the 10th of May being then at anchor off Annapolis, I got under weigh to proceed to my station at New-York, in consequence of an order from the honorable the secretary of the navy to that effect: in which he acquainted me of his having issued this order owing to his being informed that the trade of New-York had become interrupt-

ed by British and French cruisers. At this time I discovered by the news papers that a British frigate, supposed to be the *Guerrier*, had, in the vicinity of Sandy Hook, and during my absence from the station, impressed out of the American brig *Spitfire*, bound coastwise, a young man by the name of Diggio, an American, and an apprentice to the master of the brig—on the 16th of May, at a little past meridian, being at the time in seventeen fathoms water, about fourteen or fifteen leagues to the northward and eastward of Cape Henry, and about six leagues from the land to the southward of Chingoteak, a sail was discovered to the eastward standing towards us under a press of canvas, which I soon made out by the shape of her upper sails, as they became distinguishable from our deck, to be a man of war. Not having heard of any other ship of war, than the before mentioned frigate being on our coast, I concluded (and more particularly from the direction in which she was discovered) that it was her; and accordingly determined to speak her, as well because I considered it my duty to know the names and characters, if possible, of all foreign cruisers hovering on our coast, as from an impression, if it turned out to be the vessel I had conceived, that her commander from having learnt through the medium of the newspapers the sensation which the before mentioned outrage had produced throughout the United States, might be induced, if he was not totally regardless of American claims to justice, to mention that he had the young man in question on board, and would deliver him up to me, and perhaps at the same time assign some cause for such a gross violation of the sovereign rights of the American nation. At any rate, whether he was so disposed or not, if I could learn from him that the man was on board, I should have it in my power to represent the same to my government, and thereby be the means of more readily effecting his emancipation from vassalage, and the cruel necessity of fighting the battles of the very country whose officer had thus unlawfully enslaved him; and in doing this, I considered I was doing no more than a duty imposed on me by my situation, consequently I felt regardless if, in accomplishing it, a further attempt should be made to insult my country by offering violence to the flag flying over my head—as I was then, am now, and ever shall be, prepared to repel any such insult or injury to the very utmost of the force under my command; and that too without regard to the consequences resulting therefrom.

These, gentlemen, were my motives for having chased the ship which I supposed to be the frigate that impressed Diggio, but which afterwards proved to be his Britannic majesty's ship *Little Belt*. But even if I had no such reason to justify my chasing, I maintain that the usage of nations, the treaty concluded in 1783 between the United States and Great Britain, as well as the British precedents almost without number, gave me that right; if it be admitted that our country possesses any comparative or reciprocal rights whatever.

Although I admit I did chase the *Little Belt*, I nevertheless deny that her commander wished to prevent my coming up with him, otherwise he undoubtedly would not have kept away, and set his studding sails when he was several miles to windward of me; added to this, his conduct was unfriendly to say the least, as he declined shewing his colors until after it was too dark to distinguish what they were, although he must have perceived, as well from the courses I steered, as from my colors (of which he undoubtedly saw the pendant) that I wished to

speak him. Indeed the several circumstances make it apparent to me, that he was ignorant of our force, and wished to procrastinate our meeting only until after it should be dark.

Signed

JOHN RODGERS.

The following judgment comes after the evidence and the address, and concludes the report of the proceedings of the court of enquiry:

The court of enquiry, authorised and required by precept issued by the honorable the secretary of the navy of the United States, bearing date the 24th of July, 1811, have in conformity with the same, minutely examined into every circumstance stated in the letter of John Rodgers, Esquire, bearing date, off Sandy Hook, May the 23d, 1811, and addressed to the honorable the secretary of the navy of the United States, relative to the affair between the United States frigate the President, and his Britannic majesty's ship the *Lille* or *Little Belt*; and having taken all the testimony that could in any manner or degree elucidate facts, do, in obedience to the aforesaid precept, state all the facts that have been disclosed.

First—It has been proved to the satisfaction of the court, that commodore Rodgers, on perceiving his Britannic majesty's ship the *Little Belt* to be a ship of war, made every exertion to come up with her before dark.

Second—It has been proved to the satisfaction of the court, that the flag of the United States was displayed on board the United States frigate the President, as soon as his Britannic majesty's ship the *Little Belt* was discovered to be a ship of war, and was kept flying until noon of the following day.

Third—It has been proved to the satisfaction of the court, that captain Bingham acknowledged that the broad pendant of the United States frigate the President, had been distinguished during the chase from his Britannic majesty's ship the *Little Belt*.

Fourth—It has been proved to the satisfaction of the court, that no colors were perceived flying on board of his Britannic majesty's ship the *Little Belt*, until she hove too, and that it was then too dark to distinguish to what nation they belonged.

Fifth—It has been proved to the satisfaction of the court, that commodore Rodgers hailed his Britannic majesty's ship the *Little Belt*, first.

Sixth—It has been proved to the satisfaction of the court, that commodore Rodgers's hail was not satisfactorily answered.

Seventh—It has been proved to the satisfaction of the court, that his Britannic majesty's ship the *Little Belt* fired the first gun.

Eighth—It has been proved to the satisfaction of the court, that the first gun fired by his Britannic majesty's ship the *Little Belt*, was without any previous provocation or justifiable cause.

Ninth—It has been proved to the satisfaction of the court, that the shot fired from his Britannic majesty's ship the *Little Belt*, was returned from the United States frigate the President by a single gun.

Tenth—It has been proved to the satisfaction of the court, that the general fire was commenced by his Britannic majesty's ship the *Little Belt*.

Eleventh—It has been proved to the satisfaction of the court, that after the firing had continued four or five minutes, his Britannic majesty's ship the *Little Belt*, ceased firing.

Twelfth—It has been proved to the satisfaction of the court, that after his Britannic majesty's ship the *Little Belt* had ceased firing, and the fire of the U. States frigate the President had, in consequence thereof, ceased; that the former ship in about three minutes recommenced her fire upon the latter.



Thirteenth—It has been proved to the satisfaction of the court, that the second fire continued about five minutes, when his Britannic majesty's ship the *Little Belt* was totally silenced.

Fourteenth—It has been proved to the satisfaction of the court, that in both instances, when the fire of his Britannic majesty's ship the *Little Belt* was silenced, commodore Rodgers exerted himself to prevent further injury being done to her.

Fifteenth—It has been proved to the satisfaction of the court, that the United States frigate the *President* was lying too with lights hoisted during the night after the affair with his Britannic majesty's ship the *Little Belt*.

Sixteenth—It has been proved to the satisfaction of the court, that commodore Rodgers proffered aid to the commander of his Britannic majesty's ship the *Little Belt* the morning after the rencontre.

Seventeenth—It has been proved to the satisfaction of the court, that, in consequence of the fire from his Britannic majesty's ship the *Little Belt*, one boy was wounded on board the United States frigate the *President*, one shot struck her main-mast, another struck her fore-mast, and some of her rigging was cut.

Eighteenth—It has been proved to the satisfaction of the court, that the letter of commodore Rodgers bearing date off Sandy Hook, on the 23d day of May last, and addressed to the honourable the secretary of the navy of the United States, is correct, and a true statement of the occurrences which took place between the United States' frigate the *President*, and his Britannic majesty's ship the *Little Belt*.

The court adjourned to meet to-morrow morning at Mechanic Hall, in Broadway, in the city of New York.

Friday the 13th September, 1811.

The court met pursuant to adjournment.

Present, Commodore Stephen Decatur, President.

Captain Charles Stewart,

Captain Isaac Chauncey.

Members.

The proceedings of the court of yesterday were read and approved.

The court whereupon adjourned without day.

Signed

STEPHEN DECATUR,

President.

WM. PAULDING, JUN. Judge advocate.

[We close the "affair of the *Little Belt*" by annexing the following extracts from British official documents, shewing the sentiments of the British government, as to the neutral right, in the case of belligerent ships of war frequenting their coasts.—We are indebted for them to the research of the editor of the *National Intelligencer*.]

*Declaration of his Britannic majesty, James I. published in the year 1604.*

"Our pleasure is, that within our ports, havens, roads, creeks, or other places of our dominion, or so near to any of our said ports or havens, as may be reasonably construed to be within the title, or precinct, there shall be no force, violence or surprise, or offence suggested to be done either from man of war to man of war, or from man of war to merchant, &c. but that all, of what nation soever, so long as they shall be within those, our ports and places of jurisdiction, or where our officers may prohibit violence, shall be understood to be under our protection, and to be ordered by course of justice, &c. And that our officers and subjects shall prohibit, as much as in them lies, all hovering of men of war &c. so near the entry of our havens or coasts; and that they shall receive and succor all merchants

and others that shall fall within the danger of any such as shall await our coast, in so near places, to the hindrance of trade to and from our kingdom."

