

Commodore Preble's letter continued from our last.

The bomb vessels kept their stations although covered with the spray of the sea, occasioned by the enemy's shot; they were well conducted by Lieuts. Dent and Robinson, who kept up a constant fire from the mortars and threw a great number of shells into the town. Five of the enemy's gun-boats and two gallees composing the centre division, and stationed within the rocks as reserve, joined by the boats that had been driven in and supplied by fresh men from the shore to replace those they had lost, twice attempted to row out to endeavour to surround our gun-boats and their prizes. I as often made the signal to cover them, which was promptly attended to by the frigates and schooners, all of which, were gallantly conducted, and annoyed the enemy exceedingly; but the fire from this ship kept their flotilla completely in check. Our grape shot made great havoc among their men, not only on board their shipping, but on shore.

We were several times within two cables' length of the rocks, and within three of their batteries, every one of which, in succession, were silenced so long as we could bring our broad side to bear upon them. But the moment we passed a battery it was reanimated and a constant heavy fire kept up, from all that we could not point our guns at. We suffered most when wearing or tacking; it was then I most sensibly felt the want of another frigate. At half past four the wind inclining to the northward, I made the signal for the bombs and gun-boats, to retire from action and immediately after, the signal to tow off the gun-boats and prizes, which was handsomely executed by the frigates, schooners, and boats of the squadron, covered by a heavy fire from the Constitution. At three quarters past 4 P. M. the light vessels, gun-boats and prizes being out of reach of the enemy's shot, I hauled off to take the bomb vessels in tow.

We were two hours under the fire of the enemy's batteries, and the only damage received in this ship is, a 24 pound shot nearly through the centre of the main mast, 30 feet from the deck, main royal yard and sail shot away; one of our quarter-deck guns damaged by a 32 pound shot, which at the same time shattered a marine's arm. Two lower shrouds and two back stays were shot away, and our sails and running rigging considerably cut; we must impute our getting off thus well, to our keeping so near that they over shot us, and to the annoyance our grape shot gave them; they are however but wretched gunners. Gun-boat No. 5, had the main yard shot away and the rigging and sails of the frigates and schooners were considerably cut. Lieut. Decatur was the only officer killed, but in him the service has lost a valuable officer: he was a young man who gave strong promise of being an ornament of his profession; his conduct in the action was highly honorable, and he died nobly. The enemy must have suffered very much in killed and wounded both among their shipping and on shore.

Three of their gun-boats were sunk in their harbour, several of them had their decks nearly cleared of men by our shot, and a number of shells burst in the town and batteries, which must have done great execution. The officers, seamen, and marines of the squadron, behaved in the most gallant manner. The Neapolitans in emulating the ardor of our seamen answered my highest expectations. I cannot but notice the active exertions and officer like conduct of Lieut. Gordon, and the other lieut. of the Constitution. Mr. Horiden the master, gave me full satisfaction, as did all the officers & ship's company. I was much gratified by the conduct of Capt. Hall, and Lieut. Greenleaf, and the marines belonging to his company in the management of 6 long 26 pounders on the spare deck, which I placed under his direction. Capt. Decatur speaks in the highest terms of the lieut. Thain, and midshipman M'Donough of No. 4, as does Capt. Somers, of Midshipman Ridgely and Miller attached to No. 1. Annexed

is a list of killed and wounded, and inclosed a copy of my general orders on this occasion.

Killed—gun boat, No. 2, Lieutenant James Decatur.

Wounded—Constitution, one marine. Do—gun boat No. 4, Capt. Decatur, slight, one sergeant of Marines, and two seamen.

Do—gun-boat No. 6, lieut. Trippe, severely, one boatswain's mate, and two marines.

Do—gun-boat No. 1, two seamen.

Do—gun-boat No. 2, two seamen.

Total—one killed and thirteen wounded.

