

# MARYLAND GAZETTE.

[LXVIIIth Year.]

THURSDAY, JANUARY 23, 1812.

[No. 3393.]

## CONGRESSIONAL.

### HOUSE OF REPRESENTATIVES.

Saturday January 11.

Mr. Bacon presented the petition of sundry merchants of Boston, stating that they had purchased anterior to a knowledge of the president's proclamation of November 2d, 1810, various goods and wares of British manufacture and growth now in Canada, Nova Scotia, &c. and praying leave to import them. Referred to the committee of the whole to whom was referred the bill on that subject.

Mr. Little offered a resolution the substance of which was, requesting the president a list of the American ships and vessels captured under the authority of the British government, together with the value of their cargoes, since the treaty of amity, commerce and navigation of 1794, as well as the amount of indemnifications for such captures and condemnations.

Mr. Bigelow wished the honourable member would consent to amend his resolution by saying, "under the authority of the British or any other foreign government," as he could not see the propriety of selecting the British government.

Mr. Little observed that he did not wish his resolution so amended, having a distinct object in view.

The resolution was laid on the table. The house went into committee of the whole, Mr. Bailett in the chair, on the Volunteer Bill.

The amendments of yesterday were still pending. After considerable debate the committee rose without coming to a decision upon them, reported progress and had leave to sit again.

The house then adjourned.

Monday, Jan. 13.

Mr. Bailett took the chair in committee of the whole on the volunteer bill. Mr. Nelson continued a short time the speech he commenced on Saturday, but his voice, owing to a cold, failed him, and he was obliged to desist. Mr. Milnor spoke against the doctrine that the militia could be marched out of the U. States. Mr. Macon spoke against the bill.

Mr. Poindexter offered an amendment, the substance of which was, that the volunteers should sign a writing, and should be liable to be marched out of the union. Mr. Bacon appended that amendment by a proviso; provided the state to which the volunteers belonged consented.

Mr. Key spoke at length against the amendment and proviso; endeavouring to prove that the states could not give such consent; that the volunteers could not offer it; and that congress could not accept: the constitution allowing the call of the militia only in three cases: to repel invasion, suppress insurrection, and execute the laws; and that no officer commissioned by any state, could exercise command out of the territory of the U. States.

Five members only supported the proviso, and nine the amendment.

The committee of the whole rose, reported progress, and the house adjourned.

Tuesday, Jan. 14.

The house took up the volunteer bill as reported by the committee of the whole yesterday, with amendments. The question was on agreeing to the amendments. Various propositions were made to amend the amendments, and much animated debate took place, in which great diversity of opinion prevailed as to the principles and purposes of the bill.

Mr. Bacon moved to strike out 50,000 & insert 20,000, and to confine that number solely to the defence of the U. States within its territory, and not suffer them to march out for the purposes of foreign conquest. He contemplated bringing forward a proposition to raise a different force and for a different purpose, by modifications of the first bill reported by the committee of foreign relations.

Mr. Nelson considered it unnecessary, the president having already power over the militia.

Mr. Grundy said Canada was the object; and as the militia could not be marched out of the territory of the U. S. it would be necessary to pass another bill for volunteers who could on certain terms be marched out of the nation.

Mr. Randolph spoke an hour against the amendment. He would not have the militia called except as the constitution pointed out. He considered the principle dangerous, that of placing the militia. He ridiculed the idea

of attacking Canada; for one he would not take it as a gift.—The president, he said, would not dare to send an army there, when, at a week's notice, 5,000 troops and a squadron could arrive from Halifax in the Hudson or Chesapeake, and lay perhaps N. York or Norfolk in ashes.

Mr. Bacon altered his amendment from 20 to 25,000.

After some debate, the question was taken, and the motion lost, 11 to 86.

Mr. Bigelow remarked that no militia man of any of the states would enlist, without the consent of his commander in chief, the governor of the state where he resided.

The house agreed to the amendments of the committee of the whole, and then adjourned at early candle light.

Wednesday, Jan. 15.

Mr. Condit offered a resolution calling on the president for copies of instructions given to our minister in London, with respect to the impressment of American citizens in the navy of Great-Britain, except such as may be improper to be communicated on account of any negotiation now pending. Laid on the table.