*Extract from a proclamation of his Britannic majesty Charles II. dated 8th February, 1767—8.*

"2. We will and command, that all our officers and subjects by sea and land do, as much as in them lies, prohibit the roving and hovering of men of war, so near the entry of any of our harbors, or our coasts, as that merchantmen, homeward or outward bound to and from any of our ports, shall apprehend their passage to be unsafe, or their danger of being set upon and surprised, to the hindering and diverting of trade and commerce from our ports; And we strictly charge and require our officers and subjects to rescue, succor and defend all merchantmen and others that shall happen to be set upon, or surprised so near our coasts, or the entry of our harbors, as may easily be construed to be under our more special care and protection; and that they apprehend and seize all offenders in this kind in order to bring them to condign punishment for disturbing and hindering the trade and commerce between our subjects and those of our neighbors and allies."

*Extract of a charge given at an admiralty sessions, held at the Old Bailey, by Sir L. Jenkins.*

"You are therefore to enquire, if any men of war under foreign commissions, from any the parties now in war, do lie hovering near any of his majesty's havens or harbors; or skulking within any of those places called the king's chambers, in order to surprise merchants' ships belonging to the king's friends and allies, and to snap them as they are coming or going out of our ports; you are to present such if you know any; and the king's majesty is to be informed of it out of the records and presentments of this court; that they may be seized and arrested, if they be driven or do course in, or else may be fetched in by his majesty's ships, and punished as wilful violators of the treaties his majesty hath with his neighbors, and as malicious disturbers of our trade.

"You are to enquire if any men of war have presumed to search, stop or carry away by force, our merchants' ships in their course at sea, under pretence of suspicion that they belonged to their enemies; if they have brought them out of their course to their own ports without sufficient cause, such as is allowed by treaty between his majesty and the prince or state from which the man of war has his commission; that is a grievous trespass, and the party that hath done it, coming into any of his majesty's ports, may be arrested and his ship made to answer and satisfy the merchants' damage. If they have robbed or pillaged them, it is downright piracy as I have already told you."

## Treasury Report.

*Treasury Department, Nov. 22, 1811.*

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 obedient servant,

ALBERT GALLATIN.

*The hon. the speaker of the house of representatives.*

REPORT.

In obedience to the directions of the "act supplementary to the act entitled "an act to establish the treasury department," the secretary of the treasury respectfully submits the following reports and estimates:

## RECEIPTS AND EXPENDITURES.

1. To the end of the year 1811.

The actual receipts into the treasury, during the year ending the 30th of September, 1811, have consisted of the following sums—viz.

Customs, sales of lands, arrears, repayments, and all other branches of revenue, amounting together, as appears by the estimate [E] to \$13,541,446 37  
 Temporary loan of 31st December, 1810. 2,750,000 00

Total amount of receipts 16,291,446 36  
 Making together with the balance in the treasury on the 1st of October, 1810, and amounting to 3,459,029 72

An aggregate of 19,750,476 09

The disbursements during the same year have been as followeth—viz.  
 Civil department, including miscellaneous expenses and those incident to the intercourse with foreign nations 1,360,858 98

Army, fortifications, arms and arsenals \$2,129,000 00  
 Navy department 2,126,000 00  
 Indian department 142,725 00

Payments for interest on the public debt 2,225,800 93

Total current expenses 7,994,384 91  
 Reimbursement of the temporary loan (in March and September, 1811) 2,750,000 00

Payments on account of the principal of the public debt 5,058,272 82  
 Amounting together, as will appear more in detail by the statement [E] to 15,802,657 73

And leaving in the treasury on the 30th of September, 1811, a balance of 3,947,818 36

\$19,750,476 09

The actual receipts arising from revenue alone, and exclusively of the temporary loan, since reimbursed, appear from this statement to have exceeded the current expenses, including therein the interest paid on the debt, by a sum of more than \$5,500,000. But the payments on account of interest, during the year ending on the 30th September, 1811, have, from an unavoidable delay in making the usual remittances to Holland, fallen short of the amount due during the same period; and the real excess of receipts arising from revenue beyond the current expenses, including therein the interest accrued on the debt, amounts only to near \$5,100,000.

The receipts for the last quarter of the year 1811, are estimated at \$3,300,000; and the expenditures (including the payment of arrears of interest and near 2,150,000 on account of the principal of the public debt) at \$4,300,000, which will leave at the end of the year, a balance in the treasury of nearly \$2,000,000. It will not, therefore, be necessary to resort for the service of the present year, to the loan authorised by the act of the last session of congress.

2. Year 1812.

It is ascertained that the net revenue arising from duties on merchandize and tonnage, which has accrued during the three first quarters of the year

1811, exceeds \$6,000,000; and it may for the whole be estimated at about \$7,500,000.

The custom-house bonds outstanding on the first day of January 1812, and falling due in that year, are also estimated after deducting bad debts, at 7,500,000 dollars. This sum may therefore be assumed as the probable amount of receipts into the treasury during the year 1812 on account of duties on merchandize and tonnage: the portion of the revenue arising from importations subsequent to the present year, which will be received in 1812, being considered sufficient to pay the debentures and expenses of collection of that year.

The payments made by purchasers of public lands north of the river Ohio, having during the two last years after deducting the expense and charges on that fund amounted to near 600,000 dollars a year; that branch of revenue may for the present be estimated at that sum. Allowing one hundred thousand dollars for the other small items of revenue, which consist principally of arrears and repayments, the whole amount of actual receipts into the treasury during the year 1812, may therefore be estimated at \$8,200,000

The current expenses for the same year are estimated as followeth, viz.

1. Expenses of a civil nature both domestic and foreign \$1,260,000

2. Military and naval establishments according to the estimate of those two departments, and including the additional and permanent appropriations for the purchase of arms, and Indian annuities, viz.

Army (including 32,000, dollars for militia) 2,581,000  
 Arsenals, arms and ordnance 614,000  
 Naval department 2,500,000  
 Indian department 220,000

3. Interest on the public debt 2,225,000

Amounting together to \$9,400,000

And exceeding by 1,200,000 dollars the probable amount of receipts. The deficit may be paid out of the sum of three millions of dollars in the treasury.

But under existing circumstances, it does not seem eligible to exhaust that fund; and the estimate of receipts being also liable to more than usual uncertainty, the propriety of authorising a loan sufficient to supply the difference, and to defray such other extraordinary expenses as may be incurred during the year, is respectfully submitted.

It must at the same time be observed that the sum of 9,400,000 dollars thus stated as the amount of current expenses for the year 1812, includes in fact a portion of extraordinary expenses arising from the present state of affairs. For if the military and naval expenditures had been estimated at a sum not exceeding the amount actually expended for those objects during the year ending on the 30th of September 1811, that is to say, at 4,400,000, instead of 5,900,000 dollars, the estimate of receipts would exceed that of current expenses.

The disbursements on account of the naval establishment have amounted in the year ending on the 30th September, 1810, to \$1,675,000

And in the year ending on the 30th September 1811, to 2,136,000

They are estimated for the year 1812, at 2,500,000

The disbursements on account of the military establishment have amounted in the year ending on the 30th September, 1810, to 2,309,000  
 And in the year ending on the 30th, 1811, to 2,129,000  
 They are estimated for the year 1812, at 3,195,000

But the detailed annual estimates for the year 1812, will show that they are predicated on the employment of almost the whole of the naval force, and of the whole military establishment of the United States, as authorised by law, covering, besides several other items, all the expenses of more than 17,000 effective men in the land and sea service.

With respect to the payments on account of the principal of the debt, it is evident that an authority to borrow a sum equal that which will be reimbursed during the year 1812, will be necessary. The payments which, according to law, must be made during that year on that account, consist of

1. Annual reimbursement of six per cent. and deferred stock 1,570,000 00
2. Reimbursement of the residue of the converted stock 565,318 41

Amounting together to 2,135,318 41

This sum, and that payable for interest, amounting together to 4,360,000 dollars, leave, in order to complete the annual appropriation of eight millions, a balance of 3,640,000 dollars which can be applied in no other than in purchases of stock at the prices limited by law. The amount which may be thus applied is therefore uncertain.

