Congress

United States of America.

HOUSE OF REPRESENTATIVES.

THURSDAY, December 13. On the Bill to regulate the elearance of armed merchant vessels.

Mr. Mac Greery. Mr. Chairman-Whatever may be the fate of the bill now before you, I think it my duty to state to this committee some circumstances which induce me to think that the information given to the executive concerning the condu 't of our merchant vessels has been much exaggerated.

I am aware that the liberty of trade granted us to that ill ind has been much abused by some of our citizens, and it is my with that such laws may pass as willeffectually relirain and punish such proceed

It is well known, sir that we have had a consi erable share of the trade of St. Domingo for more than ten years past except for a certain period of the late administration when it was prohibited by our own government—that under the allotted legitimate governments of that island, it was not only permitted, but invited-that in consequence of this and of contracts made by the generals Le Clerc and Rochambeau, with some of our citizens, for the supply of provisions and other necessaries there was American property to immense amount in that island when evacuated by the last mentioned general, and, consequently, a considerable for the use of the invalid fund. number of our citizens remained there Under thefe circumstances it was not to be expected that this property, and these men were to be abandoned -The trade was therefore continued in a peaceable manner, unlawfully armed in the ports of Cuba Into these ports m my of our vessels were were not authorised, I request that the also in the special commission of prizes clerk may be permitted to read the decree not long fince issued by general Ferrand,

at the port of Santo Domingo. (The decree was here read by the clerk

.as follows :) A DEGREE for the re-establishing order

in the Leeward Islands for the issuing and use of letters of Marque. brigade. commander in chief of the army gentleman from l'ennsylvania (Mr. ; lay.) of St. Domingo, captain gen pro. tein

Being informed that leveral owners and captains of French corfairs, who have obtained limited letters of marque, whose time is expired, continue or renew their crailing without having regard to any of the termalities required in such cases.

Tout.ochers have obtained of some pretenned French agents, the term of their leitres of marque to be prolonged: That others are bearers of letters of marque, whose transfer has been made, by thefe pretended agents over to other thips, than those sor which they had been de-

Liverid. That Thers have purchased letters of marque of tliese pretended agents, who abuling the confidence of the captainsgeneral, of whom they held their power,

they have permitted a commerce thus

culpable, without even examining the

of marque have been sold. That some navigate! with letters of marque expedited by those generals, who cot being captains-general, not exercising those sunctions, have so right to deliver them. Informet likewise that under pretenced of being ignorant that the tribunals of St. Domingo are alone competent to decide on neutral prizes, in relation with the rebels of that island, without

been given them. Confidering, that to tulerate much long- Purpose. et the irregular conduct of the privateers and captains of corfairs, which are found gentieman, who had a large quantity of in the different cases mentioned, there cash preferred being burnt with it rather would incontessibly result abuses which than quit bie treasure; he acordingly per prould cause privateering to degenerate rished, and next morning his bones were tally regardless of all the ties of virtue, into piracy, and dithonor the French flag.

DECREE.

Article I. From un milte f Vendemaire. 13th year, all the letters of marque delivered by general Rochambeau, those delivered by the generals, formerly employed in the army of St. Dommgo, likewite. those issued by us until the present day, the 8th Thermidor, shall be null and without essect. The only letters of marque delivered by us from the present date, 8th Thennidor, and which shall be declared under our listed, that they I all be valid until such epoch, are not to be comprised in this repeal.

II. From the same day, the 1st Vendemaire. 13 year, all the owners and captains carrying letters of marque of the French captain eral, other than those of St sich shall be in the case of h to Santo Domingo, whose courts and only competent tribunals to judge of neutral ships taken in contravention on the coast of St. Domingo, as well as those arrested with clearances for the parts occupied by rebels, or goin out of Continued from yesterday's American. Inose ports, shall be held to prove their powers in the original.

