IN SENATE OF THE UNITED STATES January 21, 1818.

The committee on Naval Affairs to whom have been referred the memorial of certain commissioned officers of the navy, under the rank of commanders, and also the memorial of certain officers of the marine corps attached to the Mediterranean squadron, have had the same under consideration, and REPORT-

That your-committee, duly impressed with the importance and delicacy of the subjects referred to them, and anxious to pursue that course which will best comport with the good of the public service and the high duties of the Senate, have given the several memorials all the consideration to which they are entitled.

The memorialists of the navy and marine corps pray that the Senate would institute an inquiry into the proceedings of the two naval courts martial, had in the Mediterranean, in the early part of the last year. They complain that thos. proceedings were such as to impair their confidence in the tribunals which have been established by the laws of the country for the protection of the rights of all who are connected with the naval establishment.

The memorialists of the marine corps pray, that their rights may be guarded by a special act of the legislature, " or that the rules and regulations for the better government of the navy be more strictly carried into execution."

Your committee sincerely regret

that any circumstances should have occurred, which have caused discontents among any portion of the officers of the United States Navy. They have indulged the hop, that the high reputation and r nown which had been acquired by the naval establishment of this country in war, would be cherished and sedulously guarded in the season of prace, by every officer of the corps. It is only by a correct deportment; by a rigid discharge of duty, and a strict observance of the laws, that their well earned fame can be preserved. If these observations are correct, as it regards the individual officers of the navy, they most strongly apply to their tribunals. If naval courts martial, or courts of inquiry, have become so negligent, or so partial and unfaithful in the discharge of their duties, that those who should look to them for protection can no longer confide in them but must resort in the language of the memorialists, for safety " to those arms wi h which their country has entrusted them, or to that strength with which nature has endowed them," then, indeed there is most serious cause of alarm: But your committee do not believe that this is the condition and character of your naval tribunals. They have heretofore been unimpeached.

Under their administration the American naty has attained a character, both at home and abroad, of which the nation is justly proud. In the instances complained of, for criticism; the proceedings may have been such as not to give entire satisfaction to all; but your committee are decidedly of the opinion, that whatever may be the character of the proceedings of the courts martial under consideration, they are beyond the control of the Senate. It has no power that can reach these cases. It has none other than legislative power, touching these matters, which in its nature cannot be retrospective. The corrective, in such cases is confided by the institutions of the country to the Chief Magistrate, and to that department of the government would their complaints, perhaps, have been most properly addressed.

There is another view of the subject, to which the committee have not been mattentive. It has been considered a fit occasion to look into the laws governing the navy, in order to discover whether any defects exist which may require legislative correction. Your committee have done so, on examination are of opinion, that no legislative proceedings are necessary at this time.-

The rules and regulations for the government of the navy now in force, are those under which it has grown up and acquired a reputation for discipline and efficiency, which your committee believe is not sur-passed by any similar establishment. me in an insolent, disrespectful, and had passed, capt. Perry, from (as he

plaint, if any, are not in the laws, sevening of the 18th Sent. 1816, on Health's blow, and after having combut in the administration, of the board the U. States frigate Java, mitted this outrage on his person laws. As it regards the marines, description of force most necessary and useful, and which merits the fostering and protecting care of the overnment, the committee on exmination, find that they are subject to do duty affoat and on shore, as the executive, at his discretion. may direct: and that they are "go verned by the same rules and articles of war, as are prescribed for the military establishment, and by the rules for the regulation of the navy, heretofore or which shall be established by law, according to the nature of the service in which they shall be employed." The committee know no footing more proper on which to place the marines than that on which the law has already placed them. Were new rules now to be prescribed for their government and protection, it is believed that none other ought to be prescribed than those which now exist Your committee therefore repeat that in their opinion, the defect, if any, is not in the law, but in its execution Viewing, then, the subjects referred to them in all their bearings, feeling the danger of affecting that discipline which is the vital principle of all military estab lishments; while they would frown with indignation on every act which savored of oppression, or of mal-administration, your committee respectfully submit the following resolution:

Resolved, That the committee on Naval Affairs be discharged from the further consideration of the memorial of the naval officers of the Mediterranean squadron, under the rank of commanders, and the memorial of-the officers of the marine corps, of date the 17th January,

The memorial of the commissioned of fivers of the viettierraneau sound ron, under the rank of comman ders. to the honourable the Senate of the United States, dated Port