#### PUBLIC DEBT.

It appears by the statement (D.) that the payments on account of the principal of the public debt will, from the first of October, 1810, to the 31st of Dec. 1811, have exceeded six millions four hundred thousand dollars. With the exception of the annual reimbursement of the six per cent. and deferred stocks, there will remain at the end of the year 1811, no other portion of the public debt reimbursable at the will of the United States than the residue of converted stock, amounting as above stated, to 565,000 dollars, and which will be paid in the year 1812.—There being nothing afterwards left, on which the laws, passed subsequent to the year 1801, for the redemption of the debt, can operate, a general view of the result and effect of those laws will now be presented.

Exclusively of near three millions of unfunded debt, since reimbursed, as detailed in the report of 18th April, 1808; the public debt of the United States amounted on the 1st of April, 1801, to \$79,926,999

The whole amount of principle extinguished during the period of ten years and nine months, commencing on the first of April, 1801, and ending on the 31st of Dec. 1811, exceeds forty-six millions of dollars, viz.

Foreign debt paid in full 10,075,004

Eight per cent. five and half per cent. four and half per cent. and navy 6 per cent. stocks, and temporary loans due on the 1st of April, 1801, to the bank of the U. S. all paid in full 12,657,700

Six per cent. and deferred stocks, including the exchanged stock reimbursed 20,820,744

Three per cent. stock including converted stock reimbursed 2,079,269  
 Registered debt, and debt due to foreign officers 90,093  
 46,022,810

Leaving the amount of old debt unredeemed on first January, 1812, and consisting of the following species, viz. 33,900,189

Six per cent. and deferred stocks, unredeemed, amount 17,067,096

Three per cent. stock 16,157,890  
 Converted do. 565,318  
 16,723,208

1796, 6 per cent. stock 80,000

Registered debt and debt due to foreign officers 33,885  
 33,904,189

And to which adding the Louisiana six per cent. stock, being a new debt contracted subsequent to the 1st of April, 1801, 11,250,000

Makes the whole amount of public debt on the 1st January, 1812, \$45,154,189

The annual interest on the public debt due on the 1st of April, 1801, amounting to \$4,180,463

The annual interest on the public debt extinguished between the 1st April, 1801, and the 1st January, 1812, amount to 2,632,982

Leaving for the amount of annual interest on the old debt unredeemed on 1st January, 1812 1,547,481

The annual interest on the Louisiana stock is 675,000

Making the annual interest on the whole debt due on 1st January, 1812, 2,222,481

Which subtracted from the annual interest on the debt due on the 1st April, 1801, 4,180,463

Leaves for the difference between the amount of interest respectively payable at those two dates, 1,967,982

The disposable national revenue, or that portion which alone is applicable to defray the annual national expenses, consists only of the surplus of the gross amount of revenue collected, beyond the amount necessary for paying the interest on the public debt. A diminution of that interest is, with respect to the ability of defraying the other annual expenses, a positive increase of revenue to the same amount. With an equal amount of gross revenue, the revenue applicable to defray the national expenses is now, by the effect of the reduction of the debt, two millions six hundred thousand dollars greater than on the 1st day of April, 1801. Or, if another view of the subject be thought more correct, the laws for the reduction of the debt have in ten years and nine months, enabled the United

States to pay in full the purchase money of Louisiana, and increased their revenue near two millions of dollars.

If the amount of annual payments on account of both the principal and interest of the public debt, during the last eight years, be contrasted with the payments hereafter necessary for the same purpose, the difference will be still more striking. Eight millions of dollars have been annually paid on that account during those eight years. The whole amount payable after the year 1812, including the annual reimbursement on the six per cent. and deferred stocks, is 3,792,382 dollars, making an annual difference of more than four millions two hundred thousand dollars, which will be liberated from that appropriation. And this annual payment of about three millions eight hundred thousand dollars would have been sufficient, with some small variations, to discharge in ten years the whole of the residue of the existing debt, with the exception of the three per cent. stock, the annual interest on which amounts only to 485,000 dollars. The aspect of the foreign relations of the United States forbids, however, the hope of seeing the work completed within that short period.

The redemption of principal has been effected without the aid of any internal taxes, either direct or indirect, without any addition during the last seven years to the rate of duties on importations, which on the contrary, have been impaired by the repeal of that on salt, and, notwithstanding the great diminution of commerce during the last four years. It therefore proves decisively the ability of the United States with their ordinary revenue, to discharge, in ten years of peace, a debt of forty two millions of dollars, a fact which considerably lessens the weight of the most formidable objection to which that revenue, depending almost solely on commerce, appears to be liable. In time of peace it is almost sufficient to defray the expenses of a war; in time of a war it is hardly competent to support the expenses of a peace establishment. Sinking at once under adverse circumstances from 15 to 6 or 8 millions of dollars, it is only by a persevering application of the surplus which it affords in years of prosperity, to the discharge of the debt, that a total change in the system of taxation, or a perpetual accumulation of debt can be avoided. But if a similar application of such surplus be hereafter strictly adhered to, forty millions of debt contracted during five or six years of war, may always without any extraordinary exertion, be reimbursed in ten years of peace. This view of the subject has at the present crisis, appeared necessary for the purpose of distinctly pointing out one of the principal resources within the reach of the United States.—But to be placed on a solid foundation, it requires the aid of a revenue "sufficient at least to defray the extraordinary expenses of government, and to pay the interest on the public debt, including that on new loans which may be authorized."

*Provision for the ensuing years.*

The revenue is derived from two sources, the duties on importations and the sales of public lands.

The nett revenue arising from duties on merchandise and tonnage, which accrued during the year 1809, amounted to 6,527,168 dollars.

The nett revenue arising from the same sources, which accrued during the year of 1810, as will appear by the statement A and B, to 12,513,490

The same revenue for the year 1811, is estimated as already stated, at \$7,500,000

A portion of the revenue of this year having been collected on British merchandize, imported before

the prohibition took effect, the permanent revenue arising from duties on tonnage and merchandize will not probably at their present rate and under existing circumstances, exceed \$6,000,000

an estimate which is corroborated by the view of the subject exhibited in the statement [B 2.]

The sales of public lands north of the river Ohio, have, during the year ending the 30th of September 1811, amounted, as appears by the statement C, to 207,000 acres, and the payments by purchasers to 600,000 dollars. It has already been stated that those payments on the average of the two last years amount, after deducting the expenses and charges on that fund to the annual sum of \$600,000

the sales in the Mississippi territory, being in the first instance appropriated to the payment of \$1,250,000 to the state of Georgia, are distinctly stated.

The permanent revenue, or annual receipts after the year 1812, calculated on the existing state of affairs, may therefore be estimated at \$6,600,000

Which deducted from the annual expenditures calculated on the same principle, and amounting by the preceding estimate of the year 1812 to 9,200,000

Leaves a deficiency to be provided for, of 2,600,000

An addition of fifty per cent. to the present amount of duties together with a continuance of the temporary duties heretofore designated by the name of the "Mediterranean Fund" will be sufficient to supply that deficiency, and is respectfully submitted. This mode appears preferable for the present to any internal tax. With respect to the sales of public lands, besides affording a supplementary fund for the ultimate redemption of the public debt, they may, without any diminution of revenue, be usefully applied as a bounty to soldiers enlisting in the regular service, and in facilitating the terms of loans. But it does not appear that the actual receipts into the treasury arising from the sales can be materially increased, without a reduction in the price: unless it be by an attempt to offer certain portions for sale in the large cities of the union.

The same amount of revenue would be necessary, and with the aid of loans, would, it is believed, be sufficient in case of war. The same increase of duties would therefore be equally necessary in that event. Whether it would be sufficient to produce the same amount of revenues under existing circumstances cannot at present be determined. Should any deficiency arise, it may be supplied without difficulty by a further increase of duties, by a restoration of that on salt, and by a proper selection of moderate internal taxes. To raise a fixed revenue of only nine millions of dollars, is so much within the compass of the national resources, so much less in proportion than is paid by any other nation, that, under any circumstances, it will only require the will of the legislature to effect the object.

The possibility of raising money by loans to the amount which may be wanted, remains to be examined. For the fact that the United States may easily, in ten years of peace extinguish a debt of forty two millions of dollars, does not necessarily imply that they could borrow that sum during a period of war.

In the present state of the world, foreign loans may be considered nearly unattainable. In that respect, as in all others, the United States must solely rely on their own resources. These have

their natural bounds, but are believed to be fully adequate to the support of all the national force that can be usefully and efficiently employed.

