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WEDNESDAY, MARCH 5, 1806

From the VIRGINIA GAZETTE.

THE LION AND THE TARAPIN.

[By a young gentleman of North Carolina.] BELLA! HORRIDA BELLA!!!

The race is not to the swift, nor the battle to the strong.

A famed Hibernian in this curious age, Confined the king of beasts within a cage; Keeping his majesty in duance, &c. From place to place he journeyed many a mile, Travell'd thro' Rhone, Hadria and Nash, And pocketed a devilish deal of cash, Commenced a gentleman, and taught a play; He grew in grace with fortune every day; As Tully eloquent, as Stenterion loud, Thus he harangued thro' ever wondering crowd; "Come gentlemen, behold the sweetest creature

"That'er was mock'd by the hand of nature. "A spectacle to feast a curious eye on, "Come, gentlemen, scale up and see the Lion. "All beasts confess'd his tyrant, &c. "And trembling crouch'd for mercy at his feet: "No animal his peevish power withstood; "Here, on the monarch of the Libyan wood; "Sole sovereign of the plain—no odds he begs, "Of any beast that walks upon four legs. "Ah!" said a planter, "in our mockery, "To see the mightiest monarch in a cage, "Is no new thing—but by the immortal Gods, "If you declare this Lion asks no odds. "An animal I'll bring shall make him roar, "And bathe that visage with his royal gore. "Make you the wager"—and behold what follows.

"Done," says the master, "for one hundred dollars! Off went the planter for his beast so keen, All wondering what the Devil he could mean. At length he brought the Lion to oppose What seem'd a fiddle that had feet and toes. Here, boastful wretch, behold this loggerhead, Who never from his adversary fled: Sole monarch of the swarm, he fights his foe, With certain skill, and conquers at a blow; Shew him the royal Lion, and you'll see, "He'll reverence kings, like prince Egalite."

Now for the fight the combatants prepare, Now in the cage behold the advent'rous pair! The scales of victory hanging in the skies, Were there discovered by poetic eyes; Wavering in doubt, unknowing to subside, For certain he was at the side.

Wise Tarapin beneath his coat of mail, Took in secure his head, and legs, and tail. So, when the wind blows hard, and thunders roll, And tempests shake the world from pole to pole. The cautious sutor sees the verging woe, Furls up his sails, and drops his yards below; Rules on the billows tops sublime and vast, And scorns serene, the elemental blast.

Advancing firm—the monarch of the plain Lash'd his long tail, and reared his mighty main; Held out his princely paw—and at one twack, Extending Tarapin upon his back. But fire from main, and without loss of gore, The Curaway lound his legs once more; Laugh'd at the Lion's strength, and mock'd his frown, And rose the stronger for his knocking down.

'Twas thus of old—poetic history shews, Achilles fought, and thus Antaeus rose. Hark! from the skies a rattling peal of thunder, The Gods and Goddesses look'd down with wonder! This a Land-Turtle with the Lion strives, They never saw such fighting in their lives. "Now, let the Curaway win," Joy exclaim'd, And shook the reverend honors of his head. Whom JUPITER befriends must then prevail, So smiling victory turns the dubious scale. Leo, unknowing whom he had to fight, Stoop'd down his head to take a nearer sight.

While Tarapin, firm, watchful, never fear'd, Directly seized his highness by the beard; That is, so bit the Lion by the jaw, He could not disengage him for his soul; Close as a lover to his mistress dear, Close as the pillory to a rascal's ear, Close as a miser to a bag of joes, So close hung Tarapin to Leo's nose.

Soon as the master saw what came to pass, Not Sancho griev'd so loudly for his ass; Not with more sorrow, did the Trojan dames, Bewail their Hector dead, and Troy in flames, Nor trembling Frenchmen with more rage and fear.

At the last feat of general Dumourier, As length to go various pity all inclin'd, With Godlike sympathy within his mind, The great Hibernian eyed the fray as cruel, In tears exclaiming, "Oh! by best! my jewel!" Then to the Planter turn'd—"Oh! my dearest home, "Release my Lion and receive your money. "The subtle hero, liking well the truce, Received his bet, and let the Lion loose, Then to the mighty conqueror said, "Yes; go— "Enjoy your freedom in the vale below: "O, may your bed of laurel leaves be made, "And sweet magnolias blossom round your head. "Ambitious victor! Tarapin divine! "Yours be the glory, but the wager mine."

COLUMBUS.

Richmond, Dec. 13, '99.