Mahon, Jan. 20th, 1817. The undersigned, officers holding commissions in the navy of the U. States, beg leave most respectfully to state to the honourable the Senate of the United States, that, having entered the service early in life, from motives of love of their country, respect for its naval character, and a sincere wish to become useful, they would willingly encounter dangers of any kind, or endure any hardships which the good of the service or the preservation of discipline may make necessary; that, together with a willingness to risk their lives and sacrifice their comforts, they have heretofore felt a firm reliance on the protection which the well digested laws of their country were intended, by the framers and enactors of them to afford to officers of every grade, against the wanton exercise of that power which all military establishments must place in the hand of the superior over the subaltern. Guarding with cautious jealousy their reputation and their rights against all assaults, which have not been designated by the law for the guardianship and arbitration of the most respectable of all tribunals, (a court martial,) there may have been some ground they have witnessed with the deep est regret, the proceedings on a late transaction which has been brought of the eldest officers of this squadron-of officers who from their rank in service, we had hoped would prove as jealous guardians of our rights as of their own. We beg leave, respectfully, to state the leading circumstances of this case .-Captain John Heath commanding the detachment of the marines on board of the frigate Java, under the command of Oliver H. Perry, Esq. was so unfortunate as to incur the displeasure of his commander. The merits of the case between these two officers we do not presume to canvass; but we are imperiously called upon to notice the subsequent events. A court martial convened in the harbour of Mahon, on board the Java, on the 31st December, 1816, for the trial of Captain John Heath, on charges and specifications, of

which the following is a copy. Charge 1st, Disrespectful, insolent, and contemptuous conduct to me his superior officer. Specifica-tion 1st. That he did, on or about 22d. of July, 1816, on board the U. States frigate Java then standing into the Bay of Naples, on being asked by me " why a certain marine was suffered to appear on deck in so and the acknowledgment of captain In this state of things, they are of contemptuous manner. Specifica- says) "A disposition to chastise in opinion, that the causes of com- tion 2d. That he did late in the solence on the spot," gave to capit.

then at anchor in the harbour of Messina, cause a letter, written by himself and couched in a language highly improper to be used towards his commanding officer, to be left on my table in the cabin of said ship. Specification 3d. That he did when sent for into the cabin, on being asked "why he took such a time-to write me a letter of that kind," assume a deportment towards me nighly provoking and disrespectful. The aforesaid charge and specifications being in violation of a part of the 15th article, and a part of the 13th article of the rules and regulations for the better government of the Navy of the U. States.

Charge 2d. Neglect of duty and unofficer like conduct. Specification 1st. That on or about the evening of the 16th Sept. 1816, on board the U. States ship Java, then at anchor in the harbour of Messina, he, the said captain John Heath, did on two marines jumping overboard to swim from the ship, neglect to come on deck, although called and informed of this circumstance, alledging as a reason therefor the subterfuge of his being sick. Specification 2J. That he did when ordered by me, at said time and place, to come on deck and muster the marines, execute that duty in a careless and indifferent manner: and when the marines were mustered, did neglect to report to me until called and directed so to do. Spec. 3d. That he did neglect on the desertion of said marines from the ship, to take those immediate steps for their recovery that became him as commanding officer of the detachment to which they belonged, and were required by the urgency of the case. This charge and specification being in violation of a part of the 20th article, and the 28th article of the rules and regulations for the better government of the nevy of the United States.

Charge 3d. Disobedience of orders. Specification. That he did at me time and place referred to, in the 3d specification of 1st charge. though repeatedly ordered to be silent, continue to speak although warned of the consequences, and in the same indecorous and contemptuous manner as is therein alleged. thereby violating a part of the 14th article of the rules and regulation: for the better government of the navy of the United States.

(Signed) O. H. PERRY. U. States ship Java, Algiers Bay, 14th Oct. 1816.

Of these charges and specifications it will be necessary to observe only, that the offence on which the greatest stress is laid, was commit ted as the specification states, on the 22d July, 1816; that captain Heath was neither arrested, suspended, nor warned that notice would be taken of this offence; that on the 16th September, 1816, captain Heath is again supposed by capta n Perry, to commit an offence, for which captain erry suspends him from the exercise of the duties of his office; that in the interval between the commission of these two offences, a general court martial convenes in the Bay of Naples, of which court captain Perry is president, and captain Heath a member; that after captain to the decision of a court composed captain Perry, of which the follow-

> United States frigate Java, Messina, Sept. 18, 1816.