The ability and will of the United States faithfully to perform their engagements, are universally known; and the terms of loans will in no shape whatever be affected by the want of confidence in either. They must, however, depend, not only on the state of public credit, and on the ability to lend, but also on the existing demand for capital required for other objects. Whatever this may be, the money wanted by the public must be purchased at its market price. Whenever the amount wanted for the service of the year, or the whole amount of stock in the market, shall exceed certain limits, it may be expected that legal interest will not be sufficient to obtain the sums required. In that case the most simple and direct is also the cheapest and safest mode. It appears much more eligible to pay at once the difference, either by a premium in lands or by allowing a higher rate of interest, than to increase the amount of stock created, or to attempt any operation which might injuriously affect the circulating medium of the country. This difficulty, and it is the only serious one which has been anticipated, will not, indeed, if analysed, appear very formidable. For to take an extreme case, and supposing even forty millions of dollars to be borrowed at eight instead of six per cent. a year the only difference would consist in the additional payment of eight hundred thousand dollars a year, until the principal is reimbursed, a payment inconvenient indeed, and to be avoided if practicable, but inconsiderable if compared either with the effects of other means of raising money, or with some other branches of the public expenditure.

It appears from the preceding estimates, that no thing more may be strictly wanted for defraying, during the year 1812, the expenses as yet authorised by law, than an authority to borrow a sum equal to that which may be reimbursed on account of the principal of the public debt. With a view to the ensuing years, and considering the aspect of public affairs presented by the executive, and the measures of expense which he has recommended, it has been attempted to show,

1. That a fixed revenue of about nine millions of dollars is necessary and sufficient both under the existing situation of the United States, and in the event of their assuming a different attitude.

2. That an addition to the rate of duties on importations is at present sufficient for that purpose, although in the course of events it may require some aid from other sources of revenue.

3. That a just reliance may be placed on obtaining loans to a considerable amount, for defraying the extraordinary expenses which may be incurred beyond the amount of revenue above stated.

4. That the peace revenue of the United States will be sufficient without any extraordinary exertions, to discharge in a few years the debt which may be thus necessarily incurred. All which is respectfully submitted. ALBERT GALLATIN.

Treasury Department, Nov. 22d, 1811.

## Twelfth Congress.

List of the members of the senate and house of representatives of the United States, according to states—shewing also their political character—republicans in *italic*.

NEW-HAMPSHIRE.  
*Richard Cutts,*  
*Nicholas Gilman.*

MASSACHUSETTS.  
James Lloyd, jun.  
*Joseph B. Farnum.*

CONNECTICUT.  
Chauncy Goodrich,  
Samuel W. Dana.  
RHODE ISLAND.  
William Hunter,  
Jeremiah E. Howell.  
VERMONT.  
*Stephen R. Bradley,*  
*Jonathan Robinson.*  
NEW YORK.  
Obadiah German,  
John Smith.  
NEW JERSEY.  
John Lambert,  
John Coudit.  
PENNSYLVANIA.  
Andrew Gregg,  
Michael Leib.  
DELAWARE.  
James A. Bayard,  
Outerbridge Horsely.  
MARYLAND.  
Samuel Smith,  
Philip Reed.

## REPRESENTATIVES.

NEW-HAMPSHIRE.  
Josiah Bartlett,  
Samuel Dinwiddie,  
Obed Hall,  
John A. Harper,  
George Sullivan.  
MASSACHUSETTS.  
Ezekiel Bacon  
Abijah Bigelow  
Elijah Brigham  
Richard Cutts  
William Ely  
Barzillai Gannett  
Josiah L. Green  
Josiah Quincy  
William Reed  
Ebenezer Seaver  
Samuel Taggart  
Peleg Tatham  
Charles Turner, jun.  
Leban Wheaton  
Leonard White  
William Widgery  
William M. Richardson  
RHODE ISLAND.  
Richard Jackson, jun.  
Elisha R. Potter.

CONNECTICUT.  
Epaphroditus Champion  
John Davenport, jun.  
Lyman Law  
Jonathan O. Moseley  
Timothy Pitkin, jun.  
Lewis B. Sturges  
Benjamin Tallmadge  
VERMONT.  
Martin Chittenden  
James Fisk  
Samuel Shaw  
William Strong  
NEW YORK.  
Daniel Avery  
Harmarius Bleecker  
Thomas B. Cooke  
James Enott  
Asa Fitch  
Thomas R. Gold  
R. Le Roy Livingston  
Arannah Metcalf

VIRGINIA.  
*Richard Brent,*  
*William B. Giles.*  
NORTH CAROLINA.  
*James Turner,*  
*Jesse Franklin.*  
SOUTH CAROLINA.  
*John Gaillard,*  
*John Taylor.*  
GEORGIA.  
Charles Tat.  
William H. Crawford.  
KENTUCKY.  
George M. Lobb,  
John Pope.  
TENNESSEE.  
Joseph Anderson,  
George W. Campbell.  
OHIO.  
Thomas Worthington,  
Alexander Campbell.

Samuel L. Mitchell  
William Paulding, jun.  
Benjamin Pond  
Peter B. Porter  
Ebenezer Sage  
Thomas Summons  
Silas Snow  
Uri Tracy  
Pierre Van Cortlandt jr.  
NEW JERSEY.  
Adam Boyd  
Lewis Condit  
Jacob Hefsy  
George C. Maxwell  
James Morgan  
Thomas Newbold  
PENNSYLVANIA.  
William Anderson  
David Bard  
Robert Brown  
William Crawford  
Roger Davis  
William Findley  
John M. Hyceman  
Abner Lacock  
Joseph Lefebvre  
Avron Lyce  
James Milnor  
William Piper  
Jonathan Roberts  
William Rodman  
Adam Seybert  
John Smilie  
George Smith  
Robert Whitehill  
DELAWARE.  
Henry M. Ridgely  
MARYLAND.  
Stephen An Archer  
Charles Goldsborough  
Joseph Kent  
Philip B. Key  
Peter Little  
Alexander M. Kim  
Samuel Ringgold  
Philip Stewart  
Robert Wright  
VIRGINIA.  
John Baker

Burwell Bassett  
James Breckenridge  
William A. Burwell  
Mathew Clay  
John Clayton  
John Dawson  
Thomas Gholson  
Peterson Goodwyn  
Edwin Gray  
Aylett Hawes  
John P. Hungerford\*  
Joseph Lewis, jun.  
William M'Coy  
Hugh Nelson  
Thomas Newton  
James Picasants, jun.  
John Randolph  
John Roane  
Daniel Sheffey  
John Smith

Thomas Wilson  
NORTH CAROLINA.  
Willis Abston, junior  
William Blackledge  
Thomas Blount  
James Cochran  
Meshack Franklin  
William R. King  
Nathaniel Macon  
Archibald M'Bryde  
Joseph Pearson  
Israel Pitkens  
Lemuel Sawyer  
Richard Stanford  
SOUTH CAROLINA.  
William Butler  
John C. Calhoun  
Langdon Cheves  
Elias Earle  
William Lowndes

Thomas Moore  
David R. Williams  
Richard Winn  
GEORGIA.  
William W. Bibb  
Howell Cobb  
Bolling Hall  
George M. Troup  
KENTUCKY.  
Henry Clay, (Speaker)  
Joseph Desha  
Richard M. Johnson  
Samuel M'Kee  
Anthony New

Stephen Ormsby  
TENNESSEE.  
Felix Grundy  
John Rhea  
John Sevier  
OHIO.  
Jeremiah Morrow  
MISSISSIPPI TERRITORY.  
Geo. Poindexter, delegate  
INDIANA TERRITORY.  
Jona. Jennings, delegate  
ORLEANS TERRITORY.  
(Vacant.)

\* Mr. Hungerford's seat is contested; the committee of elections have reported in favor of the republican candidate, Mr. Talliferro—but no decision has yet been had.

### Colonial population—1753.

The following estimate of provincial population in 1753, (see Marshall's life of Washington,) was given as an authentic account from militia rolls, poll-taxes, bills of mortality, returns from governors and other authorities of the time.

