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TUESDAY, FEBRUARY 17, 1807.

From the National Intelligencer.

The following are the remarks delivered by Mr. BAYARD in the Senate on the recolution inserted in our further of the 9th inst. for investing a certain portion of the fublic lands in shares of the Chesapeake Canal.

Mr. President, I am apprehensive that the resolution now under consideration, not being view. ed as a national object, will not be regarded with the attention it deserves. Flaving some acquaintance with the subject, and being strongly impressed with its importance, I deem it a thuty to communicate to the Senate the facts which possess, and to unfold those views of the object proposed, which have presented themselves to my mind. I shall not feel it incumbent on me to employ any argument to prove the general utility of canais. If. however, there be but one opinion on this subject in old and populous countries, how much more benefit may we not expect from the improvement in a young country where labour and capital, which it is calculated to save, are so much more wanted.

The relative position of the Delaware and Chesapeake bays long since awakened the attention of a distinguished body, as to the practicability of opening a water communication between them.

In the year 1769, Dr. Franklin, Mr. Rittenhouse, Mr. Gipin and Mr. Hol. lingsworth, were appointed a committee by the Philosophical Society of Philadelphia, to examine theground between the bays, and to ascertain the practicability and probable expence of opening a com. munication between their waters. Their report strongly recommended the project, as one not only susceptible of being accomplished, but as a work eventor. ally promising an adequate profit. The want of capital at that time, the disturbances then arising with Great Britain, the -occurrence and consequence of the war diverted for a long time the public atten tion from this interesting object.

When, however, peace and a flourishing commerce had recruited the exhaus.

ed resources of the country, it again occupied the minds of those men, whose views, extending beyond themselves, are employed upon objects of general benefit and utility.

A rival interest had long been felt by Pennsylvania and Maryland as to the waters of the Susquehannah. The Susquehannah, and the streams falling into it rendered navigable, it was evident that a great proportion of the produce of Pennsylvania and a part of that of the state of New-York would pass down the river, and seck a market at Baltimore.

The legislature of Pennsylvania, having this impression, enacted penal laws against removing the obstructions to the savigation of the river. The expected advantage had rendered Maryland unwilling to consent to unite at their heads the waters of the two bays. This unworthy spirit, which opposed a partial interest to general benefit, yielded at length to the enlarged and likeral views which comprehended the whole interests of the two states.

Pennsylvania agreed to allow the navigation of the Susquehannah to be opened, and Maryland to permit the heads of the bays to be united by a canal.

In the years 1799, 1801 and 1802, by legislative acts of Pennsylvania, Delaware and Maryland, a company was incorporated with a capital of \$00,000 dollars for the purpose of cutting the canal. Sub criptions were obtained nearly to the amount of 400,000; the company was organized, and the work undertaken.

Engineers of ability were employed to survey and level-the gipund upon severa routs. which different opinions had distinguished as preferable, and after a full knowledge on the subject was attained. the line of the canal was fixed by the board of directors from Welch point on the Elk to a point near Mendenhall's landing on the Christiants river. The extent of this rout is 21 miles. A shorter distance might have united the watersof the two buys. But the safety of the harbours and navigation, and the boldness of the waters, secured by the route adopt. ed not only justified, but strongly re commended the extension of the line and the probable encrease of expence. An opinion had existed that the bays might be moited to as to allow the waters of the one to now late the other. The scheme was considered ; but it was found that it could not be executed, so as to unswer the intended purpose, without an expence infinitely beyond the means of the company. A canal with locks was in consequence determined on. The depth of the cunal was fixed at 7 1-2 feet, to afford mylgation to the common Yessels belonging to the bars. Fo supply the locks of the cenel the sources of the Elk river were punchased and conveyed to the muln by a smaller canal. This canal of supply proceeding from near the time of Pennsylvania and futnishing a barbe time

vigation, is nearly completed; the length of it is about five miles.