\* See "a Tour in the United States," by one Smith. He thus describes the Tarapin: "I saw an animal crawl behind a rock, which I could compare to nothing but a fiddle with feet to it."

From the RICHMOND ENQUIRER.

GEN. MIRANDA.

In giving the following communication to the world, we do it with that caution which the subject of it is calculated to inspire. That subject is without doubt uncommonly interesting. The sailing of the Leander and her consorts from New York, the manner in which they were equipped, and the suspicions which were attached to them while they were in port, were evidently calculated to raise every thing about them, more especially the point of destination and the end of so singular an equipment, into objects of uncommon curiosity. Party spirit

too stepped in to aid the natural impulse of the occasion. The federalists did not fail to seize upon the mysterious cover in which the plan was enveloped and to create the most extraordinary charges against the administration. The project of gen. Miranda, according to their representation, was either directly promoted or indirectly connived at. The federalists therefore required, to collect the materials for an attack: the republicans, to defend the administration. Under such circumstances, the expedition of gen. Miranda has become an object of considerable interest. Fables have been formed; conjectures have been offered; almost every one has been anxious to explain, but none has yet positively ascertained, the objects of this mysterious enterprise. The field of conjecture is yet open to the imagination and the race of monstrous absurdities is not yet ended. We shall not therefore presume to vouch for the veracity of a single fact contained in the following communication. The author indeed professes to be confident in the truth of his theory. He is an acquaintance of Miranda; conversant with his plans, and convinced of their reality. But this is an affair between gen. Miranda and himself. Far be it from our wish to make it a subject of contention between us and the public. We give it to them as it is given to us. We are the organs but not authors of the communication. It is put to the press under the persuasion, that it will not enlighten by its accuracy, it may amuse by the novelty of the fable; and that whether it contains fictions or facts, it may serve to invite the attention of the public to the future development of the plot.

COMMUNICATION.

That Miranda has embarked at New-York—that he has actually gone from thence, with the fixed design to emancipate his country from the yoke of Spain, is a notorious fact.

Standing alone, this might be deemed a project of a mere adventure; but when we read the following short history of this man, the mind must expand with wonder, that it has been delayed so long.

So long since as 1767, there were five delegates from five provinces of S. America, at Madrid sent to complain of intolerable grievances; they were denied redress through haughtiness and pride, just as our agents were, before our disputes had ended by war. One of these delegates, was intusted to make certain propositions to Great Britain. Lord Chatham (who had formed a whole administration, under a most solemn promise from the king, that he should have his unbounded confidence, during life) embraced those propositions, gave the agent 10000l. yearly, till the design should be carried into effect; he was paid this pension no longer than the life-time of that administration, and the agent was, along with the other four, sacrificed to the resentment of Spain.

In 1785, Miranda, who was born in Caracas, a city about 12 miles south of Laquira, made his appearance in this country; he is well known by many of our most eminent citizens, possesses a strong mind; and since his travels thro' all Europe, he may be supposed equal to any man, now living, as to intelligence and capacity, for the most important affairs.

His object has been nothing short, and nothing else, than to deliver his country from a most intolerable and humiliating bondage. When England fitted out a large fleet to support their claims at Nootka Sound, Miranda was engaged to do more than aid them in those claims, but the expedition was abandoned; the cause may be conjectured, but time only will develop the facts.

Disappointed, till the revolution had created war between France and Spain, he went to Paris; became a general in their armies. That fatal defeat of the left wing under Dumourier, which he commanded, caused suspicions, that aving come over from England, they might have been betrayed, but all the Americans in Paris, (among whom T. Paine and Joel Barlow) gave it as their decided opinion, that his principles were strictly pure, honorable and truly republican; he proved also, that he protested against the mode of attack the night before the action, and that he refused Dumourier's pressing solicitations to emigrate along with him. He would have embarked with an army from France, for the directory had it in view, but no opportunity offered till peace was concluded. Intent on the same object, he once more offered his services to England; they were once more accepted, and he was once more deceived. When just upon embarking, he found, contrary to every previous and solemn compact, that Mr. Pitt meant conquest, and not the emancipation of his country. He renounced all participation in the expedition, rent his commission in pieces, reproached him with perfidy, duplicity, and lies, and embarked for America.

It is unnecessary to say more than that the doors will be opened in three provinces, now organized; they know our example and will follow it; no conditions remain with the government of England; all nations will be invited to their ports, none so much desired as our own; offers of fraternity and friendship will, if we are willing, unite this whole continent like the solar system, by one common attraction; every part holding its due proportion in its own orbit, giving beauty and harmony to the whole.