III Those who should wish to arm for cruife, or those having armed who should with to continue cruiling, will obtain from us letters of marque when they shall conform to the requilite forma-

IV. The captans-general of the French windward islands thall be apprized of the abuses committed Jaily, in con sequence of the cupidity of some owners or captains disposed to see every thip in contravention, wherefoever they may meet neutral flugs in light, and even frequently out of light of the coast of St. Demingo, and they thall be invited to put a thop to those abuses, to have returned the letters of marque confided to those men who have abused thrin; they thall likewise be delired to recal those charged with their affairs, pretending to be French agents, who have given well founded cause of

V. From the date of the 111 Vendemiaire 13th year, the prizes that thail be made by owners and cap ains of French corsairs, who have not conformed to the regulations contained in articles I. II. III. of the present decr e, shill be confiscated

VI The pretended French agents who shall issue letters of marque, of which they may be in post stion, or cause to be assigned those delivered by competent au thority shall be considered as forgers, and and would Itill have been carried on so, denounced as such to the minister of the had it not been in e supted by vessels marine and of the colonies, and projecuted with all the rigor of the law

VII Copies of this decree shell be sent ca ried, their cargoes landed in the night, to the minuter of the marine and the co the vessels siet out of the harbors, scuttled lonies, They shall likewise be sent to the and sunk to prevent detection, and the governors of the neighbouring colonies. crews lest without any means of returning to he aptains general of the French to their own country. The queltion with | windward islands, to the minister of our merchants then was, whether they France near the United States of Ameriwere to abandon this trade altogether, and ca, and likewife to the Fren h agents in sacrifice their property remaining there; the Antiles. The pr sent decree thall be or arm, their vessels sor desence. The printed published, and posted up in the latter plan, and in my opinion the wiseit, city of Santo Domingo and lik wise in was adopted; and, I believe not more all parts of the island of t Domingo than one instance has occurred where occupied by the French It shall be reour vessels, thus armed, have relisted a gistered in the bureau of the inspection legitimate force. To prove to the commit- of the marin, likewife in the register of tee that the vessels thus opposing our trade | the provisional comm si n of justice, and

Head quarters at Santo Domingo, the 8th 1 hermidor, 13th year L. FERRA D. (Signed) And to give to the committee some idea of the extent of the lawless depredations committed on our commerce in those seas, I beg leave to state the losses suftained by the five Inturance Offices or WE, L. FERHAND, general of Baltimore, not correctly stated by the

		Dolls
The	Maryland office	125,565
	Baltimore office	80 140
	Chesipeake office	67.455
6.7	Union office	90 687
	Marine office -	125 110

492,555

Making in all nearly 500.000 d.llars, besides considerable property not insuied, nearly all of which has been fold without any form of trial, and leaves our mer-

chaits without any hope of redress. If this bill palles into a law we shall in fact be deprived of the trade to all the leeward islands and even that to New Orleans will not be tale. One vessel lately bound from Alexandria to Jamaica, has been carried into Cuba, where her Cargo was landed and fent in smail vessels morality of the men corwhom these letters | to Jamaica, by these pickeroons. Ano ther from Baltimpre to St. Jago de Cuba, was on her homeward passage with a cargo worth 40,000 dollars, taken by one of them, who had no commission, and was carrying his prize into Barracoa when it was retaken by a British cruiser. and sent to Jamaica; and no later than last month, the vessel of a Baltimore merchant, who never armed a vessel, and who, I really believe. was never concernregard to the authority from which the ed in any illicit trade, was onliged to put Jetters of marque, with which the priva- into the port of bay unah in distress, on der are provided, illurd, several owners her return from St. Domingo. On going and reptains of corsairs have neglected to | up that river she was met by one of these oblerve the formalities prescribed, the freebooters, that had chated her on her principle of which is to make known the voyage out. The captain of which de. lineral contents of those letters which have clared he would make prize of this schooner; and waited off the river for that

> There were several lives lost; one o'd sound extended over his iron chest. Near- Justice and national honor.

ly all our property was preserved, owing .- The question on Mr. Enper's amendto the excitions of our crew. The governing nt have faid an embargo on all vessels, and put m'requisition all provisons in the liarbor, for the use of the truly wretched inhabitants; some of them previous to the fire, were living in case and affluence but pre now, obliged to beg a peace of bread for their destitute families. The negroes seand the poorer classes of white inhabitants are employed in digging among the ruins, and in the water, for the remains of provisions that were burnt, and which they devour without the least cooking. Few, I believe, have witnessed greater scenes of distress and devastation than have been exhibited by this destructive fire. Four-fift's of the inhabitants are obliged to sleep under bushes in the mountains, for want of better shelter."