In making surveys, in the purchase of water rights and lands, of boats and materials, in payment of laborers and incidental expences, the company has expended upwards of 100,000 d.1 lais. The magnitude of the work, a d its nu merous derails of expence were not distinctly perceived at the time it was commenced. --When it was found that one-fourth of the capital of the company was exhaulted, and the work which alone had been originally contemplated not commenced, a general despondency pervaded the subscribers to the pr. ject, and many despairing of the completion of the work, and confidering the payment of their subscriptions as a direct lacrifice of their property, refuled to pay their infialments, and have put the company to the expence, and lubjected them to the delay of law suits. In contequence their operations have been paralifed and the work fuspend-

Under these circumstances, which I felt myself bound to unfold to the view of the Senate,
it is that the company now comes to ask the asfistance and support of the americant

This, fir, I acknowledge they have no right to expect, unless the aid we contribute belongs to the interest of the public. I shall, therefore, confine my enquiries to the advantages, which different states and the union at large will derive from the scheme. Virginia, Pennsylvania, New jersey. Delaware and Maryland, have an immediate interest in the canal. It opens an inland communication between them all. The waters emptying into the Chesapeake penetrate immenie tracts of country. The towns and landings on these waters have new markets opened to them, and the assistance of additional capitals.

An interior navigation of twenty-one miles, exempt from risk, saves a voyage of five hundred, exposed to the danger of enemies and the common perils of the sea. The cheapness, facility, and safety of the intercourse, must necessarily quicken the commerce between the northern and eastern and southern state. The manusastures of the north will be exchanged through this channel for the produce of thesouth. I will not trespass so far as to go through details upon this head. I will mention, however, one article connecting the interest of Virginia with the scheme. That state abounds wich ecal. The confinmption of this atticle in many towns is already confiderable, and must increase with the population and manufactures of the ezuntry. At present English cal is fold as cheap in Philadelphia as the coal of Virginia;—the canal would bring the Virginia coal to market at a price which would from exclude the Englith. The capital of Philadelphia enables that city to import cheaper than Baltimore; and the rate of its market attracts the cuitom of a great portion of the western coun ry. Great quantities of merchandize are carried from Philadelphia, paffing Baltimore to the west and south.

I shall be justified in saying that the chief market of the western country will be brought fixty or seventy miles nearer to them.

To them therefore this canal is an object of considerable interest.

In a national point of view, the canal proposes the greatest advantages in the event of a

Without the aid of England, a war with any principal power of Europe would suspend, if not deltroy, our external navigation. To posseis then interior navigation, uniting distant parts with the centre of the country, would be an advantage of incalculable value. And I would beg the Senate par icularly to confider the important service the execution f the scheme w u'd render in military operations, in facilitating he transportation of troops, baggage, sores, and ordnance, to and from the dillant points of the country. The movements of an enemy posses fing the fea, exposed to more hazards, could not be made from certain points with more celeri'y and ease than those of our own army But, fir, however great the importance of this canal may be confidered even by itself, yet the nation ought to view it, and its just consequence is only seen when regarded as a principal link in a great chain of interior navigation extending from the northern to the southern extremities of the coun-

A canal is contemplated from the Delaware to the Rariton. This will open a communication between the Delaware, the North River. and the Sound. A communication is nearly efsecied between the Mehawk river and lake Ontario. A similar one is practicable between the Hudson and lake George, which would extend the navigation to Quebec. To the east. ward the connection of Buzzard's and Boston bay carries the navigation to Boston. To the fourly a canal from Elizabeth river, through the Di mal Swamp to Pasquotank river, katends the navigation to Alb marle and Pamtic e fourds and a connection of the inlets, which is represeated as practicable and likely to be undertaken, carries it to Georgia. Thus we see an un broken chain of interior navigation can be formed, binding together all the Atlantic flates, fecuring in time of war and facilitating in time of peace, the internal trade of our country.

This extensive work is not only practicable, but I consider there is no hazard in affirming that before the lapse of many years it will be accomplished. The extensive and powerful private and public interest which depend upon it will not suffer the object to be neglected. The waters of no country of the same extent offer so easy and complete a communication as those of the U.S.