The volunteer bill was called up.

Mr. Bigelow spoke against the bill, considering it unconstitutional; the constitution permitting congress to use the militia only when suppressing insurrection, repelling invasion or enforcing the laws. According to the principles of this bill congress had the same right to specify any particular company, regiment or battalion, and demand, accept, and use them without the consent of the state to which they belonged.—The bill he considered unconstitutional and nugatory for any offensive purposes, or any purposes to which under present exigencies, it could be applied.

Mr. Lacock, among other considerations, assimilated an American ship to an extension of territory, a floating colony that might be invaded. Hence an attack on that ship was an invasion, and the militia might constitutionally be demanded to repel invasion. The states, he said, before the adoption of the constitution could march their militia where they pleased and could now.

Mr. Cheves spoke with great ingenuity in support of his assertion that the militia could be marched out of the U. States.

Messrs. Key and Nelson spoke with force of argument against it. Mr. Key spoke with uncommon animation and ability.

Mr. Pickens offered an amendment, giving the president authority to commission the officers of companies who might associate and volunteer, from 60 to 80, if in his opinion they were qualified to the amount of 25,000.

A motion was made to amend the bill by saying the forces to be raised by it should be employed within the U. States. The motion was lost 34 to 80.

A motion was then made to amend it by saying, "within or out of the U. S." for the purpose of obtaining the sentiment of the house on the question; but the house adjourned without deciding it.

Thursday, Jan. 16.

A communication was received from the president containing a statement of the expenses attendant on seizing the country east of the Perdido (Florida)—which was \$3,396—also a list of persons impressed by the British.—Ordered to be printed.

The Volunteer Bill was called up. An amendment, binding the volunteers to do duty "within or out of the U. S." was, after a debate withdrawn. The bill was finally ordered to be engrossed, yeas 96, nays 25, for a third reading to-morrow.

Mr. Newton gave notice that he should to-morrow call up the bill to authorize the Importation of Goods purchased before February last.

Friday, Jan. 17.

The bill authorizing the President of the U. States to accept and organize certain volunteer corps was read a third time and passed, 87 to 23. The yeas and nays were the same as upon the question of ordering the bill to be engrossed; except that some of the members who voted on the former question, were absent on this.

The bill for establishing a quarter-master's department, was read the third time, and after some objections, passed its third reading.

The house then went into a committee of the whole, Mr. Nelson in the chair, on the bill concerning the naval establishment, when Mr. Cheeves spoke for about two hours in support of the bill. A message having been received from the President of the U. States, and the usual hour of adjournment being ar-

rived, Mr. C. said, if it were agreeable to the committee, he would finish his observation to-morrow. The committee accordingly rose and had leave to sit again.

[The Bill authorizing Importations from England, was not taken up.]

The following message from the President of the United States, was then read, and ordered to be printed.

To the Senate & House of Representatives of the United States.

I lay before congress a letter from the envoy extraordinary and minister plenipotentiary of Great Britain to the Secretary of State, with the answer of the latter.

JAS. MADISON.

Washington, Jan. 17, 1812.

Mr. Foster to Mr. Monroe.

Washington, Dec. 28, 1811.

SIR, I have been informed by Mr. Morier, that so long ago as the 3d of last January, in consequence of a written communication from Sir James Craig, his Majesty's Governor General and Commander in Chief in Canada, dated the 25th of November, 1810, acquainting him with his suspicions of its being the intention of some of the Indian tribes, from the great fermentation among them to make an attack on the U. S. and authorizing him to impart his suspicions to the American Secretary of State; he had actually done so verbally to Mr. Smith, your predecessor in office, and on searching among the archives of his mission, I have found the letter alluded to of Sir James Craig by which he did authorize Mr. Morier to make the communication in question, as well as a memorandum of its having so been made, as also an express declaration of Sir James Craig, that although he doubted there would not be wanting persons who would be ready to attribute the movements of the Indians to the influence of the British government, yet that his department were actually making every exertion in their power to assist in preventing their attempts.

