

THE WAR.

"LET THE RALLYING WORD, THROUGH ALL THE DAY, BE "LIBERTY OR DEATH."

VOL. I.

NEW-YORK.....SATURDAY, OCTOBER 31, 1812.

No. 19.

THE WAR,

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From the National Intelligencer.

Dispatches from Admiral Sir J. B. Warren to the Secretary of State and to Mr. Baker, the late British Secretary of legation, arrived in New-York a few days ago, in the frigate Junon. Agreeably to the arrangement respecting cartels and flags of truce, they were handed to Brigadier-General Armstrong, commanding at New-York, who forwarded them to this city, by captain Jacob Lewis, who arrived here on Monday. The contents of the dispatches have not yet transpired.

Letters have been received from Gen. Harrison of as late date as the 12th October, at which time his head-quarters were at Franklinton, Ohio. On reaching Gen. Winchester with the army under him at Fort Defiance, on the evening of the 2d inst. he had the mortification to learn that the enemy had passed that place three or four days before. Gen. Winchester met them the day after his departure from Fort Wayne, but kept his army so well prepared for action that they dared not attack him. In the course of the march, in skirmishing, he lost an ensign and six privates killed, and one wounded. Gen. Harrison was employing himself with the greatest zeal, in arranging depots of provision, clothing, &c. opening roads, building boats, erecting block-houses, &c. preparatory to his march to the borders, whither he proposed to proceed in a day or two. Fort Wayne had been again besieged by the Indians, after the main body of the army left it, and again relieved. Several of the Miami and other Indians had come in to Gen. Harrison, and thrown themselves on the mercy of the government, agreeing to abide by the decision of the President in relation to them, whatever it might be.

Chillicothe, (Ohio) Oct. 14.

Extract of a letter from his excellency R. J. Meigs, to a gentleman in this place, dated

" Urbana, Oct. 8, 1812.

" Our army of Ohio is encamped at Manary's, four miles from the Indian villages.—General Harrison and general Tupper, when they arrived at Fort Defiance, found the Indians fled—and the British artillery supposed to be taken by the water down the Maume. Gen. Harrison was on Sunday last pressing down the Maume, hoping to cut off their retreat to Brownstown. Two hundred waggons marched from St. Mary's 3 days ago with biscuit, flour and bacon for Fort Defiance. Fort Wayne is again besieged by Indians. The troops of Ohio Gen. Harrison does not wish to advance farther than Manary's until he orders. We have with us a travelling forge, 3 ammunition waggons, 4 pieces of artillery,

1200 troops, one company of spies, one company of dragoons, and at last have tents and camp equipage in good order. I shall join the army to-morrow."

Extract of a letter from John Gibson, Esq. Acting Governor of Indiana, dated Vincennes, Oct. 7th, 1812.

Major-General Hopkins left here on the 5th inst. He has under his command, upwards of two thousand mounted riflemen, and he will, I hope in a few days, be amply provided with every thing necessary for the expedition.

Copy of a letter from Major Jessup and James Taylor, Q. M. Gen. N. W. Army, to a gentleman in this city, dated

Chillicothe, (Ohio) Oct. 7.

Sir—Your letter has been received, requesting from us a corroboration of Col. Cass's statement to the Secretary of War, of the surrender of the north-western army. We have read the colonel's statement with attention, and find it a pretty correct history of our situation, although we have observed that some important facts have been omitted. We have also read and examined the official report of Gen. Hull, and have found it abounding in inaccuracies and misstatements; the general has not only underrated his own force, but has, in our opinion, magnified infinitely that of the enemy, and enumerated dangers and difficulties that existed only in imagination.

That the means within our power were not properly applied, is a melancholy fact; and that the army was unnecessarily sacrificed, and the American arms disgraced, none but the base and cowardly will attempt to deny.

You are authorised to make what use you may think proper of this letter.

We are, with much respect, Your obedient servants,

THO. S. JESSUP,

Brigade Major N. W. Army.