COLONIES.	INHABITANTS.	COLONIES.	INHABITANTS.
Nova-Scotia	5,000	Brought up	800,000
New-Hampshire	30,000	Maryland	85,000
Massachusetts Bay	220,000	Virginia	85,000
Rhode Island	35,000	North Carolina	45,000
Connecticut	100,000	South Carolina	30,000
New-York	100,000	Georgia	6,000
The Jerseys	60,000	TOTAL	1,051,000
Pennsylvania and	} 250,000	Louisiana, French colony	7,000
Delaware		Canada, do.	45,000
	800,000		52,000

### UNITED STATES' CENSUS FOR 1790.

DISTRICTS.	Free white males of 16 years and upwards, including heads of families.	Free white males under sixteen years.	Free white females, including heads of families.	All other free persons.	Slaves.	Total.
Vermont	22,333	22,328	40,505	225	10	85,539
New Hampshire	86,683	34,851	70,160	630	158	141,883
Maine	24,381	24,748	46,870	538	none.	96,540
Massachusetts	95,453	87,289	190,582	5,463	none.	378,787
Rhode Island	16,019	15,799	32,652	3,407	948	68,825
Connecticut	60,593	54,403	117,448	2,808	2,764	237,940
New-York	84,700	78,122	152,320	4,651	21,321	340,121
New-Jersey	45,251	41,416	13,287	2,762	11,423	184,133
Pennsylvania	110,788	106,948	206,363	6,537	3,737	434,379
Delaware	11,783	12,143	22,384	3,899	8,887	59,000
Maryland	55,910	51,339	101,395	8,013	103,036	319,728
Virginia	110,936	116,135	215,056	12,866	292,627	747,610
Kentucky	15,154	17,057	28,922	114	12,430	73,677
North-Carolina	69,988	77,506	140,710	4,975	109,572	393,751
South Carolina	35,579	37,722	56,880	1,801	107,091	240,673
Georgia	13,103	14,044	24,739	398	29,264	82,548
Western territory, south of the river Ohio	6,271	10,227	15,365	361	3,417	35,691
GRAND TOTAL						3,029,326

## A CENSUS OF INHABITANTS OF THE UNITED STATES IN THE YEAR 1800.

NAMES OF STATES.	FREE WHITE MALES.					FREE WHITE FEMALES.					Slaves.	Totals in each district.	
	Under ten years of age.	Of ten and under sixteen.	Of sixteen and under twenty-six.	Of twenty-six and under forty-five.	Of forty-five and upwards.	Under ten years of age.	Of ten and under sixteen.	Of sixteen and under twenty-six.	Of twenty-six and under forty-five.	Of forty-five and upwards.			
Vermont,	20,420	12,040	13,242	16,311	8,076	28,272	11,560	12,600	15,287	7,019	567	154,465	
New Hampshire,	30,694	14,881	16,379	17,589	11,715	29,871	14,193	17,153	18,381	12,142	855	183,858	
Massachusetts,	63,616	32,567	37,905	39,729	31,348	60,930	30,674	40,461	43,833	35,340	6,582	422,845	
Maine,	27,970	12,305	12,900	15,318	8,339	26,899	11,338	12,295	14,496	8,041	818	151,719	
Rhode Island,	37,915	5,352	5,859	5,785	4,887	9,514	5,026	6,463	6,939	5,648	3,304	69,122	
Connecticut,	37,046	19,408	21,663	23,181	18,976	35,736	18,218	23,561	25,186	20,827	5,300	251,002	
New York,	50,097	44,273	49,275	61,594	31,855	95,473	39,471	48,116	56,411	28,651	10,374	586,050	
New Jersey,	33,904	15,859	16,301	19,956	12,629	32,622	14,857	17,018	19,534	11,600	4,402	211,149	
Pennsylvania,	103,226	46,611	51,202	59,333	38,585	99,624	43,761	53,947	53,846	33,395	14,564	602,515	
Delaware,	8,254	4,437	5,121	5,012	2,213	7,628	4,277	5,343	4,981	2,390	1,705	60,255	
Maryland,	36,751	17,743	21,929	23,553	13,712	84,703	16,787	22,915	21,725	12,180	8,268	64,273	
Virginia,	30,327	40,821	49,191	50,819	30,442	87,993	39,148	51,209	41,746	34,179	19,987	349,692	
Kentucky,	37,274	14,045	15,705	17,099	9,236	34,949	13,453	15,324	14,934	7,075	741	220,959	
North Carolina,	63,118	27,073	31,560	37,099	18,688	59,074	25,874	32,989	30,665	17,514	7,013	478,103	
South Carolina,	37,411	16,156	17,761	19,344	10,244	31,664	15,857	18,145	17,236	9,637	3,185	345,591	
Georgia,	19,811	8,169	9,787	10,914	4,957	18,407	7,914	9,243	8,833	3,894	1,919	162,686	
Tennessee,	19,227	7,194	8,282	8,332	4,125	18,430	7,049	8,554	6,992	3,191	309	105,602	
North West Ter. (now state of Ohio),	9,362	3,637	4,833	4,833	1,925	8,611	3,253	3,861	3,342	1,395	337	46,365	
Indiana Territory,	854	347	466	645	191	267	281	421	393	115	163	5,641	
Mississippi Territory,	999	336	482	780	290	531	376	352	426	165	182	8,850	
TOTAL,	813,258	342,979	392,756	477,188	262,536	725,197	333,243	402,426	405,179	254,528	109,250	5,289,573	
District of Columbia,	1,788	671	1,178	1,332	539	1,577	668	1,027	1,028	463	783	14,093	
GRAND TOTAL													5,303,666

not taxed.

All other free persons except Indians.

8

154,465

183,858

422,845

151,719

69,122

251,002

586,050

211,149

602,515

64,273

349,692

886,149

220,959

478,103

345,591

162,686

105,602

46,365

5,641

8,850

14,093

5,303,666

Aggregate amount of each description of persons in the United States, and the territories thereof, agreeably to actual enumeration, made according to law, in the year 1810.

## CENSUS

NAMES OF THE DISTRICTS AND TERRITORIES.	FREE WHITE MALES.						FREE WHITE FEMALES.						Slaves.	Total in each district.	Total in the Territories, and in the District of Columbia.
	Under ten years of age.	Of ten and under twenty, including heads of families.	Of sixteen & under twenty, including heads of families.	Of twenty-five & under forty, including heads of families.	Of forty-five & upwards, including heads of families.	Of forty-five & upwards, including heads of families.	Under ten years of age.	Of ten and under twenty, including heads of families.	Of sixteen & under twenty, including heads of families.	Of twenty-five & under forty, including heads of families.	Of forty-five & upwards, including heads of families.	Of forty-five & upwards, including heads of families.			
District of Maine,	41,374	18,463	20,403	22,079	13,291	39,131	17,827	33,191	21,994	21,461	12,515	699	34,060	238,705	700,745
Massachusetts,	66,930	34,904	45,018	45,851	34,976	66,881	33,139	46,367	20,792	21,544	13,204	6,637	76,556	217,466	217,466
New Hampshire,	38,285	17,810	18,865	20,531	13,063	36,621	17,341	20,963	20,792	11,457	730	730	108	217,859	217,859
Vermont,	10,735	5,555	7,330	6,769	5,459	10,555	5,341	7,537	7,625	6,372	6,352	3,609	310	76,551	76,551
Rhode Island,	37,812	20,498	23,880	23,699	20,443	35,013	18,933	24,573	26,293	22,696	16,718	25,352	15,017	261,912	261,912
Connecticut,	165,033	73,702	85,779	94,882	53,985	157,915	68,811	85,139	83,865	46,718	25,352	7,843	10,851	659,449	659,449
New-York,	37,814	18,914	21,231	21,391	16,004	36,062	17,757	21,191	21,359	15,109	22,492	7,995	810,691	215,502	215,502
New-Jersey,	138,461	62,606	74,193	82,255	52,100	131,769	60,943	75,906	70,826	43,740	22,492	4,177	111,392	880,546	880,546
Pennsylvania,	9,632	4,486	5,150	5,866	2,875	9,041	4,370	5,541	5,521	2,876	13,136	33,927	30,576	72,674	72,674
Delaware,	38,613	19,480	22,688	23,255	15,165	36,137	17,833	23,875	22,008	14,154	13,512	30,576	392,518	974,622	974,622
Maryland,	97,777	42,916	51,473	53,567	35,342	90,715	42,207	54,809	51,163	34,512	8,717	1,859	230,760	406,511	406,511
Virginia,	46,623	18,119	20,189	22,761	17,592	44,192	16,859	19,496	19,496	13,489	8,717	1,859	86,571	535,300	535,300
North Carolina,	68,039	30,321	34,630	34,456	21,168	65,421	30,053	37,593	33,994	20,421	10,266	310	9,376	101,367	101,367
South Carolina,	26,102	7,618	8,266	7,438	4,994	17,416	7,316	8,359	7,343	4,122	4,356	807	33,133	160,460	160,460
West Tennessee,	39,664	17,193	20,468	21,458	13,565	24,391	9,113	11,305	10,276	6,356	4,354	196,368	196,368	435,115	435,115
Georgia,	29,007	11,951	14,085	15,372	7,433	26,283	11,231	13,681	18,947	6,238	1,801	105,214	105,214	222,483	222,483
Territory of Orleans,	5,848	2,491	2,963	5,130	2,508	5,384	2,588	2,874	3,026	1,499	7,585	34,060	76,556	76,556	76,556
Mississippi,	4,217	1,637	3,160	3,160	1,144	4,015	1,544	2,187	1,753	673	240	17,068	40,332	20,815	20,815
Louisiana,	3,136	1,345	2,669	2,669	967	3,213	1,265	1,431	1,369	562	607	3,011	32,500	32,500	32,500
Indiana,	4,923	1,922	2,316	2,316	1,135	4,555	1,863	2,238	1,880	794	393	237	12,882	4,762	4,762
Illinois,	2,266	945	1,339	783	344	64	332	368	317	130	130	24	24,023	24,023	24,023
Michigan,	800	331	563	783	866	2,538	1,192	1,653	1,734	832	2,538	5,359	5,359	24,023	24,023
District of Columbia,	2,479	1,108	1,520	2,107	866	2,538	1,192	1,653	1,734	832	2,538	5,359	5,359	24,023	24,023
	1,033,378	408,183	547,572	572,347	367,306	1,426,148	332,571	668,544	544,156	338,378	186,446	191,364	239,903	7,239,903	7,239,903