I will not detain the committee by rea ding documents to prove those statements, but will leave them on the clerk's table for the perusal of any gentleman; of the committee who may choose to satisfy himself. I have been also informed, but I have no documents to prove it, that one of our vessels bound from Liverpool to New Orleans, has been taken by one or hele cruizers .- (In the whole, first as I consider our entire trade to the West Indies and to New Orleaus implicated in this motion, I shall decidedly vote against

Mr. Eppes said that, notwithstanding the objections made to his proposed amendment, he fincerely believed the best interests of the nation required that it should prevail. Is appeared to him that neither of the gentlemen who had opposed it, had taken a correct view of the question. We are not, said he, passing a law for the protection of American commerce; but we are making provision against the improper use of arms; for it seems to be the intention of those gentlemen to allow our vessels to arm. They tell you that their velsels cannot do with out arms; they cannot effect the object of their voyages without being prepared with a sufficient armamant. Why this is precisely the argument of a highwayman for the use of his pittols. But ought the United States to protect their commerce in his way? He thought they ought not Do theie gentlemen polless information. that we cannot carry on our commerce without armed vels-le, il fo, it wil bring up the whole principles upon which the right of armament is founded, and he trufted it would be manifelted that the provisions of this or any other bill, to be enated for the purpoie would be such as to lecure the United States from a collision with foreign powers. He did not think it co ported with the dignity of the Union to arm their merchant vessels, and turn them cose upon the ocean, to act as whim or caprice, or a thirst of lucre should diciate. It would be nothing more or less than covering the ocean with an armed banditti, that would bring down upon the United States the sovereign contempt and ju indignat on of all the powers of Europe. He hoped the navigating and coinmercial character of America would be formed upon their superior skill and induitry; if in the exercise of these they were oppused, he was willing to extend the public protection to them, he would not only protect their righs in this way, but he would also avenge their wrongs. The 2 ms of the Union can reach the Carribia leus as well as the Mediterranean. and this he presumed was the course proper to be purfued. He felt extremely averse to the principle of the bill; hesould not reconcile himself to do what not other nation had ever done; that is give an pted in order to render to them such ampie arms to every man fai ng on the ocean who shail require it. Do you grant even letters of marque in this way? By no means-What! shall A B. and C. perons we know nothing of, because they can ligh a bond, with a security, range the ocean under the sanction of the slag of the Union to make war upon other nations, and exercise a power which the constitution declares shall be exercised exclusively by congres. He did not belive the good sense of the committee would permit them to confer the power of making war on any set of men, however virtuous or respectable, much less to commanders of armed merchant velsels, cruising in pursuit of wealth or plunder t ey would certainly prefer to retain such an mportant power in their own hands; and he was well persued d that the public peace would be preserved but a very short time after the moment that Congress put it in the power of others to make war. For whitever may be the character of a fea captain, if he executes his bond, he is enitled to his arms, and is any gentleman weak enough to, believe-that a bond to the amount of the value of the vessel will relirain an intemperate person from uling arms when he is irritated by an antupited detention of scrutinizing over naul! It is well known, even in civil life on flore, wiere every man is equal, bow disficult it is o relirain the vindictive -passions of hally tempers. The difficulty was much greater at sea. -. He really thought the nique too great to be entrusted to this body of men .- He was, however, willing to prutect them in every lawful commercial pursuit, as far as the arm of Union could reach. But he would not confent to put the national vengeance in the hands of any man, or set of men, with whose characters he was unacquainted, and who for all he knew, or appeared

to be required by the bill, might be to-

ment was taken; 40 voting in the affitmative, and 61 in the negative; the motion was lost.

Mr. Crowninshield moved to strike out the proviso and the second section.

Mr J. C. Smith conceived the motion out of order; the provivo belonged to the first scoliup, and, that was the soclient under consideration; the committee had not as yet reached the second section.

Mr. Crowninshield then proposed to strike out the proviso alone, which was agreed to by the committee, 56 against

the bond of an owner or commander for the value of the vessel was sufficient; he therefore moved to forseit also her tackle, apparel, furniture, and cargo. It was well known that in many voyages now making, the forleiture of the vestel would be but a trifling loss, compared with the profits made upon some cargoes and that merchants would cheerful's incur the penalty, rather than deeffne a voyage whereon such great profits were to arise.