The above sketch is to satisfy public curiosity; it is enough for the moment; as to the means, the place of destination, or ports to be first opened, it would be improper to say any thing farther; the plan is well digested; miracles do not come every day, and unless a miracle does come, Miranda must succeed.

A FEW STRICTURES.

The preceding communication is without doubt extremely complimentary to the design and character of general Miranda.

But it is incumbent upon us to remark, that there are other representations of a very different nature.

With respect to the design itself, some have ventured to suggest that the object of general Miranda is not to liberate his country; but to commit a predatory excursion upon the coasts of South America, to sack the wealthy city of Buenos-Ayres, or to seize upon the treasury of Peru: while others have dispatched him on a commercial speculation, neither so honorable as the emancipation of his country, nor so lucrative as the seizure of its riches.

If the design of Miranda be really what it professes to be, some have gone on to doubt his qualifications for the accomplishment of his projects. They have called him an arrant adventurer; they have pointed him out in the history of the wars of France, as a disgraced and cashiered general; they have illustrated the incapacity of his soul by the repeated miscarriage of his plans. Few, like our commentator, have ventured to extol his intelligence and capacity for the most important affairs.

But let his plan be ever so noble, or his qualifications ever so great, many have doubted the probability of his succeeding in the emancipation of this country. We know not, and our commentator carefully avoids to touch upon the point of his destination; whether it be Mexico, New Granada, Peru, of Buenos-Ayres. But in all these countries, difficulties would surround him. The people are the devoted slaves of the clergy, in all the Spanish colonies, and the clergy are bound by their rich benefices to the present order of things. Their political prejudices are scarcely less obstinate than their ecclesiastical; they have no press among them; their oppressions may be great, but they have learned to be contented. The very monopoly of commerce, which prevails among them, has the effect of shutting out another of the great means of improvement. Few strangers visit their country; and the miserable Mestee of Mexico and Peru has no opportunity to profit by the discoveries of more civilised countries.

But why may not the Spanish colonies become as independent as the British colonies formerly did? We may reply that their condition is different in two important circumstances. Not only was our people more free than the Spanish colonies are at present; as much freer at least, in proportion as the British government is more enlightened than the Spanish; but the government which was established in our colonies was much better calculated to give success to a revolution. The legislatures, which were previously established in our own colonies, survived the downfall of the British sovereignty, and were admirably fitted for collecting together the force of the nation. But in the Spanish colonies no such organization exists for the concentration of the public force. The whole business of legislation is in the hands of viceroys or other subordinate agents of the crown. Electors and elected, constituents and representatives are names without a meaning in the Spanish vocabulary.

These circumstances are strongly calculated to produce a doubt respecting the success of Miranda's projected enterprise, under the present state of the Spanish colonies. On this subject, however, we are bound to speak with all the humility of doubt. We know but little of the present state of the Spanish colonies; the strength of the government, the character of its present officers, or its military resources. We know, that if Miranda is assisted, if not by the treasury, at least, it is said, by the admiralty of England; if three millions of dollars have been furnished by his American associates or English speculators; if success should crown his first exertions and the treasury of the king of Spain should fall into his hands; if the military force of that country be feeble, or its discipline imperfect; it is certainly probable that Miranda may become the Washington of his country. What we mean to assert is that even if a "miracle does" not "come," still Miranda may not "succeed."

Congress.

HOUSE OF REPRESENTATIVES.

FRIDAY, Feb. 28.

On motion of Mr. Dawson the house resolved itself into a committee of the whole on the state of the union.

The resolution of a select committee relative to the fortification of ports and harbors were read.

The first resolution appropriates one hundred and fifty thousand dollars to this purpose.

Mr. Dawson advocated the adoption of this resolution.

Mr. Clinton thought the proposed sum insufficient for the purposes contemplated, and particularly as it applied to protecting the harbor of New York. He thought the posture of our affairs demanded vigorous and liberal measures.

Mr. Smilie moved a postponement of the further consideration of the report. He was of opinion that if the United States submitted to the insults and injuries heaped upon them, there was no necessity for incurring the proposed expense. But should the government manifest a becoming spirit of resistance, he would be willing to resort to any measures of defence called for by our situation. He, for this reason thought it expedient, in the first instance, to decide the course of measures intended to be pursued.