JAMES TAYLOR,

Q. M. Gen. N. W. Army.

Buffalo, Oct. 13.

Commendable Justice in the Enemy. In our paper of September 29, we gave an account of the plunder of several families at Sturgeon Point, by the crew of a British boat.

A proper representation of the same having been made to the British commander at Fort Erie, last week, a flag arrived and brought over all the plundered articles they could find about the boats or ship, and 300 dollars in British gold to repair the damage. We understand that a letter accompanied the money and goods, disavowing the unwarrantable act and apologising in a very handsome manner for the outrage. The evils of war would be much diminished, should this principle be acted upon at all places on the Frontiers.

From Detroit. From several of the American prisoners who were captured on board of the Adams, we have the following accounts from Detroit:

The Adams left Malden on the 5th, and arrived at Fort Erie on the 8th. They state

that the expedition which went against Fort Wayne on the 14th of September, had returned to Malden on the 4th of October unsuccessful. The expedition consisted of 400 regulars and militia, and 1500 Indians—they had proceeded towards Fort Wayne until they came within 16 miles of an American army, which they learned from a prisoner their spies took, to be Harrison's. They then precipitately retreated, leaving much of their ammunition, &c. on the ground. It was understood at Malden that Harrison was advancing upon Detroit, with his army. The Queen Charlotte was detained at Detroit, on account of the expected arrival of Gen. Harrison. At Detroit much property had been destroyed by the Indians. It is much feared that the savage will massacre all the Americans at Detroit. The above gentlemen did not understand that any scalps were paid for by the British. The British commanders had in several instances ransomed American prisoners taken by the Indians.

The following return of prisoners of war (formerly belonging to Gen. Hull's army) retaken from the British on board the brig Adams at Fort Erie, is taken from the Buffalo Gazette:

Lieut. Charles Larabee; Hosea Blood, acting surgeon's mate; Nath. Heaton, Joseph Keer, corporals; Abiah Bradley, musician; Alfred Cobourn, John St. Clair, Robert Arbuckle, Adw. Carr, Leml. Parker, Job Winslow, Ichabod Farrar, John D. Jones, Zenas Clark, Joseph Hunt, Jon'n Colby, Chester Wilcox, Wm. D. Ausment, Alex. Brewin, Ed. Tuck, John Glover, privates; all of the 4th regiment U. S. Infantry, who fought at Tippecanoe and Brownstown, and were on their way to Quebec.

In addition to the above there were taken on board the Adams, Dr. Sylvester Day, surgeon's mate, U. S. army, J. Cannon, 1st regiment artillery, and four others, volunteers. 4 of the wounded which were left on board the brig, were carried by the enemy to Fort Erie.

There were captured on board the Adams, Frederick Rolette, 1st lieut. comdt. Thos. Keer, ensign of marines, 10 marines, 34 Canadian voyageurs, (French). And on board the Caledonia, Robt. Ervin, master, 8 seamen and 4 voyageurs.

CIRCULAR.

TO THE DISTRICT ATTORNIES OF THE UNITED STATES.

Treasury Department, Comptroller's Office,
Sir, October 16, 1812.

As cases may arise in which the claims of public and private armed vessels of the United States to vessels which they may capture, may be adverse to the claims of the United States to the same vessels, under the non-importation act, it is deemed proper to submit to you the views taken at this department of the government of such claims.

How far trade of every description on the part of citizens of the United States with the

enemy is, by the general law of war, independently of any statutes of our own, absolutely prohibited; and how far all vessels with their cargoes belonging to citizens of the United States, and coming from a port of the enemy on a trading voyage, since the declaration of war, are by the same general law, liable to capture by vessels of the United States having commissions of war, and to condemnation as lawful prize of war; are questions not material to the purport of this letter. For, allowing to both affirmative answers, the effect of such answers is, it is conceived, controlled by the actual state of the country under its own statutes.