Mr. Eustis admitted in some cases that the penalty might not be too great; but there were others in which it would be ou of all proportion; instance, an East Indiaman with a cargo of 4 or 500,000 dollars; he feared requiring sureties to such an amount would greatly interrupt that branch of commerce if not total y prevent it

Mr. Crowninshield objected to the insertion of the cargo, but had to ob jection to the tackle apparel, and furni-

ture being forfeited with the vessel. Mr. J. Clay, The gentleman knews that the bond given in the case of East Indiamen is a mere formality; that trade being on account of its profit, one in which there is no danger as to the improper co duct of the coptain, men of respectability and good character always being employed; but the provision is intended to prevent ill gal voyages under an idea that the profit upon the car go will more than cover the condition of the bind; he had no objection to exclu en e cargoes of Eas Ind.amen from te effect of this bond; but in the case of West Indiamen he thought government would no have an adequate se curity unless the value of the cargo was mide l'able as well as the ressel.

Mr. Goddard asked if it was intended to take two bonds, one of the owner, and the other of the commander, and to be for double the value of the vessel, and double the value of the cargo; in this even: the security would be quedruple he would me ely submit it to the consideration of gentlemen, whether it would be proper to embarrass commerce in this way.

Mr J Clay. That may be easily ob-Visited by making it a joint bond.

The question on the smeadment was taken and agreed to; 63 against 32.

(To be continued.)

WEDNESDAY, January 2.

Mr. Rich rds from the joint committee for enrolled bills, reported that the committee on Monday last present d to the President of the United Brates fo his appr bation an enrelled bill entitl d, " An set for he disposal of certain copies of the laws of the United States."

The committee of Claims, who were instruct. ed by a resolution of this House of the 14th November last, 'to consider at large the subject relative to invalid pensioners, and all persons wounded or dhablei in the service of the United States during the revolutionary war with Great Britain, and report to the House what further measures are, in their opinion necessary to be remuneration for their sufferings as justice may -requre's having obtained leave to report thereon by bill or otherwise.

Mr. Dana presented a bill in addition to " an act to make provision for persons that have been disabled by k. cwn wounds received in the actual service of the United States during the rev intionary war," which was read the first and se seend times, and committed to a committe of the whole House on Monday next.

Mr. Dana from the committee of Claim; presented a bill tor the relief of the widow and orphar, children of Robert Elliott, which was read the first and second times, and commit ed to a committee of the whole House of Friday next M.. Dan from the same committee, reported

on the petition of IV.lliam Osburn, of New Port (R 1) whereupon, RESOLVED, That the petitioner have leave to

withdraw his petition together with the accompanying do.uments. An engrossed bill making appropriations for the support of the navy during the year 1805,

was read a third time and pasted. An engrossed bill giving further time to reg ster the evidences of titles to land south of the state of Tennessee was read a third time and

A memorial of Robert Henderson, of South. Carolina, was read, prajong that Congress will be pleased to enlarge the annual compensation heretofore granted to him for carrying the mail to and from Payettesville, in North Casolina, and Georga Town in South Caroli . a aforesaid a or that the memoralist may be released from such part of his contract as relates to a part of the

road, for the reasons therein specified. Referred to the Post-Master general, with instructions to report his opinion thereen to the

A petition of Alexander Scott, of South Carelina, in behalf of himself and others; was read. praying relief in the case of certain Negro Slaves and other property, which were taken from sundry citizens of South Carolina therein named, on their way to the Natchez, by a party of C e rokee Indians, some time in the month of June,

The said petition, together with that of Eliakim Morte of the state of Massachusetts, were referred to the committee of claims.

Petitious of sundry inhabitants of the state of North Carolina, realing West of the town of Wetrenton, were read, respectively pray ng that a Portroad may; e established from Williamshoro. Zh. by Bullock's and Arpan's stores, to Stor.

mal from Hillsborough to Betheny in said

The said petitions were severally referred to the committee appointed on the 6th November last, " to enquire whether any, and what amendments are necessary to be made in the acts establishing a Post office and Post roads within

the United States". An engrossed bill to incorporate the Washington building and Fire Insurance Company was read a third rin e

And on the question, shall the bill pass. It was resolved in the negative-Ayes 23-Noes

A petition of James Bonnell, of New Jersey. was read, praying the mneural of a certain final settle ment certificate, granted him in consideration of military services rendered as a captain of Light Infan'ry, in the continental army, during Mr. J. Clay said that he did not think the revolutionary war with Great Britain, which certificate was lost or destroyed in the month of October 1787.

Referred to the committee of the whole House. to whom was committed on the 6th ult-the bill making further provision for extinguishing the debts due from the United Stutes.