Mr. Cook spoke against the motion of postponement—which was likewise opposed by Mr. Dawson, who expressed great surprise at the course pursued by gentlemen on this subject. Whenever it had been called up it had been followed by a motion to defer it, not withholding the critical state of our affairs. He was of opinion that the subject ought immediately to be acted upon and that the interest and dignity of the nation were not to be protected by mere declamation.

The question of postponement was then taken and lost.

Mr. Cook moved to insert 500,000 dolls. in the room of 150,000 dolls. Mr. Early moved to strike out 150,000 dollars. Mr. Bidwell opposed this last motion. He was willing to make this limited appropriation,

as the present object was the repair of existing fortifications. Did the question turn upon making new fortifications, it would require a very different consideration.

The motion to strike out 150,000 dollars was lost.

Mr. Macon then spoke against the resolution. He believed that it went to introduce a system of defence which the nation could not bear. He said the report embraced three modes of defence; by ships of the line, by gun boats, and by land batteries. To the seventy fours he was decidedly opposed; with regard to gun boats he cared very little about them; and he was opposed to the proposed appropriation for fortifications on land.

Mr. Dawson advocated the resolution. Mr. Cook spoke in favor of the resolution; and made a speech of considerable length, in favor of appropriating a larger sum than that contained in the resolution, and in favor of energetic measures and a naval establishment.

Mr. Early opposed the resolution. Mr. Dawson replied. Mr. Varnum spoke in favor of it.

Mr. Clinton moved that the committee should rise, to allow further time for examining the subject.

Mr. Elmer opposed, and Mr. Macon supported this motion, which was carried. Mr. Dawson gave notice that he would again call up the subject on Thursday next.

The resolution, reported by a select committee, to prohibit the importation of slaves into the territories of the United States was agreed to, and a committee appointed to bring in a bill.

SENATE OF THE UNITED STATES.

February 26, 1806.

Mr. Mitchell, from the committee appointed on the subject, submitted to the consideration of the Senate, a report on those parts of the memorial from the merchants of New York, and the Chamber of Commerce in New Haven, which relate to providing a further naval armament for the public defence.

In addition to the strong reasons urged in those two memorials, the committee refer to the President's message of the 31 day of December last, informing Congress that considerable provision had been made under former authorities, of materials for constructing ships of war, that these were on hand, and subject to the will of the legislature; and to two communications from the secretary of the navy, dated December 16th, and 21st, 1805, giving information that large supplies of timber, cannon, copper, and other valuable materials for that object, had been already bought and paid for.

Calculating the moderate appropriation which will be required to augment to a very respectable degree the naval force of the nation; contemplating the insults and depredations, committed by foreigners near our coast, and at the very mouths of our most frequented harbors; and estimating the protection and security to the territory of the nation, and to the persons and property of its citizens, by an enlargement of the means of maritime defence, the committee recommend an adoption of the following resolution, to wit:

That it is expedient to make provision by law, for the appropriation of any balance which may remain unexpended of the Mediterranean fund, to the purpose of building ships of the line, under the direction of the President of the United States, agreeably to the provisions of the act of February 25th, 1799.

FEBRUARY 20, 1806.

Mr. ADAMS, from the committee to whom was referred, the bill, to prevent the abuse of the privileges and immunities enjoyed by foreign ministers within the United States; reported the same with the following

AMENDMENT.

SECT. 4. And be it further enacted, That whenever the President of the U. States, shall, under the authority of the laws of nations and of this act, send any foreign ambassador, minister, or any person as aforesaid, so offending, home to his sovereign, he shall issue his warrant to any officer, civil or military, under the authority of the United States, commanding him to provide for the departure of the said ambassador, minister, or other person as aforesaid, so offending; taking due precautions to avoid all improper or unnecessary violence in executing said warrant. And all officers, civil and military, under the authority of the United States, are required to be obedient to such warrant.

REPORT.

The committee on public lands, to whom was referred a resolution of the 20th of January last, directing an enquiry into the expediency of providing by law for the legal adjudication of claims to land, set up by persons in virtue of purchases, or transfers from purchasers of the United States, previous to the emanation of grants under their authority.

REPORT: That between original purchasers, they have heard of but one instance of conflicting claims, nor do they believe it is probable that any others have, or will occur. Neither have they heard of more than one dispute between those claiming lands by virtue of transfers from purchasers under the United States, but controversies of this description are not of a nature to exclude the probability that others may exist, of which, however, the committee have not been informed. No doubt they will become more frequent in future, in proportion as the number of persons, holding under purchases made of the U. S. become greater.