Every vessel now arriving in a port of the United States, in violation of the non-importation act, is by the positive, prior and existing municipal regulations of that act, forfeitable to the use of the United States, and certain of their officers of revenue embraced within its provisions. This, therefore, it is apprehended, supervenes the general law of war in its application to every vessel so arriving, and intercepts, by its paramount authority, the right of capture otherwise vested in the national or armed vessels, and which, but for such paramount authority, they might have been at liberty in the abstract, beneficially to exert. The act of congress of the 6th of July, 1812, "to prohibit American vessels from proceeding to or trading with the enemies of the United States, and for other purposes," makes no change in this operative character of the non-importation act.

To every vessel, therefore, arriving in any port of the United States, in breach of any of the prohibitory or penal clauses now in force of this act, you will be pleased to assert the right of capture, as soon as a seizure can be made; and this whether the arrival be voluntary, or whether it be the cause of a bringing or sending in on capture by any of the public ships or privateers, the claim of the United States applying equally to captured or seized property under this predicament, and whether it be British or American. It is not perceived that the supposed claim of the captures can, either in law or equity, supersede that of the United States. Not in law, for the fifth section of the act has this provision, "that whenever any article or articles, the importation of which is prohibited by this act, shall be put on board of any ship or vessel, boat, raft, or carriage, with intention of importing the same into the United States, or territories thereof, all such articles, as well as all other articles on board the same ship or vessel, boat, raft or carriage, belonging to the owner of such prohibited articles, shall be forfeited; and the owner thereof shall moreover forfeit and pay treble the value of such articles." Thus it appears that the forfeiture to the United States attached and may be considered as having had its inception prior to the capture. Not in equity, for the instrumentality of the public ship or privateer in aid of the execution of the act, was merely gratuitous, and not necessary to secure its enforcement. The claims of the United States and of the captors being wholly adverse, the libels on the part of the former must embrace all vessels circumstanced as above, with every species of property on board. With the courts will rest the final decision on the contending claims. I have the honor to be, with great respect, your obedient servant,
RICHARD RUSH.

NEW-YORK :

SATURDAY MORNING, OCT. 31, 1812.

To alien enemies. The marshal of the district of New-York, in obedience to instructions from the Department of State, has issued a notice, dated 26th inst. requiring all British subjects to report themselves to him immediately at his office in the city of New-York, or to the persons appointed by him to receive their reports. And masters of vessels arriving within the district, having alien enemies on board, are required to report them in writing, and not to suffer them to land on shore without leave from his office. And all keepers of taverns, boarding-houses, &c. are required to report the names and descriptions of alien enemies lodging in their respective houses forthwith; and should they neglect so to do, they will be considered as aiding and comforting the enemy.

Our Navy. The Constitution, com. Bainbridge, and Hornet, capt. Lawrence, have sailed from Boston on a cruise. The Chesapeake is nearly ready.

The British frigate Nymph, of 38 guns, Capt. Epsworth, has arrived at Halifax, and reports, that on the 16th inst. about 50 leagues S. W. from Sambro light he was chased by com. Rodgers' squadron, but escaped.

Captain Morris is appointed to the command of the frigate Adams, fitting at Washington.

Eight waggons loaded with specie for the North-Western army, left Philadelphia on the 22d inst. for Pittsburg, under escort of a lieutenant's guard.

British reinforcements. A fleet of transports, under convoy of several men-of-war, have arrived at Halifax, having on board part of the 89th and 100th regiments. The Poictiers, 74, has sailed from Halifax for Bermuda.

William Wenman, a soldier in the 15th U. S. regiment, was shot at Plattsburgh, on the 15th inst. pursuant to the sentence of a court-martial. His crime was desertion, with intent to go over to the enemy. Another soldier of that regiment who deserted at the same time, was brought out for execution, but pardoned by gen. Bloomfield, it appearing that he was enticed away by Wenman.

BATTLE OF QUEENSTON.