GRAND TOTAL



## Interesting Statistical Table,

Showing the whole amount of the population of the United States; together with their several enumerations as constitutionally\* estimated for the apportionment of representatives; the number of representatives, supposing the ratio to be fixed at 35,000, 37,000, 38,000, and 40,000 and the fractions thereafter remaining to each, on each supposition ratio. The present ratio is 33,000.

STATES.	Slaves.	Free Men & Free Women.	Total.	Free Men & Free Women.	Total.	Free Men & Free Women.	Total.	Free Men & Free Women.	Total.	Free Men & Free Women.	Total.	Free Men & Free Women.	Total.	Free Men & Free Women.	Total.	Free Men & Free Women.	Total.	Free Men & Free Women.	Total.	
Massachusetts,	0	700,745	700,745	17	20	745	18	34,747	18	16,745	17	20,746	17	20,746	17	20,746	17	20,746	17	20,746
New Hampshire,	0	214,466	214,466	5	6	7,895	5	33,895	5	27,895	5	17,895	5	17,895	5	17,895	5	17,895	5	17,895
Vermont,	0	217,895	217,895	4	6	6,888	4	32,888	4	27,888	4	17,888	4	17,888	4	17,888	4	17,888	4	17,888
Rhode Island,	108	76,931	76,931	2	2	888	2	3,888	2	3,888	2	3,888	2	3,888	2	3,888	2	3,888	2	3,888
Connecticut,	310	921,912	921,912	7	7	1,818	7	2,818	7	3,818	7	3,818	7	3,818	7	3,818	7	3,818	7	3,818
New York,	15,017	930,049	930,049	27	27	8,043	25	28,043	25	11,222	25	11,222	25	11,222	25	11,222	25	11,222	25	11,222
New Jersey,	10,851	853,562	853,562	17	17	3,222	16	13,222	16	13,222	16	13,222	16	13,222	16	13,222	16	13,222	16	13,222
Pennsylvania,	793	810,091	809,773	18	23	4,723	21	30,723	21	11,723	21	11,723	20	9,723	20	9,723	20	9,723	20	9,723
Delaware,	4,127	926,071	71,001	1	2	1,001	1	3,001	1	3,001	1	3,001	1	3,001	1	3,001	1	3,001	1	3,001
Maryland,	111,372	380,516	535,916	9	9	20,916	9	29,916	9	29,916	8	31,916	8	31,916	8	31,916	8	31,916	8	31,916
Virginia,	392,516	974,622	817,622	22	23	12,622	22	33,622	22	19,622	21	19,622	21	19,622	21	19,622	21	19,622	21	19,622
Ohio,	0	230,760	230,760	6	6	20,760	6	8,760	6	8,760	6	8,760	6	8,760	6	8,760	6	8,760	6	8,760
Kentucky,	80,561	466,511	466,511	10	10	24,287	10	4,287	10	4,287	12	31,287	12	31,287	12	31,287	12	31,287	12	31,287
North Carolina,	168,823	555,506	487,971	12	13	32,971	13	4,971	13	4,971	12	31,971	12	31,971	12	31,971	12	31,971	12	31,971
Tennessee,	44,835	261,727	243,913	3	3	33,913	3	21,913	3	21,913	3	21,913	3	21,913	3	21,913	3	21,913	3	21,913
South Carolina,	195,563	336,563	336,563	3	3	21,563	3	3,563	3	3,563	3	3,563	3	3,563	3	3,563	3	3,563	3	3,563
Georgia,	438,218	213,346	91,346	6	6	8,346	5	35,346	5	20,346	5	20,346	5	20,346	5	20,346	5	20,346	5	20,346
TOTAL.	17,038,466	684,984	684,984	142	180	440,460	170	302,262	170	302,262	161	302,262	161	302,262	161	302,262	161	302,262	161	302,262

\* Representatives and direct taxes, shall be apportioned among the several states, which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons, meaning slaves. Const. of the U. S. Art. I. § 3. The fourth column in the table contains the number of inhabitants in the several states so calculated.

## The Census.

We have abandoned the idea of printing an extra number of our tables of the population of the United States, under the belief that by multiplying the copies we might reduce the value of the REGISTER, as a book of reference, because of their being the more easily obtained by non-subscribers to the work. This may appear a selfish principle; but, in fact, it is merely the exercise of an unquestioned right to secure to the patrons of this publication, a certain legitimate advantage over other persons; as we presume that few periodical works in the United States will undertake to insert an account of the census, in detail, as we intend to do, and the high price of the official copy, forbids its procurement by a large majority of those who might desire to possess it, if to be obtained on reasonable terms. Also consulting our own convenience, as well as the accommodation of our readers (who might feel disappointed in receiving a whole sheet of figures) we have determined so far to deviate from the plan offered in the prospectus as to proceed gradually with the publication of these highly interesting tables, somewhat in the following manner: The present number contains an account of the population of the United States at four different periods—1753, 1790, 1800 and 1810;—the three last from official documents. We shall next commence a comparative view of the several countries and the several states, by the enumerations of 1790, 1800 and 1810;—after which will follow a statement of the population of all the towns, townships, hundreds or other minor divisions of the various counties of the different states, clearly and distinctly arranged, as laid down in the official papers; ac, accompanied by such remarks as may be deemed necessary to the complete understanding of the whole subject, and with some interesting tables growing out of the general results, comparative and explanatory.

As a census is taken but once in ten years, and as every man feels a desire to know and frequently to refer to the facts regarding his own state, county or township, we presume the detail will not be thought tedious, or be esteemed improper in a work of this kind, calculated to register so many important facts in so small a compass, and make them accessible to all. As the matter will be very much compressed, we expect that all these statements may be contained in about twenty of our heavy pages.

## The Chronicle.

SAVANNAH, NOV. 16.

*Serious fracas.*—Within the last three or four days several serious disturbances have taken place between the American seamen and the crews of the French privateers *La Vengeance*, and *L'Agile*, (or *Franchise*) which had been lying in this port for some time past. Investigation into the merits of the case by proper authority, being yet uncompleted, we are unable as yet to lay before our readers as accurate a detail of particulars as could be wished. The circumstances so far as could be ascertained, appear to be these:

On Wednesday night last, a quarrel originated at a house, in the upper part of the city, between some seamen and a party of the privateers men. A rencontre ensued, in which three American sailors were stabbed, and their opponents much bruised by bludgeons. The three wounded seamen we hear are since dead—one of them, belonged to the brig *Hetty*, captain Fountain; from Philadelphia, na-

med Taylor—the name of the others, or of the vessels to which they belonged, could not be ascertained.