The committee, therefore, would deem the evil of sufficient importance to justify them in recommending some provision being made by law for granting relief against its operation, if such provision does not already exist. If parties to those controversies cannot before the emanation of grants, resort to courts of justice, and obtain from them an adjustment of their disputes, it must be ascribed either to the want of jurisdiction, to the want of a rule of decision, or to a want of a mode of proceeding, applicable to the nature of the rights which are contested.

Of controversies arising under the laws of the United States, or between citizens

of different states, the courts of the United States have as ample jurisdiction as it is in the power of Congress to give them. Of controversies between citizens of the same state, and not arising under the laws of the U. States, the decision must be left to the state tribunals. There can never be a want of rules of decision, because the laws under which the rights is claimed must always furnish the rules by which its validity will be determined, and no others can be substituted in their place.

As to the modes of proceeding in the courts of justice, the committee are impressed with an opinion, that they are not less applicable to controversies arising between parties before, than they are to controversies arising between parties after the emanation of the grants.

They can conceive of no right which will not be made effectual, and no wrong which will not have its remedy according to the mode of proceedings in courts of law and equity.

The committee, therefore, are induced to submit it as their opinion, that it would not be expedient to make any new or additional provision, by law, for the adjudication of claims, such as are stated in the resolution referred to them.

NEW-YORK, February 23. COMMERCIALY INTERESTING.

Extract of a letter just received from an intelligent and respectable correspondent.

[CONTINUED.] St. J. de, Porto Rico, Jan. 20, 1806.

The Spanish law says, that in twenty-four hours after a prize is brought into port, a decree shall be rendered by the first tribunal, and if there is an appeal to the second, that that appeal shall be tried and decided within fifteen days. This provision, in the present as in almost every other instance, has been totally overlooked. Every art was first tried to entrap the captains and make them the instruments of their own defeat; and no means however fraudulent, were left untouched, by which a corrupt judgment could be secured. One of these means is worthy of notice. Our treaty with Spain says, that Horses with their furniture, are contraband. On board of these vessels were neither saddles nor bridles— Luckily, however, a vessel from Rhode Island came in with a supply of both, which were immediately purchased by the three worthy agents, Don Don Josef Navarro de Avanti Mendy; and the captains, Tripp and Anthony, having certain information that it was intended secretly to convey them on board their vessels and afterwards to call a search, represented their fears to the governor, and petitioned to have the hatches sealed, which was done accordingly. In a few days after, in consequence of this suspicion, or rather of expressing it, they were arrested, and as they would not betray their informant, imprisoned during fourteen or fifteen days.

When every thing was prepared and perfectly ripe, about the beginning of December, a decree of condemnation was pronounced by the corrupt and bribed Don Manuel Garcia, Auditor or Judge of Marine, against both vessels and their cargoes, without reserve. When this decree was presented to the governor, he, sensible of its injustice, and previously apprized of the venality of the judge, wrote on the margin, "I can by no means confirm this sentence; I, therefore, refer it to the Auditor of War, in order that a judgment may be given more conformably to the principles of justice and equity." The auditor of war condemned the horses, but liberated the vessels and the remainder of their cargoes, throwing on each party their own costs. Of this sentence I shall endeavour to procure a copy and send you a translation. Thus they now stand; their voyages destroyed; their vessels detained near five months, and not yet put into their possession, exhibiting the appearance of perfect wrecks; the state of the cargoes, or the plunder committed, unknown, but however great the loss, without any hope of redress or remuneration.

Let these few instances stand before the eyes of our countrymen, as striking examples of Spanish Justice, and as proofs of what I said above, that if we have not suffered as much in Porto Rico, as in Cuba, we have neither to thank the superior excellence of the laws, nor the superior virtue of those who administer them.

It is not merely against the result of the adjudications in Spanish tribunals, that we have to complain, but against the slow and deleterious nature of their proceedings. With them every thing must be done in writing, and must originate with the governor. No oral testimony is received; no oral pleadings permitted. The accused is never confronted with the accuser; the defendant never heard at the same time with the plaintiff. The first step is always a petition to the Governor-Intendant, in which the case is stated, and justice demanded. He seldom decides himself, but refers to the Auditor of war or marine, as the case may be. Perhaps, after a detention of a fortnight or three weeks, the judge may decide upon it; perhaps he may refer it to the other party; who applies by another petition, which is proceeded upon in a similar manner. Each answer or each decree produces a new remonstrance; and thus memorial follows memorial, answer follows answer, and decree follows decree, until documents are multiplied to a countless number, and the proceedings in a trifling cause swell'd into an immeasurable volume. The