As every circumstance attending this gallant but unfortunate enterprise, must be interesting to Americans, we shall endeavor to collect, for the gratification of our readers, all the particulars worthy of record. Every account speaks in flattering terms of the unexampled intrepidity of our troops, scarcely one of whom had ever been in action before. During the whole affair, the British kept up a constant fire from their batteries at Fort George, Fort Erie, and opposite Blaek Rock; and at the latter place, a bomb unfortunately fell upon a barrel of powder, which blew up, and set fire to the barracks, which, with some of the fur taken in the Caledonia, were consumed. Our balls set fire to the gaol, and also to a brew-house at Newark, on the British

side, both of which were burnt down. It appears that the British were perfectly apprised of the intention of our troops to cross; and it is stated that a letter was found in the pocket of a British officer who was killed, from another officer at Chippewa, informing of the intention of the Americans to cross, the time at which they might be expected, and their probable force. The letter is said to be in the possession of gen. Van Rensselaer.

Capt. Ogilvie, of the 13th regiment, who led the detachment that succeeded in taking the redoubt upon the heights, has arrived in this city, and has furnished the following particulars:

A detachment from the 13th regiment, consisting of about 300 men, under the command of Col. Chrystie, and about 300 militia, commanded by Col. Van Rensselaer, received orders from the general to cross the Niagara River on the morning of the 13th inst. which was in part effected before day, under a very heavy and destructive fire of grape and musket shot from the British, who, it appears, were apprised of the attack.

In crossing the river, three boats with troops, one of which contained Lieut. Col. Chrystie, were carried by the rapid current of the river far below the point of landing; and as soon as Col. Chrystie's boat touched the shore the only guide to the ground left the colonel.

In consequence of this disaster not more than 200 men at first effected a landing. Those few, however, marched on under a heavy fire, and formed a line on the front of the battery, where they were sheltered by a bank, upon the summit of which there was a battery, which had proved very destructive to officers and men. From the fire of this battery, and that of a house on their right bank, Col. Van Rensselaer was wounded, and likewise Capt. Armstrong, Capt. Lawrence, Capt. Wool, and Lieut. Lent; killed Lieut. Vallean and Ensign Morris, all of the 13th. Col. Van Rensselaer, after he was wounded, urged the troops to storm the heights.

Sixty determined men, led by Capt. Ogilvie, seconded by Capt. Wool, (though wounded) and Lieut. Kearney, Lieut. Carr, Lieut. Hugginan, and Lieut. Sammons, Ensign Reve, of the 13th, Lieut. Randolph and Lieut. Gansevoort, circuitously mounted the heights, gave three cheers, and immediately charged, and after the third charge gained complete possession, which they kept about six hours. Among those sixty were ten of the militia. During the time they had possession of the heights, they received some reinforcement. Lieut. Col. Chrystie effected his landing, and a body of militia amounting in the whole to about 500. Col. Scott superseded Capt. Ogilvie in the command, soon after which the British received a reinforcement from Forts George and Chippewa, amounting to about 1100, including Indians. The Indians were soon repulsed and driven to the wood.

The attack of the Indians and their war-whoop had such an effect upon the militia, that when the troops had formed a line in three divisions, and were counted off, only 240 men, 110 of which were militia, remained. Previous to this, however, a column of British regulars advanced, commanded by gen. Brock. The British general's horse was killed by a private of the name of Wilklow, who was enlisted in Orange county, shortly after which

the gen. himself fell within pistol shot of the American troops. The superiority in numbers of the British and their Indian allies induced the American officers to hold a consultation, at which they were disposed to dispute the ground they held, but a note was received from gen. Van Rensselaer, informing them he could afford them no assistance, and that he would cover their retreat at the battery at Fort-Grey, and furnish boats to re-cross the river; and finding by col. Stranahan that the militia would no longer act, a retreat was resolved upon. They retreated in good order without the loss of a man, to the margin of the river; but to their extreme mortification, not a boat was there to receive them, nor did any arrive. After remaining in this extremely painful situation about a quarter of an hour, this little band surrendered to about five times their number.