Sir, On the evening of the 16th inst. was ordered below by you from the quarter deck of this ship, with these words, or to that effect, "I have no further use for your services on board this ship." I have waited until this moment to know, why I have been thus treated; and being ignorant of the causes, request my arrest and charges.

Very respectfully, Your obedient servant, ned) JOHN HEATH. (Signed) Captain Marines.

The language of this note, Captain Perry considered disrespectful, and summoned captain Heath into his cabin. Willingly would your memorialists draw a veil over the transaction, which then and there took place; most willingly would they bury in oblivion a transaction Bowling's Tavern, Upper Marlborough, so disgraceful to the character of an the second Monday in May next. they bury in oblivion a transaction American officer. But justice to themselves forbids it. It appears of this Meeting, be published; for the information of the Paculty, and that

with much abasive language, ordered him to be confined to his room and a centinel placed over him, a measure which hitherto has been considered justifiable in extreme it he cases only. A little reflection con- out vinced captain Perry, of the impropriety of his conduct, and alarmed him for its consequences, he accordingly, through the medium of another post captain and the first lieutenant of the lava, made an overture to captain Heath of reconciliation, and through them tendered an apology, but insisted on terms of his. own dictating. This, captain Heath. having a due regard for his own reputation, for the commission which he has the honour to hold, and for the respectability of his brother officers of the same rank, positively refused to accept, and in his turn preierred charges agai st captain Perry. A court martial convened, and as we have been unofficially informed, for the trial of both; but captain Perry remained in the exercise of the functions of his office, while captain Heath was in close confinement. Of the proceedings of this court your Memorialists know but little; they have ere this, they presume, been laid before the honourable Secretary of the Navy. -But they know that captain Perry has sailed for the United States. in command of the lava with the sanction of a court martial and that of the commander in chief to sup port his conduct.

(To be concluded.)

JAMES F. BRICE,

Attorney at Law, has just published Familiar Explanation of the Laws of Wills and Codicils, and of the Laws of Executors and Administrators, and the Rules whereby estates both real and personal descend; and are to bedistributed, in case no will be made, with instructions to every man to make his own will, the necessary form for that purpose, and the forms of other instrued persons. The whole written as much as possible without the use of law words or terms.

The original work, whence this com pilation is derived, was, as this also is chiefly intended for the benefit of those who are unacquainted either with the doctrines or the forms of law, & who wish to be instructed how to act, with out subjecting themselves to the necessity of communicating the knowledge of their private concerns to any other person. This, among other considerations, has induced the author to compile this treatise, that a book may be always at hand, to which immediate application may be had in those cases of emergency, when every moment is precious; and by means whereof many, at least of those mistakes and omissions now daily committed may be avoided. law suits prevented, and the peace of families thereby secured. The compiler has in connexion with the original work, and in order to render the present system the more complete, incorporated therein that portion of the law of this state which is applicable to the estates of deceased persons, and sub joined thereto a digest of the testamentary laws.

This work may be had at this office, at Mr. George Shaw's book store in this city, and at the book store of Mr. Coale, Baltimore.

Heath a member; that after captain Heath had been suspended from duty two days, he addresses a note to captain Perry, of which the following is a copy,

The editors of the American & Federal Gazette are quested to insert the above in once a week for the pace of six weeks. Annapolis, Oct. 10.

Upper Marlborough,

November 3d, 1817. Agreeably to public notice by the Censors, a meeting of the Members of the Faculty was held at Major Bowling's Tavern, Upper Marlborough; when Dr. Samuel Franklin was called to the chair, and Dr. J. B. Semmes appointed secretary; and the following resolutions were submitted and unanimously carried: 1st. Resolved, That in the opinion

of the Members of the Faculty present, that it is expedient to organize a Medical Society for Prince George's county.

2d. Resolved, That a committee of three be appointed to draft a Constitution for the government of said Society, and that they report at the next meeting of the Faculty.

Sd. Resolved, That Doctors B. J. Semmes, Samuel Franklin, and J. D. Barrette, be the committee.

4th. Resolved, That the next Meeting of the Faculty be held at Major

they are hereby invited to attend the next meeting.

Samuel Franklin, Chairman. B. J. Semmes Secretary. Dec. 4, 1817 : 1.D.J.F.M.3A.