The House went into committee of the whole. Mr. Varnum in the chair, on the bill supplemenfary to the aft entitled " An aft to regulate the collection of dn ies on imposts and tonnage." And after some time spent therein, the mker resumed the chair, and Mr. Vernum to ...ed, that the committee had the bill under consideration and made no amendments.

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

Mr Gregg, from the committee to whom was reserred, on the 26" uit, the bill from the Sena'e entitle? An all to divide the Indiana Territory into two separate gwernments, reported that the sommite: had the said bill under consieeration, and directed him to report it to the Hue, without amendment."

The said bill wa ord red to be committed to a committee of the whol: House to-morrow.

The order of the day for the House to resolve itself into . committee of the whole, on the motion of the 7th ult for "the establishment of a post road from Knoxville, in Tennessee, to the settlement on the Tombigby, in the Missistippi Territory, and from thence to New-Orleans; also for the establishment of a post road from

in Georgia, to the said settlement on the Tombigby, to intersed the former roal at the most convenient point between Knozville and the Tombighy," being called for It was resolved to contpone the said order of

the day until Monda" n-xt. M: Nowton presented a bill to prohibit the exacti of bail upm certain suits imught in the district of Columbia which was read the first and second times und committed to a committer of the whole House on Wednesday next.

The House went into a committee of the Mr. TENNEY is the chair,

On the bill for carrying into more complete effect, the 10th article of the treaty of frendship, limi's and navigation with Syain; and after some tim: spent thereon the Spe ker weimed the chair, and ir Tenney reported that the c immittee had the said hill inder consideration, and made n'airendment thereto.

The said bill was redered to be engrossed for a third reading to-morrow.

The Speaker laid before the House a letter from the Post-Master Geeral, enclosing a list of the names of the persons with whom contracts have been made f r carrying the mails of the United States fr mihe tiest of December, 1801, to the last day of December, 1804, inclusively with the nutre to traffed tor-tre per dof continuance—and the annual rate of compensation—in pursuauce of a resolution of this H ruse of the 28th ul. which were read and ordered to lie on the table

The petition of Benjemin Baile, Jame Bo. gert and others, citizens of the United States, and resident me chan a of the city and state of New York, was read, praying a remission of the duties accruing in various grouts and merchan. dise of great value, im pared by the petitioners, which were consumed, together with the store. houses, in which the same were deposited, by a laterfire in said city

Referred to the committee of Committee and Manufadures Adjourned:

NEW-YORK, January 5.

FIRE. -- A new and nearly finished three story Brice house belonging to Diniel S rgeant, sen. Esq. was consumed by sire. at Botton on Sunday laft. INCENDIARIES. - - 1.aft . ev-ning be-

tween the hours of five an to fix o'c'ock an at empt was made to fet fire in be h use No 50 Stone-Acet, occupied by Messer Greenfield and Mills. The particulars we underst nd afe-25 follows The fire was thrown in at the cellar window, which had previnally been walled ip, as the flones appeared to have been removed in the course of the day.

The fon of Mr. Mills Having occasion to go in the cella, discovered a smoak issuing from a wooden box; on examinaton it was found to contain f me live coals, inclosed in straw and hay-upon the coals being removed, the straw burst out in flames, but with the affistance of the neighbours, was fortunately extinguished without m terial injury.

Late last night we were informed, theo. the perpatrator of the above deed, was a Dutch servantegirl: of about 11 years of age, in the service of Mrs. Greenheld.

On Thursday evening, a pair of horses harnessed to a sleigh, took fright, and ran off with the driver; when the sleigh was upset, and the driver thrown out. The horses continued their career and ran off White's dock into the river, and were drowned. The sleigh and barness were saved .- They belonged to Mr. Burton Rayner, and were valued at 170L

The polls for the election of a Represercitive in Congress, in the room of Dr. MITCHELL, were closed lift evening. We-have not been suble to procure a tiatement of the votes in each ward i but no doubt can be entertained of the almolt unanimons return of GRORGE CLIEron, jun. no other candidate having bren set up in opposition to him. In the fifth. ward we understand. Mr. CLINTON had 151 votes our of 175. Of the 24 leattering votes, Dr. Janks Suith had 15; the relidue were for nearly as many different persons.

The fine handsome ship Commencement, of 330 tons burthen, will be launebod this llogville through Parsons ; by the Red-house to day, at high water, from the Thip-yards Couvell Copts house, so as so idlerette the Pust near Corlars's Flook. She is built by Mr.