The enemy consisted of a part of the 49th regiment, who, with gen. Brock, had signalized themselves in Egypt, and from their valor were called the invincibles. Before this they had never been known to give an inch of ground, and acknowledged, after the surrender, they had never fought with such brave men. They treated their prisoners with tenderness and respect, and allowed them as much merit as brave men could desire. The number of American troops killed amounted to not more than 60, and about 100 were wounded. The number of prisoners, including the wounded, amounted to about 700.

But the victorious enemy, though generous and tender to those who by the fortune of war had fallen into their power, imposed no restraint upon their Indian allies from stripping and scalping the dying and the slain that remained upon the field of battle. Capt. Ogilvie himself saw the lifeless body of ensign Morris stripped even of his shirt, and the skull of one who had been wounded, was seen cloven by a tomahawk.

Our informant saw the funeral of General Brock. The guns at Fort Niagara were fired during the ceremony as a mark of respect due to a brave enemy.

LEWISTOWN, the Head-Quarters of our Northern army, is situated at the foot of the large range of mountains or heights which extend in width from thence to the present falls of Niagara, nine or ten miles above, and which run across the river Niagara nearly at right angles, running from near Lake Ontario towards Lake Erie.

Queenston is nearly opposite, and the river about half a mile in width, of a quick current and full of whirlpools. From these two places to Newark on the one side, where stands fort George, and to Niagara town and fort on the other, is six miles. The country is peculiarly level under the heights and the roads fine for marching.

A force might march from fort George to the heights in an hour and an half, or two hours.

From the heights on the British side, which are highest and more inclining down the stream, a fair and open view of the river and country below presents.

Further, from the Buffalo Gazette.

Of the regulars 62 were wounded, 2 since dead, 6 dangerous. Of the militia 20, 9 dangerous.

Prisoners. Regulars 386 militia 378, besides officers, numbers not estimated.

Of the killed, there are no returns, and opinions are so various on this point, that it is extremely difficult to fix on any probable number. Our loss probably exceeds 100, and that of the enemy much the same number.

We cannot learn that any of our officers were killed above the rank of captain, and but few were wounded.

The corpse of general Brock, and colonel M'Donald, were conveyed to Newark, and interred, near the fort, with martial honors. Gen. B. was 58 years of age, a real gentleman, and one of the best generals in the British provinces.

We understand that some of our troops in recrossing the river brought over 8 or 10 prisoners, among whom was an Indian chief.

War Events at Black-Rock.

On Monday last week, the British came over to Squaw-Island and captured two American boats, one of which was loaded with cannon balls.

On the same day, while a boat was passing down the river from Black-Rock to Schlosser, loaded with flour and whiskey, the British opened their batteries upon the boat, and fired upwards of 30 rounds of grape shot at her while passing from Squaw-Island to the head of Grand-Island, most of which struck the sails or some part of the boat. There were about 30 men on board the boat, and only one of them was wounded. The only thing that saved the men from being either killed and wounded was this: whenever they discerned the smoke of the cannon, they resorted to the fashionable mode of *prostrating* themselves in the boat. The wounded man, Thomas Morgan, lying with his elbow above the railing of the boat, received a grape shot in the elbow joint, which came out of the shoulder. The limb being much shattered, an amputation took place next morning. He survived the wound about 30 hours. He was from the county of Cayuga, was a non-commissioned officer of much merit.

The cargo of the Caledonia, which has been estimated at the eastward at 150,000 is not now rated higher than 8 or 10 thousand dollars. The immense packs of beaver, muskrat, &c. with which it was said the Caledonia was laden, proves to be nothing more than deer, bear and buffalo skins. This property we understand, is now liable to seizure by the officers of the customs, in consequence of not having been reported to that department. At any rate it must be libelled and sold by the marshal of the district of the state of New-York, before any distribution of the prize can be made.

On Friday last an express arrived from Lewiston, bringing the account of an armistice, concluded at Lewiston on Tuesday last, which expired on the Monday succeeding, at 4 o'clock P. M. This armistice, we understand, was requested by the British, in order to buy the troops killed on the 13th.