The seamen, yesterday, became so exasperated that they determined on being avenged by destroying the privateers. They accordingly embodied themselves last evening, and before the civil or military authority had the knowledge or opportunity of interfering in the transaction, set fire to *L'Agile*, and burnt her to the water's edge.

*La Vengeance* was then taken possession of by a detachment of the Savannah Volunteer Guards, conveyed to the upper part of the town, and remained in their custody until between 11 and 12 o'clock at night: when the seamen procured a lighter-boat and a parcel of tar and other combustibles, which were put into the boat; towed towards the vessel, and obliged the guard to abandon her, for their own safety, as well as to avoid the painful task of firing on their fellow-citizens. The fire-noon communicated, and *La Vengeance* shared the same fate of the *L'Agile*.

Previous to the assemblage of the seamen, yesterday, several of the crews of the privateers had concealed themselves in a vacant store on Anciaux's wharf, where it seems they had some arms and ammunition deposited. On the seamen attempting to get on board the privateer, they were fired upon from the upper windows of the store. Captain Miller, of the Champlin (New-York packet) was dangerously wounded; having one of his eyes shot entirely out; the other much injured; bridge of his nose broken, and his life doubtful. A seaman wounded (since dead) and a colored person (wounded) were shot nearly at the same time and in like manner.

One of the privateer's crew was killed on the bluff yesterday, in the affray, and another died in jail last night, of his wounds. Several others on both sides are wounded, but we understand not dangerously. Upwards of one hundred of the rioters are now in jail.

We pretend not to give this as a correct statement. As soon as the matter is fully investigated, we will endeavor to lay before our readers a clearer account of the occurrences.

#### BATTLE WITH THE INDIANS.

*The following is an extract from a letter to a member of congress at Washington, dated*

VINCENNES, November 12.

"This day we have just received information that the governor has had a battle with the Indians—thirty men killed and about one hundred wounded. The governor marched up to the prophet's town in the evening, had a short conference with the prophet, and it was agreed to hold a council the next morning. A negro had deserted to the Indians, and told them that the governor had but about three hundred men, that he had a great deal of goods with him, and that the next day when they were in council, that the governor intended to fall upon them and destroy them. This information, it is supposed, induced the Indians to commence hostilities.—The Indians commenced the attack in the night.—The battle lasted about two hours. They were charged by the regulars and broke.—The prophet's town is burned and the corn destroyed. From this specimen we may now expect an Indian war.—The army were not disturbed until they arrived at the prophet's town, except the wounding of a sentinel, supposed to be done by the Indians."

*Extract of another letter from a gentleman in Vincennes, to a member of congress, of the same date.*

"The governor has had a severe engagement, in which Harrison county suffered great loss. Berry and Spencer are both killed, and a great many of their men. The action continued two hours. By the regulars' bravery the governor proved victorious—defeated the savages—destroyed their towns and their corn. The Indians fell upon them two hours before day where they were encamped within three quarters of a mile of their towns, and ran into some of their tents. Randolph was shot through and fell dead—colonel Davies, from Lexington, who commanded the horse, was killed although the horse was not brought into action, yet several of them lost their lives."

*Extract of a letter from a gentleman in Louisville, to a member of congress, dated the 16th November.*

"An action took place on the 7th November, between the troops under governor Harrison and the Indians under the prophet. The following are some of the particulars: "I give you a list of a few that were killed in the action—colonels Davies, and Owen of Shelby, colonel White of the Saline, captain Spencer and both his subalterns, and captain Berry from Corydon, also captain Bain of the regulars. There were 170 whites killed and wounded and as many Indians. The Indians made the attack on the night of the 7th instant; they surprised our army; they killed all the guards with arrows, and were in the camp before the whites had the least notice of them. The battle was fought in sight of the prophet's town. Three Indians attacked colonel E. Geiger in his tent at one time—he killed one and vanquished the other two; he was shot through the arm. Governor Harrison was shot through the hat, and slightly wounded in the head. Thomas Randolph was killed dead; judge Taylor's horse was killed under him. It is said that major Floyd fought like Cæsar in his shirt-tail. The Indians rushed up and came to the point of the bayonet with their tomahawks. There has been dreadful slaughter.

Since writing the above I have seen a letter from Hunter to captain Clark—he states that he is slightly wounded, and among the number killed are James Summerville and Stephen Mars—Hunter states that the Indians lost all their beef, and a great number of their horses; they got about five thousand bushels of corn, and burned the prophet's town the day after the action."

In addition to the above we learn that other letters received, state that governor Harrison had an interview with the prophet on the 7th November, and it had been agreed between them to hold a council on the next day—that a negro had deserted from the American army, had went over to the Indians, and told them that the intended council was only meant as a decoy to the Indians, whom it was the intention of the whites to massacre when gathered together, and that the American troops only consisted of about two hundred.—[Nat. Intel.

Baltimore, November 30.

**APPOINTMENTS.** By the president of the United States.—GABRIEL DUVAL, Esq. of Maryland, late comptroller of the treasury of the United States—and JOSEPH STOREY, Esq. of Massachusetts, associate judges of the supreme court of the United States, in the places of Samuel Chase, Esq. deceased and John Quincy Adams, Esq. who declined to accept the appointment.

By the same.—RICHARD RUSH, Esq. of Penn-

sylvania, comptroller of the treasury of the United States, *vice* Gabriel Duval appointed a judge.

These important appointments have been ratified by the senate of the United States; who have also, by an unanimous vote, confirmed the appointment of JAMES MONROE, Esq. to the office of secretary of state.

The legislature of Georgia convened at Milledgeville, the 5th instant. *Mathew Tulbot*, Esq. was chosen president of the senate, and *Robert Iverson*, Esq. speaker of the house of representatives. *D. B. Michill*, Esq. has been re-elected governor of this state, by a very large majority.

With uncommon pleasure we are enabled to state that the *Penitentiary system* is now in full operation in Maryland. On Monday the 18th inst 54 convicts, working on the roads, were brought into court, and privileged to make their election—to remain as they were, or enter the workhouse; 47 chose the latter. As the semi-barbarous wheelbarrow-law expires, future criminals will be condemned to expiate their faults by labor and confinement in the Penitentiary.

We have a very interesting report from the treasury of Maryland. "The States' Capital" consisting chiefly of stock of the United States; stock in several banks of this state; and in turnpike and other companies, amounts to the enormous sum of \$604,412 : 2 : 6 1-4 (\$1,611,760)—besides some balances due the state of about \$4,000 more.—The probable receipts of the ensuing year, are estimated at \$61,104 : 6 : 1—which, added to the balance remaining in the treasury, after deducting the estimated expenses of 1812 (£39,938) leaves *subject to appropriation*, £63,516 : 11 : 2 2-4. The detail is held off for our next.

[Why should the state of Maryland persist in the old, inconvenient, *anti national* and absurd method of keeping her accounts in *pounds, shillings and pence*? From the legislative body we have a right to expect wholesome examples—we presume every individual is endowed (at least) with wisdom enough to discern that the decimal manner of keeping accounts, adopted by the laws of the United States, and generally practised by the states and the people, is the most certain as well as the most easy—it is therefore to be wondered that no member has thought of making a motion to effect so good a change. *Let us, as far as we can, shew ourselves a DISTINCT AND SEPARATE PEOPLE.*]

In the district court of North Carolina, held at Raleigh two weeks ago, judges Marshall and Potter presiding, in the case of the United States *vs.* Robert Mitchell and others for a violation of the embargo laws, a verdict was found against the defendants for between 26 and \$27,000!

Lisbon papers to the 18th of October afford us no news.

Count *Pahlen*, late minister to the United States from Russia, presented his letters of recall a few days since, to the president. It is understood he is going to the Brazils in a similar capacity. He is succeeded by *M. Andre de Darchloff*, who has presented his letters of credence, &c.

One hundred and ninety two Scotch emigrants from the Isle of Skye, have lately arrived in one ship at Wilmington, N. C. They comprise many families, and are said to intend to settle on Cape Fear river in that state.

We have rumors of some strange things that have appeared on the trial of general WILKINSON, before the court martial now sitting at Fredericktown: not as implicating the character of the general; but as coming from *congress-hall*, instigating the famous *Thomas Power* to be active in procuring

proof to destroy him. When the facts are properly made known they shall be recorded.

## CONGRESS.

HOUSE OF REPRESENTATIVES.

*Friday, Nov. 22.* After transacting some minor business, the house resolved itself into a committee of the whole, Mr. Basset in the chair, on the bill for apportioning the representatives among the several states, according to the third enumeration.

