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VOL II.

CONGRESS.

HOUSE OF REPRESENTATIVES.

Friday, December 27.

Mr. Fowler, from Kentucky, appeared this day, was qualified, and took his seat.

Mr. Speaker laid before the House a Report of the Secretary of the Navy, on the letter of the French Officers confined in goal at Burlington, in the state of New Jersey, presented on the first day of the present session.

The Secretary in his report states, that orders were given to the proper officer to admit them to be at large on their parole; and that leave was never refused for the departure of French officers (prisoners of war) to a foreign or neutral country, whenever proper application was made for that purpose. In reply to an insinuation contained in the letter of the French Officers, the Secretary says,—"that it is a fact, well known, that American prisoners in the West Indies, have been treated with less indulgence than any French prisoners ever experienced, in this country." The report is a complete refutation of the injustice of which the officers complain.

A petition of the inhabitants of the southern part of the state of Massachusetts, complaining of the unequal operation of the law on a post-office and post-roads, was read and referred to the committee appointed to examine and consider that subject.

Mr. Baer presented a petition of Samuel Selva, 3d, late a collector of the revenue of the United States for a division of the state of Maryland, now in confinement for arrearages of public money due the United States; praying to be liberated, for certain reasons in the petition stated. Referred to the Committee of the whole to whom was referred the Bill from the senate for relief of petitions confined for debt.

Mr. Wain presented a petition of Lawrence Erd, of the county of Northampton, in the state of Pennsylvania, late a collector of the revenue for said county, now in confinement for arrearages of money due the United States, and praying to be liberated—was read and referred to the same committee.

The house went into a committee of the whole on the report of the select committee to whom were referred the bill from the senate for the relief of persons imprisoned for debt, Mr. Rutledge in the chair:

The bill and the amendments proposed to be made thereto having been read, and agreed to by the committee, Mr. Jones moved to amend the same so as to prevent debtors from defrauding their creditors by assignments of property; which produced a long discussion—after which, on motion of Mr. Griswold, the committee rose, and the bill was again referred to the select committee who reported the amendments.

A message from the Senate by Mr. Otis their secretary, informed the house that the senate had passed the bill entitled "An act for extending the privilege of franking to William Henry Harrison, a delegate from the territory of the United States, north-west of the river Ohio, and making provisions for his compensation."

Mr. Harrison presented three several petitions—the first signed by all the members of the legislature of the territory of the United States north-west of the river Ohio—and the second by a number of the inhabitants of that territory, praying for a revival of the laws authorizing the sale of the public lands—the 3d of a number of the inhabitants of the county of Hamilton, of the same territo-

ry, praying for a confirmation of the title of certain lands sold to them by Judge Syms, which they had improved and settled, under the idea that his contract was valid with the United States: which were read and referred to the committee appointed to enquire whether any and what alterations are necessary to be made in the existing laws for the sale of the public lands of the United States.

Mr. New moved that the petition of Temple Elliot, presented at the last session, and the report made thereon by the then committee of claims, but undecided upon, be referred to a select committee—This motion was objected to—and the petition was committed to the committee of claims.

On motion of Mr. Dawson the petition of Andrew Spottwood, presented at the last session, and undecided upon, was referred to the committee of claims.

And then the house adjourned till Monday morning 11 o'clock.

Monday, December 30.

Mr. Otis, from the committee, to whom was re-committed the bill from the Senate for the relief of persons imprisoned for debt, reported the same, with amendments; which was made the order of the day for to-morrow.

Mr. Otis called for the order of the day on the bill to provide for the enumeration of the inhabitants of the United States.—The House accordingly went into a committee of the whole in said bill; Mr. Parker in the chair.

The first section having been read, Mr. Nicholas moved to strike out the words which give to the Secretary of State the power of directing the marshals in the manner which the consuls shall be taken, so far as is not in the bill particularly specified—Mr. N said, this provision was not to be found in the former act and this subject, and he saw no reason why a man who was bound by a solemn oath to act in conformity to this act, should be subject to directions which the scrupulousness of his conscience might lead him to refuse to abide by.