On Saturday, a flag came over from Fort Erie, informing our general, that they should consider an attempt to remove the guns, which remained in the hold of the Adams, which was burned last week near Squaw Island, as an infringement of the armistice, and would fire upon our troops should they come near the hulk. An answer, we understand, was returned, stating, that considering the property our own, no attention would be paid to their request. The flag returned, and the moment it landed, they fired two guns of grape at our troops on board the hulk, which however did no damage. In the course of the night capt. C. Chapin, with a party of soldiers and marines went on board and took out an elegant long 12 pounder from the ruins of the ship, which together with an 18 pounder

der lately brought up from Schlosser are mounted on our batteries.

On Sunday evening, lieutenant Watts went on board with a number of men, and brought away another long 12. It has been ascertained that major Ormsbee, late commandant at Fort Erie, together with 20 or 30 British, were killed on board the brig Adams after she grounded, on the day of her capture.

FROM DETROIT.

On Friday last arrived off Buffalo Creek, the schooner Ellen, a cartel, 11 days from Detroit. She was chartered by R. H. Jones and David Baird, esq. for the purpose of conveying from Detroit their stock of mercantile goods; the books and papers of the army contractor, A. Porter, esq. and a few other articles.

Among the passengers were David Baird and Shubal Couant, merchants, Otis Dunham, from Mackinaw, Philip Lecuyer, clerk to the contractor, and four other persons. When they left Detroit, the British had removed every article of public property that could be found in the country. All the artillery and other munitions of war had been previously removed; even the old cannon which had been burst, spiked and rendered useless, and which had been planted as gate defenders of one of the gates of the fort, were dug up by the British and carried away, in order to increase the number of guns taken. The Indians had been very troublesome in and about Detroit; they had plundered many houses in the country, and taken every horse they could find in the neighborhood of Detroit; but before they left there, the Indians hearing that gen. Harrison's army were coming to Detroit, they generally returned to Malden or went to their homes in the wilderness. No Indian murders had been heard of at or near Detroit. The British officers had in every instance, treated American prisoners and other Americans well.

Just before Mr. Baird left Malden, it was currently believed there, that the army of gen. Harrison were at the Miami rapid, 8 or 9000 strong, advancing upon Detroit; which place it is expected will be evacuated by the British whenever danger is nigh.

Gen. Van Rensselaer arrived in this village on Sunday last, from the encampment at Lewiston, in expectation of meeting the governor, who was expected to have arrived here, accompanied by commodore Chauncey.

St. Louis, Sept. 20.

The following account of the attack on Fort Belle Vue, was handed to us by a friend who was at the post during the siege. The position is one of the most ineligible on the Mississippi for a place of defence: as from an eminence their parade ground could be swept by small arms, and it is almost surrounded by chasms to within ten or twelve steps of the pickets and block-houses, from whence the Indians threw upwards of 500 pieces of burning timber on the roofs of the houses; and when the attack commenced there was no spot about the fort that did not emit a continued sheet of fire from guns, fiery arrows and brands, and did not afford the brave fellows within an opportunity of doing much execution, except now and then knocking over such *red skins* as had the impudence to peep over the bank. Lieutenants Hamilton and Vasques have done themselves much credit in the defence of the post committed to their care.

Sept. 15.

ATTACK ON FORT BELLE VUE.

On the 4th inst. at half past 5 P. M. this garrison was attacked by a party of Winchagoes, the number not precisely known, but supposed to be upwards of 200. Fortunately there was only one soldier out of the garrison (John Cox) who fell a victim to the scalping knife. A constant firing on both sides were kept up until dark; early next morning they commenced again, and about 7 o'clock they set fire to Mr. Graham's boat and landing; this