I have not enumerated all the points of connection. I have flated only those more immedistely relating to the subject of our confidera

There is reason to believe that the subject of internal navigation has not escaped the attention of the administration. The present moment is propitious for the undertaking. Your treasury is full, and the redeemable part of the public debt earnot absorb the whole of your revenue. In the other House a committee has been appointed to devise a plan to dispose of the surplus. I have, however, to lament that doubts of the highest authority exist as to the consistentional right of this government, to apply the public money to objects of this kind. Though the plan I mean to propose to the Schate is not exposed to this objection, yet I shall beg permission very briefly to consider

It is admitted that the confliction does not expressly give the power to cut canals; but we power and are in the daily sources of the parties of the parties of commerce, and the defence of the mation. It has never been sponseded that no power ex-

There is no express power given to such a fort or magazine, though it is recognized in the acterior of exclusive legislative powers in certain cases. The power to ered light houses and piers, to survey and take the soundings on the cast, or to erect public buildings, is active expressly given not recognized in the confliction, but it is embraced by a liberal and just interpretation of the clause in the confliction, which legitimates all laws necessary and proper for carrying that execution this powers supressly delegated. On a like principle the bank of the U.S. was incorporated, claving a power to provide for the confliction.

and the nation; we hat fair fair y infer a power to

with a view to either object. But, sir, the plan I mean to propose is entirely dear of the constitutional objection. Without any fuch objection I should despair of obtaining a grant of money for such an object. While money eannot be had to fortily our fraports, I cannot expect it to dig canals. I am going to ask for land upon principles of recigrocal benest to the company and the government. We have, fir, 300 millions of acres, which I may fay with certainty cannot be fold in a century. will not enquire whether we have an estate in them for a hundred years. It is our policy to fell them as foon as possible. The retolution before us propoles to sell land to the company, and to receive payment in their flock.

There can be no question as to our right to fell the land for their st ck. We have given it for the endowment of schools, for the making of roads, and have made grasuitous grants; and surely we must have the right to sell it for canal stock.

Complete the canal and the stock cannot fail

to be valuable. The United States may then convert it into money. I am warranted in faving that a grant to this company will not interfere with the sales of land made by the public. I believe that gentlemen can be found to purchale the land with a view to promote the i jest of the grant who would not purchase of he public. It is the interest of the United States which I am proposing, more than that of the company. I am asking land, which you coult not sell in a hundred yea s, and land which it is not likely you will hold haif that period of time. A few years might complete the canal, and give to the flock its value. You will then have anticipated the sale of so much land, and accomplished an object of great public and pri-

va'e utility. I have reason to believe, if this government grant affiftance to the company, the exam; le will be followed by the states of Pennsylvania and Maryland It now depends upon us, whether this great work shall languish and fink, or be revived and comple ed ivi ie than a nundred thousand dollars have been expended; if the work be forsaken this money is tolt. The projest now abandoned, wit never again be undertaken by individuals. They now propole to affift you with a large capital-reject the offer, and hereafter vou will be to ced to do the work at your sele expence. Never had we it in our power upon e ms fo cheap to accomplish. an or ject of great public importance. You fava capital of more than 100,000 dollars; you unite by internal communication the waters of ive states; - you lay the foundation of a scheme of inte for navigation connecting the extremitie of the continent; and you support the spirit improvement to elient at to the prosperity of the country, by an accomin uation which takes no a cent out of our creatury, and which promifes at least a reciprocal beneat to the government.

The following Memoir was laid before the House of Representatives it the United States on the 6th inft. by the President. The document which follows it shall appear to-morrow.

TO Mr. Madison, Sureday, of State.

I have the honor to address to you enclosed an answer to the objections made by the terre tary of the treatury to a complete settlement with the heirs of Mr. Beauma chas. This answer is ancesed to the note which I have had the honor to address to you on this tunject.

Accept, fir. a new affurance of my high con fideration.

TURREAU.

Wasbirgton, 14th-January, 1807.

Faithfully translated.

JACOB WAGNER.