This evidence, sir, of a friendly disposition to put the U. States government on their guard against the machinations of the savages and even to aid in preventing the calamity which has taken place, is so honourable to the Governor General of Canada, and so clearly in contradiction to the late unfounded reports which have been spread of a contrary nature, that I cannot resist the impulse I have to draw your attention towards it; not that I conceive, however, that it was necessary to produce this proof to the U. States government of the falsity of such reports, which the character of the British nation, and the manifest inability of urging the Indians to their destruction, should have rendered improbable, but in order that you may be enabled, in case it shall seem fitting to you by giving publicity to this letter to correct the mistaken notions on the subject, which have unfortunately found their way even among persons of the highest respectability, only, as I am convinced, from their having been misinformed.

I have the honour to be, &c.

AUG. J. FOSTER.

Hon. James Monroe.

MR. MONROE TO MR. FOSTER.

Department of State,

January 9, 1812.

SIR, I have had the honour to receive your letter of the 28th ult. disavowing any agency of your government in the hostile measures of the Indian tribes towards the U. States. If the Indians desired any encouragement from any persons in those measures of hostility, it is very satisfactory to the President to receive from you an assurance that no authority or countenance was given to them by the British government.

I have the honour to be, &c.

JAS. MONROE.

His Ex. Aug. J. Foster, &c. &c.

The committee to whom was referred the message of the President of the United States transmitting two letters from Governor Harrison of the Indiana territory, reporting the particulars and the issue of the expedition under his command against the Hostile Indians on the Wabash, and to whom also was referred the memorial of the General Assembly of the Indiana territory, and the memorial of the officers and soldiers of the militia of Knox county, in the Indiana territory, who served in the late campaign under the command of Governor Harrison, Report, That they have had the several matters to them referred under their considera-

tion, and have given to them that attention which their importance seems to merit.

It appears to the committee, that the troops under the command of governor Harrison may very properly be termed raw troops; very few of the officers, and almost none of the men, had ever been in actual service; and a considerable portion of them had been only a few weeks withdrawn from the pursuits of civil life. The attack made on this quickly assembled army by the hostile Indians on the Wabash, when viewed either as it relates to the nature of the enemy, the time or the violence with which the attack was made cannot but be considered of such a character as would have severely tested the collected firmness of the most able and experienced troops. This attack, violent and unexpected as it seems to have been, was repelled by the troops under the command of governor Harrison, with a gallantry and good conduct worthy of future imitation. The whole transaction, in the opinion of the committee, presents to the American people a new proof, that the dauntless spirit of our ancestors, by whom the war of the revolution was so ably and successfully maintained, has not been diminished by more than thirty years of almost uninterrupted peace, but that it has been handed down unimpaired to their posterity.

In estimating the claims of the army on the government of the United States it is worthy of remark, that the nature of the country as well as of the enemy to be encountered, subjected the army to many extreme hardships, and equal dangers, where every thing was hazarded and but little could be gained except the regard of their country.

The volunteers and militia whose claims the memorialists referred to the committee particularly relate were in actual service but a short time, for which alone they are entitled to pay by law: the compensation, therefore, to which they are entitled, is not at all commensurate to the services rendered and the dangers incurred. Besides, many of the officers and men who fell or were wounded in the battle of the 7th November 1811, were purchasers of the public lands, for which they were indebted to the United States, which debt falls due in a short time, and the penalty of forfeiture will be incurred if the debt is not paid. It would be unjust to inflict a penalty so severe on the disconsolate widows and orphans of those officers and soldiers of the volunteers and militia, who in common with their brother officers and soldiers of the regular troops, fell in their country's cause, in a manner so distinguished that nothing was wanting but a great occasion, interesting to the feelings of the American people, to have crowned their names with unfading laurels.

As an evidence, therefore, of the regard due to the bravery and ability displayed by the troops under the command of Governor Harrison, in the battle of the 7th November 1811, as well as to relieve the representatives of those who were killed in the action, from the pecuniary losses incurred in consequence thereof, the committee respectfully submit the following resolutions:

1st. Resolved, That one month's pay ought to be allowed, in addition to the common allowance, to the officers, (according to the rank which they held) the non-commissioned officers and privates of the regulars, volunteers and militia and the legal representatives of those who were killed, or have since died of their wounds.