man arrived on the 4th; they also burnt two boats belonging to the public; soon after they began to throw fire on the block-houses and stood near the bank of the river, but not sufficiently near to command the space between them and the river; syringes being made of gun-barrels, the roofs were wet so as to prevent fire taking: during this time, part of them killed the live stock, plundered and burnt Mr. Julian's houses, destroying the corn, and on the 7th they continued throwing fire on the block-houses and shot arrows into the roofs with matches tied to them. The morning being calm, all their fire attempts on the block-houses proved useless. In the evening they burnt Mr. McNabb's house and attempted the smith's shop, and it was generally believed they were only waiting for a favorable wind to burn the factory, so that it might catch the garrison, which would have been the certain means of destroying us all: to prevent that, as the evening was very calm, the commanding officer, Thomas Hamilton, dispatched a soldier with fire to the factory; and in less than three hours that building was consumed without any danger to the garrison. During this day several Indians crept into an old stable and commenced shooting out of it, but a shot from the cannon by lieut. B. Vasques, soon made their yellow jackets fly.

On the 8th we heard but little from them; several canoes were seen crossing the river, and on the 9th not an Indian was to be seen nor a gun fired. I am happy to say no lives were lost in the fort: one man was slightly wounded in the nose. The Indians must have had many killed, as several of them were seen to fall.

From the National Intelligencer.

The Floridas. Our readers doubtless recollect, that during the session of Congress before the last, both houses sat with closed doors on certain business, the nature of which was not divulged at that session. Some weeks after the close of the session, a disclosure was made by some person, in violation of the injunction of secrecy, through the medium of a Connecticut paper, of those proceedings—which we then gave our readers for as much as they were worth, without having it in our power to say whether or not they were authentic. At the last session of Congress the injunction of secrecy was removed from the proceedings on the act passed at the previous session; which, although not officially made public, we now publish from the purloined copy originally published in the Connecticut Mirror, for the information of our readers; who will perceive that it was under this act that the late gen. Mathews and col. McKee were appointed agents—from the erroneous proceedings of the former of whom resulted the seizure and restoration of Amelia Island, during the last winter, and other circumstances, cotemporaneous with, as well as subsequent to, that event. The following is the act in question, which passed in the house of Representatives by a vote of 76 to 44.

An Act entitled an act authorising the President of the United States to occupy the territory therein mentioned, and for other purposes.

Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*

That the President of the United States be, and he is hereby authorised to take possession of and occupy all or any part of the territory lying east of the river Perdido and south of the state of Georgia and the Mississippi territory, in case an arrangement has been, or shall be, made with the local authority of the said territory, for delivering up of possession of the same, or any part thereof, to the United States, or in the event of an attempt to occupy the said territory or any part thereof, by any foreign government; and he may for the purpose of taking possession and occupying the territory aforesaid, and in order to maintain therein the authority of the United States, employ any part of the army and navy of the United States, which he may deem necessary.

Sec. 2. *And be it further enacted,* That 100,000 dollars be appropriated for defraying such expenses as the President may deem necessary for obtaining, as aforesaid, and the security of, the said territory, to be applied under the direction of the President, out of any money in the treasury not otherwise appropriated.

Sec. 3. *And be it further enacted,* That until other provisions be made by Congress, the President be, and he is hereby authorised to establish within the territory aforesaid, a temporary government, and the military, civil, and judicial powers thereof shall be vested in such person and persons, and be exercised in such manner as he may direct, for the protection and maintenance of the inhabitants of the said territory, in the full enjoyment of their liberty, property, and religion."

Letters from the Mississippi Territory as late as the 20th of September, state that the Chickasaw, Cherokee, and Choctaw Indians, are determined to remain friendly to the U. States.—*ib.*

Capt. Baker, late of the North-Western army, who returned on parole, has proceeded to Quebec, with clothing and money for our brave fellows who were surrendered prisoners at Detroit.

NAVAL & MARINE MEMORANDA.