Chief Clerk, Department of state.

Note of the Min ster "lenipotentiary of France, to

The underlighted minister per spotentiary of his imperial and royal majetic, to his excellency the prefident of the United States of America, has the honor to remind the fecretary of flate, that at the beginning of last year and during the lession of congress, the Chevallie, attorney in fact of the heirs of Mr. de Beaumarchais, took various steps with the fecretary of the treasury to obtain a liquidation of the debt con-

tracted by the U. States, with the said Mr. de Beaumarchais.

At the request of the attorney in fact to whom

At the request of the attorney in fact to whom the treasury opposed a receipt of Mr. de Beaumarchais, in order to place to the debt of his heirs a million of livres tournois, the underfigned addressed, on the 1st of january, 1806, to the secretary of the treasury, an official note, which lest no doubt of the destination of the million in dispute, the employment of w hich, agreeably to the orders of the king, was confecrated to a special and secret service, and consequently, which had not and could not have any conrex-· ion with the transactions, bargains, supplies and generally with any mercantile operations, which Mr. de Beaumarchais might have been concerned in with the government of the United States of America.

This note, or rather this official declaration of the minister plenipotentiary of France, ought to have removed the only obstacle which was opposed to the entire liquidation with the heir of Mr. de Beaumarchais, because the justice of their claim is demonstrated to conviction; and they were far from expeding that the secretary of the treasury would still retain doubts up in the legitimacy of their credit.

The heirs of Mr. de Beaumarchais now confide their interests to the protection of the French government as well as to the justice of the federal government; and the underligned, in declaring to the feeretary of state, that this affair. on being examined in France with the most scrupulous attention, has presented to the judgment of the most enlightened and impartial men nothing but an incontestible conclution in favor of the heirs of Mr. de Beaumatchais, will add, that it is no longer to Mr. Chevallie, it is no longer to a mere attorney in fact, that the faid heirs have recourse to obtain a justice too long refused; but to the French government itselt; which calls with confidence and through ! organ of its minister plenipotentiary, the attention of the secretary of state to interests no less

Shered than the cause which produced them.

When the French government raises its voice in layor of the unfortunate heirs of Mr. de Beaumarahais, the undersigned thinks it assels to recal to view the nature and the importance of the services, which their author rendered to the cause of independence. It would be to turn the mind back towards a period equally glorious for the two nations, but that France, always generous, knows how to forget, because the

United States remember it.

After the ministerial declaration respecting the employment of the million, a declaration, which doubties (and as a consequence of those metual sentiments, of mathed and sonfidence, which governments ought to have for communications of this nature) would have been sufficient for the accretary of the treatury, if his powers inclined been limited: It is she duty of

this respect, to address himself directly and in the name of his gov rument to that of the U.S. and to request from the secretary of state, that at length justice should be done to the claim of the heir of Mr. de Beaumarchas, a claim which the French government would not have honoured with its support, if it were not founded upon the immutable principles of reason and of wight

The undersigned seizes with eagerness this occasion of offering to the secretary of state the homage of his high consideration.

(Signed)

Washington, the 14th January, 1807.

Faithfully translated

Faithfully translated.

JACOB WAGNER,

Chief clerk, department of state.

WASHINGTON CITY, Feb. 13.

On Wednesday Mr. Harper delivered an argument, of about one hour and an half in length, in support of the motion made by him the preceding day for a writ of Habeas Corpus in the case of Dr. Bollmar.

He divided his argument under two general heads. The first of which was directed to sustain the sonstitutional and legal right of the court generally to grant writs of Habeas Corpus; and the second to prove the present case proper for the interposition of the power of the court

interposition of the power of the court.

Mr. Martin observed that Mr. Harper had gone so fully and comprehensively into the argument, that he would not
take up the time of the court by offering
any additional remarks.

The Chief Justice said the court would take time to consider before they gave their opinion.

On Thursday, the Chief Justice observed, that there was some contraricty of sintiment among the members of the court, and that the delivery of their opinion would be deferred until the next day.