2d. Resolved, That five years half pay ought to be allowed to the legal representatives of the officers (according to the rank which they held) the non-commissioned officers and privates of the volunteers and militia, who were killed in the battle of the 7th November, 1811, or who have since died of their wounds.

3d. Resolved, That provision ought to be made by law to place on the pension list, the officers, (according to the rank which they held) the non-commissioned officers and soldiers of the volunteers and militia, who served in the late campaign on the Wabash, under the command of Governor Harrison, and who have been wounded or disabled in the said campaign.

4th. Resolved, That provision ought to be made by law to pay for the horses and other property of individuals, lost in, or in consequence of the said battle.

5th. Resolved, That further time of years ought to be allowed to the officers and soldiers who were wounded, and to the legal representatives of those who were killed in the said battle, to complete the payments due or which may fall due to the United States on any purchases of the public lands made by them before the said battle.

H. G. MUNROE,  
HAS FOR SALE,  
A General Assortment of  
Goods and Groceries  
Wholesale and Stationary.  
CAF AND LUMP SUGAR,  
At the Factory Prices.  
Number 7, 1811.

This is to give notice,  
That the subscriber hath obtained  
from the orphans court of Anne Arundel  
county, letters of administration  
on the personal estate of James Harwood,  
deceased: he requests, that all persons  
having claims against said estate bring the same  
legally proved and authenticated, so as to be  
admitted in any manner indebted to the  
said deceased to make immediate  
payment to  
WM. S. GREEN, Adm'r.  
7, 1811.

NOTICE.  
The subscriber having obtained from  
the orphans court of Anne Arundel  
county, letters of administration  
on the personal estate of Nicholas  
Wood, late of the county aforesaid  
deceased, all persons having claims  
against said estate are requested to bring  
the same legally proved and authenticated  
to pass the orphans court. And all  
persons who are in any manner indebted  
to said deceased are hereby requested  
to make immediate payment to  
LEWIS DUVALL, Adm'r.  
de bonis non.  
31, 1811.

For Sale,  
A farm on which I reside, near the  
head of South River, containing  
hundred and eighty acres of  
farming land, about one half is  
wooded; the arable land is adapted  
to the growth of clover and plaiater, and  
is to great advantage. I will give  
credit for two thirds of the purchase  
money. Any person desirous of purchas-  
ing view the premises by applying to  
the subscriber  
RICH. HALL, of Edw'd  
county, Oct. 10, 1811.

NOTICE.  
The subscriber being, by a decree of the  
honourable the Chancellor of Maryland,  
appointed trustee for the sale of the  
estate of George Mann, late of the city  
of Annapolis, deceased, in pursuance of  
the provisions of the said decree, hereby  
gives notice, that he has received the  
proceeds of the sale of the said estate,  
and also to all the creditors of the  
said Mann, late of the city of Annapolis,  
deceased, to exhibit their respective  
claims, with their vouchers, properly  
authenticated, in the court of chancery,  
within the term of the 1st day of October  
next, to THOS. H. BOWIE, Trustee,  
at 28, 1811.

ADRIFT.  
Taken up by the subscriber, on  
the Point, a Quantity of Fine Plank, and  
One Piece of Walnut Scantling,  
which is requested to come, prove property  
and take it away  
Charles Boston.  
3X  
July 2, 1812.

NOTICE.  
Persons are forewarned from  
hunting, either with dog or gun,  
in any way whatever, on my  
land, known by the names of Belmont,  
Thomas's Point, or on my lands lying  
between Fishing and Smith's Creeks.  
Law will be put in force against any  
offender.  
JEREMIAH T. CHASE.  
7, 1811.

NOTICE.  
The subscriber having obtained letters  
of administration on the personal estate  
of William Green, late of Anne Arundel  
county, deceased, requests all persons  
having claims against the said deceased  
to bring the same, legally authenticated,  
to pass the orphans court, and all persons  
indebted to the said deceased to make  
immediate payment.  
WM. S. GREEN, Adm'r.

ANNAPOLIS  
PRINTED BY JONAS GREEN.  
Price—Two Dollars per Annum