ARRIVED,

At Baltimore, British brig Point Share, from St. Johns, N. S. for Barbadoes, with a cargo of fish, prize to the letter of marque schr. Baltimore, captured on her way to France. Privateer schr. Rossie, com. Barney, from a cruise—this schooner has *taken, sunk, and burnt,* eighteen prizes; she has been ninety days *effective* at sea; her cruise extended to the eastward of the Grand Bank of Newfoundland, and on the banks of the port of St. Johns—along that coast to the Isle of Sables, on St. George's Bank—touched in at Newport, (R. I.) for officers and men, filled water, and proceeded to the West-Indies. Passed off Bermudas; from thence to windward of the Sombrero passage, the passage by St. Thomas's; Mona passage; Turks-Island passage; the Caycos passage; and Crooked Island passage; then into the Gulf of Florida and home. The crew are in high health and spirits, not a man sick, except the *wounded in action;* the most of them are nearly recovered. The result of the Rossie's cruise is, *the capture of three thousand six hundred and ninety-eight tons of shipping, va-*

lued at upwards of One Million Five Hundred Thousand Dollars—and 217 prisoners of war.

At Salem, British schr. Four Sons, from the West-Indies for Newfoundland, prize to the Fame. British schr. Betsey-Ann, from the Bay of Chaleur, with 370 barrels salmon, a quantity of furs, and some butter, prize to the Fame. British brig Henry, from Liverpool for Halifax, cargo of crates, salts, and coal, prize to the ship John; she is a handsome new vessel, on her first voyage, and a fast sailer. Privateer ship John, Crowninshield, from a cruise of 45 days. Sept. 28, captured the British schr. Bloude, from Dominique bound to St. Johns, N. F. with a full cargo of rum. Sept. 30, captured British brig Henry, from Liverpool for Halifax, with crates, coal, and salt. Oct. 15, recaptured the privateer schr. Industry, Mudge, of Lynn, having been risen upon and captured by the prisoners on board. Capt. Mudge had captured, besides those arrived, an English ship of 500 tons and manned her out—but having only 5 men of the privateer's crew left, and the prisoners being three times that number, they took possession of her, after a short skirmish, in which capt. M. was slightly wounded, and afterwards fell in with the English ship which they also re-captured; capt. M. and his men were in irons, and the Englishmen intended to carry them to Ireland. Oct. 15, the John captured the British ship Jane, 350 tons, for Port Glasgow, with naval stores and lumber. Same day, captured brig Neptune, from St. Johns for Leith, with timber. Also, captured three English fishing brigs and released them. The John has brought in above 40 prisoners.

At Marblehead, British coppered ship —, in ballast, prize to the Industry.

At Charleston, British schr. Antelope, of Curraçoa, prize to the Rosamond, of New-York. The Antelope was formerly a French privateer, called the Bonaparte. British ship Phenix, carrying 12 guns, 9's and 6's, and 17 men, cargo, 100 pipes Fayal wine, prize to the Mary-Ann, of Charleston, captured after a smart action, in which the captain of the Mary-Ann was wounded—no lives lost on either side. The Phenix, in coming up the channel in the evening, was fired at from fort Moultrie—the shot upset one of the guns, tore up the plank shear, shattered the boat, and lodged in a spar on deck—fortunately it killed no one. Privateer Mary-Ann, from a cruise—has sent in no prizes but the Phenix—destroyed several small vessels and a British cutter loaded with coffee—about 20 miles south of the bar, fell in with and recaptured the schooner Union, of and for New-Haven, and sloop Mary-Ann, for New-York, which had been captured by three English gun-brigs cruising off the bar—the recaptured vessels got safe back to Charleston again. Several other coasters had been captured by the brigs, and a valuable vessel from Portugal.

At Savannah, British schr. Fame, from Trinidad for Cayenne, with dry-goods, oil, &c. prize to the Nonsuch, of Baltimore. British schr. Rawson, cargo of sugar, coffee, rum, &c. prize to the Wasp, capt. Taylor, of Baltimore, who 5 days afterwards was taken by the British frigate Garland and sent into Jamaica.

At Beaufort, N. C. British brig Industry, of London, carrying 10 guns and 20 men, prize to the Comet, of Baltimore; cargo, 200 bales cotton, 190 hlds. sugar, 40 hlds. coffee, 80 hlds. molasses, 2 pipes wine, and a quantity of cocoa.



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