PROCEAMATIC The immunerable mercies with the pleased Almirahy good for our pleased Country during the year transport fail to grain the live emotion of hankfuldes in erry search of the property of the pr At no period mays may mention riches of Divine Benevolence been no signally displayed; Peaks ad in he attendant train, all that can be attendant train, all that can be attended to the contraction of the of our Country, other prosperity of our county, strength and inviously national of fifther tutions, & dievate to the following the giory of our National China Plenty, literally rewarding the Industry, from the horn of her dance; Scielee and the Arts dr genius, to watever can improve ameliorateth conditionof making amenorate in conditions making bligion extending her mild in paid swey throug out the borden of hand, and shedding her benignative fluence upon the public moral & ings which demand a People's grain to the Divine and munificent Aun

In these mercies the good People the State of Maryland have abundant participated; the wounds inflicted on her prosperity by the ravige war! are already healed; Agriculta repays with rich abundance the book industry of her ions; her Comme whitens every sea, and renders thek whitens every sea, and renders the motest quarters of the globe tributar to her wealth & power; while her in nufactures carry her forward to the proudest anticipations of real line; and dence. In the full and unrestrained enjoyment of these, and other blessing it is most that we remain the mile and the search and the se it is meet that we remember with grant ful hearts, the divine source from whence they all proceed, that we continue to the Lord, thank-giving and print for all his mercies towards us acknown. ledge our dependence on his bourf implore pardon for our unworthing and pay our vows of renewed love and obedience

Actuated by these sestiments and confidently relying on the general confidently relying on the general confidently relying on the general confidence of the general confidence of Maryland, I have hought it to issue this Proclamation, accommending Thursday the 12th day of Fibrary next, to be observed and kep as a dry of Public Thanksgiving and Payer, for all the blessings vouchsafed unto us by the beneficent Lord and Governor of the Universe.

Given under my hand, and the teat of the State of Maryland, this fitth day of January, in the year of our Lar one thousand eight hundred and eigh C. RIDGELY, of Hampt

By His Excellency's command, NINIAN PINKNEY. Clerk of the Coinel Ordered, That the aforegoing to clamation be published daily in all to

newspapers in the State. Jan. 3.

100 Dollars Reward

Ranaway on the 26th inst. from the farm on Elk Ridge, of George Hound Esq. a Negro Man named Jack, ale himself John Mitchell. Lie is about 10 years of age, erect in his carriage by rather slim, six feet or upward a height, small visaged, and of a dut shade. His dress when he went amy consisted of a new drab coloured cot and pantaloons of home made cloth (the coat is lined in the back and sleered with red baize or flannel.) a green co loured sailor jacket with sleeves, and tow linen shirt, a good wool hat, smil in the crown and rim, a pair of white yarn stockings, and a pair of coars shoes pretty much worn. Fifty Dellas will be given for the apprehension said negro if taken within Anne-Arm del county, and secured so that let him again; or One Hundred Dollard arrested out of the county, and securi

Charles B. Hitchcock, Manager

State of Maryland, sc.

Sinne-Arundel County, Orphanical

February 3, 1818. On application by petition of him Mackubin, administrator of Francisk Mackubin, late of Anne-Line del country of the Country o del county, deceased, it is ordered by he give the notice required by hypercreditors to exhibit their claims the said deceased, and that the mathematical deceased is the said deceased. published once in each week forth space of six successive weeks, in the Maryland Gazette and Political hard

John Gassaway, Reg. Wills for A. A. County.

Notice is hereby given That the subscriber of Anne Armid county, hath obtained from the phans court of Anne-Arundel comining in Maryland, letters of administration on the estate of Frederick Machinal late of Anne. Arundel county, decase All persons having claims against as said deceased, are hereby warred exhibit the same with the rough thereof, to the subscriber, at or being the 24th day of March next, they otherwise by law be excluded from benefit of the said estate. Given my hand, this 3d day of Fermal 1818. 1818. James Mackubin, admir

MARYLAND GAZETTE Annapolia, Welineda V. Vcb. 11.

To morrow being recommended by the Governor of this State of a day of public thanksgiving and prayer, we have shought it advisable to issue the Gazetto this morning.

Abstract of the Proceedings of the Legislature of Maryland. HOUSE OF DELEGATES, Tuesday, Feb. 3.