The only business of much importance transacted in the House of Representatives during the three last days, has been the further consideration of the bill prohibiting the importation of slaves into the U.S. having been, for the greater part of these days occupied with the proceedings of the Supreme Court on the motion to grant a writ of Habeas Corfus (which we shall endeavor to present in detail) we can only cursorily state the

A long and warm debate was main tained on several of the provisions of the bili, entirely however, con ined to points previously discussed, the debates on which have been given at considerable length.

In Committee of the Whole the punishment of death for importing slaves was commuted into an imprisonment for not more than ten, nor less than hee years.

In the House this decision was affirmed—Yeas 67—Nays 43—with the imposition of a fine not exceeding 10,000, nor less than 5000 dollars.

The bill, after undergoing much a mendment, was ordered to a third reading on Friday.

Extrast of a letter dated Fort Gibson, (Mississippi Territory) 14th Junuary, 1807.

" Burr, with about seven boats, und frem 70 to 100 men, is now on the Miffiffippi river, 50 miles above Natchez, where he will remain until the balance of his boats arrive-an attempt has been made to take him by the sheriff with a finall party, but without success-to-morrow the sheriff with the posse comitatus will again make an attempt-the executive has issued orders to the militia, and the territory is in motion-but from the number coming down the river to join Burr, and the disposition of many of the inhabitants of the territory not to molest him, I am apprehensive that he will pass he country without being taken. He declares his views are not inimical to the government of the U. S. but that he intends to take Batan Rouge, and operate entirely against the Spaniards, and add a brighter far to the American government than ornaments its present brilli-

FOREIGN AFFAIRS.

· London, December 8. The Pincher gum brig arrived at Yarmouth on Friday, from Glukstadt. A coll er arrived at the same time from Cuxhaven, with several persons on board who had effected their escape from Hamburch on the 25th ult. by the way of Altena, which latter place they left at half paft three o'clock on the 26th. In the gun-brig came Mrs. Charnock and Miss Parish; but we do not understand that Mr Thornton is arrived as has been reported.—A gentleman who came in the collier, affures us, that at the time of his departure from Hamburg, none of the English had been sent to Nerdan.-i etween 3 and 6000 French troops left Hamburg on the 25th. Their deftination was bet known.

The suspension which has occurred in the negociation carrying on here with the American Ministers, arises, it is said, from the latter conceiving it necessary to receive surther instructions from their Government on some points which have been brought into discussion.

The Speech of Mr. Abbott on being elected Speaker of the house of commons.

Mr. Arrott.

I rise with the deepell sense of grati-

tude to address the house, and to thank the Right Hon. and the Hon. Gentlemen, for the ver ty kind sentiments they have expressed in my favor, and for the many eminent arts. ments which have been urged. Though they say that past experience line rendered me fitter to all the high office of the chair of this house, I can affore them, that it has only more fully convinced me of the various difficulties extending it, and of my own insufficiency, Nevertheless, baving been so far honoured with the present - nomination to so diffing withed and exalted a flation, it would Bot, porhaps, become me to thew and farther had sitution to accept the honor conferred out me and if it my earnest hope the event of their choice may not be dell'imental to my own honour or to the rights, and privilezes house, and of the impire.

Mr. Abbott havi 'g steended into the Chair, concluded thus-

to place me in the Chair, I have to return them, my warmest and most sincere thanks them, my warmest and most sincere thanks them, my warmest and most sincere thanks them, my every thought, world, and action, shall be constantly and uniformly employed and exerted for the interest and wastered for the interest and wastered.

We have just leasns the intelligence that Breilaw, the capital of Prussan Silesia, has surrendered to the victorious arms of the Emperor Napoleon. Immense stores of all kinds have been found there. This town contains 60,000 inhabitants without reckoning the garrifon. It has suffained several sieger, and among others, one in 1761, in which general Zanentzin desended this so wells with so much vigor, that he forced the Austrian troops, commanded by the samous General Laudohn, to relinquish the enterprise.