Mr. Otis thought it necessary the power of giving direction pursuant to this act, should be lodged somewhere—he was indifferent whether with the Secretary of State or any other proper officer; in order that if any difficulty or embarrassment arose in the execution of the law, the marshals, who were to execute it, would know where to apply. It was also necessary the returns should be uniform, which could not be expected to be the case, were the words struck out. The question was put, when there appeared in the affirmative 36—negative 41.

The bill having been gone through and the blanks therein filled up, the committee rose and reported the same—When.

Mr. Christie renewed the motion made in the committee by Mr. Nicholas; which produced a long discussion. The question was finally lost, by yeas and nays, as follows:

AFFIRMATIVE.

Messrs. Alton, Barley, Bishop, R. Brown, Christie, Clay, Claiborne, Davis, Dawson, Dent, Eggleston, Fowler, Gallatine, Goode, Gregg, Hannab, Haister, Holmes, Jackson, Jones, Kitchell, H' Lee, Leib, Lyon, Mason, Muhlenburg, New, Nicholas, Page, Randolph, Smille, Stanford, Sumpter, Taliferro, Thompson, A. Trigg, J. Trigg, Van Cortlandt, R. Williams.—39.

NEGATIVE.

Messrs. Baer, Bartlett, Bird, Brace, J.

Brown, Champlin, Cooper; Dars, J. Davenport, Dickson, Edmond, Evans, A. Foster, D. Foster, Freeman, Glen, C. Goodrich, E. Goodrich, Gordon, Gray, Griswold, Grove, Imlay, S. Lee, Lyman, Marshall, Morris, Nott, Otis, Parker, Platt, Powell, Reed, Rutledge, Sewall, Shepard, Thatcher, J. C. Thomas, R. Thomas, Wadsworth, Waln, L. Williams, Wood, Hill;—45.

And the bill was ordered to be engrossed for a third reading to-morrow.

The Speaker laid before the house a letter from the Treasurer of the United States, containing a statement of his species account, as passed by the proper officers, which was ordered to be printed.

Mr. Marshall from the joint committee appointed to consider and report what measures ought to be adopted in honor of the memory of Gen. Washington, made another report in part, which was unanimously agreed to by the house, in the word following, to wit:

Resolved, by the Senate and House of Representatives of the United States, in Congress assembled, That it be recommended to the people of the United States, to assemble on the 22d day of February next, in such numbers and manner as may be convenient, publicly to testify their grief for the death of General George Washington, by suitable Eulogies, Orations, and Discourses; or by public prayers.

And be it further resolved, That the President of the United States be requested to recommend the same, by a Proclamation for that purpose.

Adjourned;

JANUARY 1.

Mr. Nicholas said, that conceiving it necessary some reduction must be made in our public expenditures; and that any change contemplated of this nature, should be made and considered as early as possible, he would take the liberty of laying the following resolution on the table.—He would not now say any thing to the merits of it; but gave notice that he would some time in the course of next week call it up for consideration:

The resolution is in the following words:

Resolved, That so much of the act passed the 26th July, 1798, entitled "An act to augment the army of the United States, and for other purposes," as authorises the President of the United States to raise twelve additional regiments of infantry, and six troops of light dragoons, and to appoint two Major-Generals, three Brigadier-Generals, and an Adjutant-General, and so much of the act passed the 3d March, '99, entitled "An act for the better organizing of the troops of the United States, and for other purposes," as authorises the appointment of a Commander of the army, and a Quartermaster-General—ought to be repealed.

Mr. Otis observed, that though the resolution was offered to lie on the table, and he was thereby precluded from a discussion of its merits, yet in justice to the committee of defence, of which both that gentleman and himself were members, he considered himself called on to declare, that the committee had called upon the Secretary at War for all such information as would enable them to digest a system relative to the military establishment; and was therefore sorry that the resolution was now offered, as it might have an unnecessary impression, not only on the army and the public but upon our impending negotiations with France.—And that tho' it was probable that some modification of the existing military establishment might be a