The house proceeded to the second reading of the report on the memorial of the corporation of the city of Annapolis relative to a Naval Depot. The first blank was filled up with the names of John Randall, Henry Maynadier, Jeremian Hughes, Nicholas Brewer and Francis Hollingsworth, twenty-five thousand dollars appropriated for the removal of the Bar, and assented to _yeas 40, nays 19.

The resolution respecting a monument to the memory of General Baron de Kalb, was read and assented to.

Tae bill from the senate to regulate the inspection of salted fish. was read, amended and passed.

Mr. Jenifer delivers a bill to regulate the fisheries in the Potomac ever, and for other purposes. Read Mr. Forrest delivers a bill to es tablish a bank or Loan Office to be caited The Loan Office of Maryland.

From John R Magruder, clerk of Prince George's, to compel the sheriff to receive his fees at any time before the 1st April next. From He ry King, an old soldier. A memorial from the Mayor, &c. of Annapolis, suggesting the expediency of an additional offer being made in behalf of the state to the general government, of such portions of lands for the erection of stores. wharves, and places suitable for for rifications, as may be found necessary, together with the requisite ju-risdiction over the same. From Sa-muel and Thomas Chap, of Baltimore, that their property may not be affected by the bill relating to the tity of Baltimore. Severally refer Adjourned.

Wednesday. Feb. 4. The sill for founding a College in he city or precincts of Baltimore by the name of Asbury College, was

ead, amended and passed. The bill from the senate concernng the judgment- and judicial proeedings of the courts of justice in his state, and to provide for the ompletion of the records in cerain cases, was read and passed.

Mr. Digges delivers a bill to imosers tax on the office of Discount nd Deposit of the Bank of the U. states established in the state of Maryland. Read

Mr. Brawner delivers a bill to reulate and license sales at auction n the city and precincts of Balti-

ore. Read Mr. Wilson delivers a bill relatng to the collection of the public rins-twice read and passed.

Mr. Washington reported favour- said branch, offi of the petition of Henry King. deposit, or office to issue notes in mmissioners to examine the Susuehanna river-severally read. Adjourned.

Thursday, Feb. 5. Mr. Weems delivers a bill for the tter protection of slave-holders in several counties therein men-

The resolution in favour of the ethodist Church in the city of nnapolis, was concurred with-28 32, nays 19.

The bill from the senate to pro-dollar note upon e for the appointment of an at- lar; every five to hey-general and of district at- upon a stamp of nies, was read the second time, every thousand sed, & returned to the senateas 34, nays 22.

The bill to authorise a loan to state, and for other purposes, read the second time, amended Adjourned.

Friday, Feb. 6. The bills, from the senate, relatto British property liable to conation—to provide for the concourts of one county to the offiof another, were severally read second time, passed, and resurnto that body.

I motion of Mr. Lecompte, the ving preamble and resolution provisions afores

. Be it resolv of the wester hereby author loan on such periods, as the shall approve

the faith of pledged for th principal and The said r second time, t up with fifty t

to. Adjou Saturda

Mr. Jenifer ing report. The commi pointed to exam ings, and rep ney would be s in 2 proper s

leave to repo viewed the p find that the Die repairs, ou as cannot, be j in this report, amination and Although r would draw t House to the

State House, ven and irreg might be end with a triffing ing, however ments should immediate dir tive of the Sta frequent atten Government, a close inspec improvements to the expendi made, your c commend the p ing resolution Rusolved,

and Council be instructed and upon the treas shore, for a su ceeding to be by them ing the public of government and improving

which the Stati By order,

Which was r The house p cond reading of tax on the Loa and deposit of United States, State of Maryl; Mr Wilson

bili by striking "Maryland" hi 1st section, to for the purpese lowing as a s or shall, without state first had a lish any bran count and depo and receipt, in State, it shall r other denomina twenty, fifty, hundred and on and no note sha upon stamp pap description; th five dollar note stamp of .en cen lar note upon a cents; every t upon a stainp c very fifty dollar of fitty cents ; ; stamp of twenty per shall be furi surer of the we

the direction of Council, to be pa ry; provided al stitution of the may relieve itse tion of the prov paying annually treasurer of the the use of the sta

dollars.

And be it enac sident, Cashier, tors and officers tion established, ed as aforesaid, of

Thereas the scatures, adopted every offence, and the legislatures of or vide for the ving any agency.