To fill up the blank in the bill various numbers were proposed—35,000—37,000—38,000—39,000 and 40,000—each member endeavoring to procure for his own state as small a *fraction* [unrepresented] as possible. The yeas and nays were several, times called: for 35,000 there are 45 yeas—76 nays; for 40,000, 50 yeas—72 nays; the motion for 38,000 was negatived without a division—But the question, shall the blank be filled with 37,000? was carried as follows:

YEAS.—Messrs. Alston, Anderson, Archer, Avery, Bacon, Bard, Bartlett, Basset, Bigelow, Bleecker, Bloant, Breckenridge, Brigham, Brown, Burwell, Butler, Champion, Cheves, Clay, Clifton, Condit, Crawford, Davenport, Davis, Dawson, Desha, Earle, Ely, Emott, Findley, Fitch, Franklin, Gholson, Gold, Goodwyn, Gray, Grundy, O. Hall, Hawes, Hufty, Hungerford, Hyneman, Jackson, Kent, Key, King, Lacock, Law, Lefevre, Lewis, Livingston, Lowndes, Lyle, Maccon, Maxwell, Moore, M'Bryde, M'Coy, M'Kee, M'Kim, Metcalf, Milnor, Mitchell, Morrow, Mosely, Nelson, New, Newbold, Newton, Ormsby, Pickens, Piper, Pitkin, Pleasants, Pond, Potter, Randolph, Rhea, Roane, Roberts, Rodman, Sage, Sammons, Sevier, Smilie, G. Smith, J. Smith, Stanford, Stow, Sturges, Tallmadge, Tallman, Tracy, Troup, Turner, Van Cortlandt, Wheaton, Whitehill, Williams, Widgery, Wilson, and Winn—102.

NAYS.—Messrs. Bibb, Boyd, Calhoun, Chittenden, Dinsmoor, Fisk, Green, B. Hall, Harper, Morgan, Quincy, Ridgely, E. Seaver, Seybert, Stow, Strong, Sullivan, and Taggart—18.

Mr. Dawson moved to fill the other blanks in the bill as follows:—New Hampshire, five members; Massachusetts eighteen, Vermont five, Rhode Island two, Connecticut seven, New York twenty-five, New Jersey six, Pennsylvania twenty-one, Delaware one, Maryland nine, Virginia twenty-two, North Carolina thirteen, South Carolina nine, Georgia five, Kentucky ten, Ohio six and Tennessee six.

The bill was ordered to be engrossed for a third reading.

The house adjourned till Monday.

*Monday, Nov. 24.*—The annual report from the secretary of the treasury was received (*see preceding pages*) and referred as usual, to the committee of ways and means. The bill for the apportionment of representatives was then taken up—a motion for re-commitment being lost (yeas 56—nays 76) it passed its *third reading* without opposition.—The ratio, therefore, is one representative for every 37,000 souls, or 170 members in the whole. The bill has yet to pass the senate.

Mr. Randolph, after some pointed prefatory remarks, moved that "the committee on the military establishment, &c. be instructed to enquire whether any and what alterations are necessary in the rules and articles for the government of the army of the United States," with a view to the abolition of *corporal punishment*. The motion lies on the table.

On motion of Mr. Poindexter, *Resolved*, That so much of the petition from the citizens of West Florida as relates to the annexation of that province to the Mississippi Territory, be referred to the committee appointed on the memorial of the legislative council and house of representatives of said territory, praying admission into the union on an equal footing with the original states; and that so much as relates to land claims be referred to the committee on public lands.

*Tuesday, Nov. 16.*—Mr. Little offered a resolution requesting the president to cause to be laid before the house a list of impressments of Americans, by what authority, or nation, distinguishing native Americans; and such other information relating to the subject as may be in the possession of the executive. The list to commence 1793. Ordered to lie on the table.

Mr. Rhea called for his resolution for laying additional duties on hemp and flax manufactures, &c. The yeas and nays on the motion of Mr. Rhea, were called on the question. Will the house consider the resolution? Yeas 44, noes 69.

The house went into a committee of the whole, Mr. Bassett in the chair, on the bill providing for the more convenient taking bail in cases depending in the courts of the United States. After considerable debate the committee rose, and the bill was recommitted to the select committee who reported it for amendment, and four new members were added to the committee.

Mr. Nelson presented the petition of the Alexandria Protestant Episcopal Society, praying for an act of incorporation. (A bill was passed last session, incorporating this society, but returned by the president with constitutional objections.) It was referred to the committee on the district of Columbia.

*Wednesday, Nov. 27.*—The speaker presented a report of the secretary of the treasury, exhibiting a statement of all duties and drawbacks on goods, wares, and merchandise, imported and exported for the years 1808—'9—'10. Referred to the committee of commerce and manufactures.

The house was occupied the greater part of the day on the contested election of Mr. Hungerford, a sitting member for Virginia. The rival candidate, Mr. Talliferry, was permitted to address the chair on his own behalf—Mr. H. replied at considerable length, and Mr. T. rejoined. The house rose without coming to a decision. Monday next is assigned for discussing the propriety of repealing the statutes of limitation, as to claims against the United States.

*Thursday, November 28.*—The speaker laid before the house a communication from the secretary of the treasury, relative to foreign coins.

Mr. Morrow observed that he held in his hand a resolution relating to a subject of very great importance to the state he had the honor to represent (Ohio.) The late occurrences on the Wabash must convince every person of the absolute necessity of putting our frontiers in a proper state of defence against Indian hostility. He had long been of opinion that it was as absurd to expect to make men soldiers without putting arms in their hands as to undertake to make them mechanics without the use of tools. He accordingly offered the following resolution, which was referred to a committee of the whole house tomorrow.

*Resolved*, That the President of the United States be authorised to loan to the state of Ohio—stand of arms, with bayonets and cartouche boxes, and—pieces of field artillery, on the legislature of that state making such provision by law as shall in his opinion afford security for their

safe keeping and return, save damages sustained by loss and use in actual service.

The business of the contested election between Hungerford and Talliferry was then resumed.

The senate, as yet, has been chiefly occupied with private petitions, and minor matters, and in preparing business.

## The Editor's Department.

We deem it due to plain dealing to call the attention of our subscribers to the terms on which the REGISTER is printed. *See the prospectus, page 2.* On or before the publication of this (the 13th) number, every subscriber retained to himself the right of withdrawing his name at any time, on payment of what might be due for the numbers received, to the editor or his agent—but that thereafter, he made himself responsible for one year's subscription, to be paid at the expiration of six months from the commencement of the publication, or on issuing the 26th number. The general plan is now fairly before the public, though we hope many improvements will result from experience, and our extending means of information—and, as we expect a scrupulous regard to the conditions of payment, without which the work must lose its vitality, we esteem it candid to notify our readers what they are, wishing to receive every man's money of his own free will, and for value received.

On this occasion it may be proper to observe, that the subscription list to the Register increases daily. This distinguished patronage spurs on exertion; if it is continued, we shall, during the ensuing summer, present our subscribers with some valuable plates—maps, plans, views, or portraits, useful or pleasing; being determined to spare no reasonable expense, (when able to bear it) to render the WEEKLY REGISTER as splendid as useful.

This is also a fit opportunity to give notice, that the price of the first volume, should any remain in the editor's hands, will be considerably enhanced to non-subscribers at the time it shall be completed.

Frequent application has been made at this office to purchase the numbers of the REGISTER containing the documents—the public are respectfully informed that this paper cannot be sold or given away, except to regular subscribers, on any pretence whatever.

With much exertion, and at a considerable extra expense, having disposed of the chief of the public papers, we shall return with pleasure to *Miscellany*. As this paper literally circulates from "Maine to Georgia, and from the Atlantic beyond the Mississippi," we felt it our first duty to insert all important things of general concern, before we attended to the local matters even from our own state; the proceedings of whose legislature shall be noticed in our next. We have on hand several biographical, geographical, philo-ophical and other tracts, which we much desire to present to our readers; some of them shall appear in the ensuing publication.

*To printers of newspapers.*—More than a hundred propositions have been made to us for an exchange of papers, eleven twelfths of which have been neglected, because of the existing inequality. We have selected such papers as we thought might be useful, and freely exchanged with those editors who were so obliging as to publish our prospectus—if any such have been omitted, they shall receive complete files when the fact is made known to us—but we cannot undertake to effect a general exchange; though disposed reasonably to accommodate our brothers of the type.