The English had made a fresh landing of between two and three thousand men near Scilla. (Straits of Messua.) General Regnier, having set off from Palmy, defeated them completely and forced the wreck of these troops to reembark with precipitation. Another landing of a corps of the enemy nearly of the same force, was essected near Capri, but with as little success; Major Guys, of the Corsican Legion, at the head of the moveable column which he comman s, and seconded by the inhabitants, cut them to pieces, near Camarota.

HAMBURGH, December 17.

Letters from Sweden mention that Colonel Moriau, commander in chief of the Swedish troops, who were in the Lauenburg, a part of whom had been made prisoners of war at Labeck, has been sentenced to death by a Council of War—It is added that his Swedish Majesty has confirmed the sentence.

WARSAW, December 3. The following is a succinct account of the events which have taken place in this city, from the end of November to the 6th of the present montal. On the 27th November the Prufffan troops, intermed of the approach of the French, evacuated Warlaw, at eight at night croffed the Vistula, and repaires to Praga. The Ruffans followed them at eleven o'clock the same night. The 28th, at three o'clock in the morning, the bridge upon the Vistula was all in a blaze; it burn until 8 o'clock; the part of the bridge next the faburbs of Praga, is the mott damaged. -The same day at 6 o'clock in the evening, General Michaud, at the head of a corps of cavalry, entered the town and was received with the acclamations of an immense concourse. All the houses were illuminated.

His Prussan majesty repaired on the 24th of November to Pultusk, the head quarters of the Russan army commanded by General Benningsen. He was attended by two of his Adjutants, Mestrs. De Koskritz and De Kliest. The king reviewed the Russans, delivered to General Benningsen the command of his ewn troops, and afterwards set off for Konigsburg, where the Queen was still remaining. The Russans have no money, his majesty assigned them one hundred thousand ducats upon the Royal chest of Konigsburg. It was on the 3d of December, at 3 o'clock in the morning, that the Russans evacuated Praga—They had no other troops there but six thousand cavalry.

PARIS, DEC.

The Imperial Decree upon the blockade of the British islands has already received its execution in Helland, and throughout all, the countries of the North occupied by the French troops and the keed of many centuries and of many nations will soon cause the alarms of a few moments and the losses of a few individuals to be forgotten.

This measure, so violent in appearance, is a benefit for future generations, if it bring all nations to acknowledge among themselves a maritime code conformable to that spirit which humanity has caused to be adopted in continental wars.

Messrs. Regnault (of St. Jean d'Angely) and Lacuee, orators of the council of
state, charged with presenting a project of
senstus consultum, had been ushered in
at the beginning of the sixting. Mr. Regnealt having ascended the tribune, read
the following project of senatus consultum.

"That eighty thousand conscripts shall be raised in 1807.

"They shall be called on at the periods fixed by imperial decrees.

bern from and comprising the 1st January.
1787, to the 31st December of the same
year."

Mr. Regnault asterwards laid down the motives for this senatus consultum, in the following terms:

Monseigneur-Senatore,

Little more than a year has past, since his majesty the emperor and king, on the point of quitting his capital, to repel the aggression of the emperor of Austria, assured the senate that the French soldiers would do their duty.

Europe has beheld, senators, with what glorious fidelity this august promise has been fulfilled, and on this day, the anniversary of the immortal victory of Austerlitz, we take a pleasure in recalling to the remembrance of the French people the sentiment of happiness and gratitude.

"But this memorable triumph is already separated from us by triumphs not less splendid. This army, at the head of which three months were sufficient last year for his majesty to fight, vanquish and pacify, has just fought and vanquished a new enemy. The soldiers of his majesty have a second time done their

"Frenchmen, it is your turn to do

His majesty has not placed less reliance on his people than on his army, and none of his hopes have been disappointed.

"Before marching to the Danube, he had in concert with you, senators, called beforehand under the standards, the conscripts of 1806, and delivered the guard of our coasts, frontiers and forntresses to the citizens formed into national guards.

"The national guarda have honorably subilled their obligations; they are still under arms in several departments of the empire.

with fidelity and courage the call of the