August 5th. We were at anchor with the squadron about two leagues north from the city of Tripoli, the Argus in chase of a small vessel to the westward, which she soon came up with, and brought within hail. She proved to be a French privateer of 4 guns, which put into Tripoli a few days since for water, and left it this morning. I prevailed on the Captain for a consideration, to return to Tripoli, for the purpose of landing 14 very badly wounded Tripolitans, which I put on board his vessel with a letter to the prime minister, leaving it at the option of the bashaw, to reciprocate this generous mode of conducting the war. The sending these unfortunate men on shore to be taken care of by their friends, was an act of humanity on our part which I hope will make a proper impression on the barbarians, but I doubt it. All hands were busily employed altering the rig of the three prizes from latten vessels to sloops, and preparing for a second attack. Observed one of the enemy's schooners and the brig (two corsairs) in the harbour to be dismantled, was informed by the French Captain, that the damage these vessels received in the action of the 3d, had occasioned their masts to be taken out.

The 7th the French privateer came out, brought me a letter from the French Consul, in which he observes, that our attack of the 3d inst. had disposed the Bashaw to accept of reasonable terms; and invited me to send a boat to the rocks with a flag of truce, which was declined, as the white flag was not hoisted at the Bashaw's castle. At 9 A. M. with a very light breeze from the Eastward, and a strong current, which obliged the constitution to remain at anchor, I made the signal for the light vessels to weigh, and the gun and bomb boats to cast off and stand in shore towards the Western batteries, the prize boats having been completely fitted for service, and the command of them given to Lieut. Crane, of the Vixen, Thorne, of the Enterprise, and Caldwell, of the Syren the whole advanced with sails and oars. The orders were for the bombs to take a position in a small bay to the westward of the city, where but few of the enemy's guns could be brought to bear on them, but from whence they could annoy the town with shells. The gun boats, to silence a battery of seven heavy guns, which guarded the approach to that position, and the frigates and schooners to support them, in case the enemy's flotilla should venture out. At half past 1 P. M. a breeze from N. N. E. I weighed with the Constitution, and stood in for the town, but the wind being on shore made it imprudent to engage the batteries with the ship, as in case of a mast being shot away, the loss of the vessel would ensue, unless a change of wind should favour our getting off. At half past 2 P. M. the bomb and gun-boats having gained their stations, the signal was made for them to attack the town and batteries. Our bombs immediately commenced throwing shells, and the gun-boats opened a sharp and well directed fire on the town and warmly returned by the enemy. The seven gun battery in less than two hours was silenced, except one gun, I presume the others were dismounted by our shot, as the walls were almost totally destroyed.

At a quarter past 3 P. M. a ship hove in sight to the northward, standing for the town; made the Argus signal to chase. At half past 3 one of our prize gun-boats was blown up by a hot shot from the enemy, which passed through the magazine. She had on board 28 officers, seamen and marines; 10 of whom were killed, and 6 wounded. Among the killed were Jas. R. Caldwell, first lieut. of the Syren, and midshipman John S. Dorsey, both excellent officers; midshipman Spence, and 11 men were taken up unhurt. Capt. Decatur, whose division this boat belonged to, and who was near at the time she blew up, report to me that Mr. Spence was superintending the loading of the gun at that moment, and notwithstanding the boat was sinking, he, and the brave fellows surviving, finished charging, gave three cheers as the boat went from under them, and swam to the nearest boats, where they assisted during the remainder of the action. The enemy's gun-boats, and gallees (15 in number) were all in motion close under the batteries, and appeared to meditate an attack on our batteries; the Constitution, Nautilus and Enterprise were to windward, ready at every hazard to cut them off from the harbour, if they should venture down; while the Syren and Vixen were near our boats to support and to cover any of them that might be disabled. The enemy thought it most prudent, however, to retire to their snug retreat behind the rocks, after firing a few shot. Our boats in two divisions under Capt. Somers and Decatur, were well conducted as were our bomb vessels by Lieutenants Dent and Robinson. The town must have suffered much from this attack, and their batteries, particularly the seven gun battery, must have lost many men.

At half past 5 P. M. the wind began to freshen from the N. N. E. I made signal for the gun and bomb boats to retire from action, and for the vessels to which they were attached, to take them in tow. The Argus made signal that the strange sail was a friend. In this day's action No. 4 had a twenty four pound shot through her hull. No. 6 had her latten yard shot away; No. 8 had a 24 pound shot through her hull, which killed two men. Some of the boats had their rigging and sails considerably cut. We threw 48 shells and about 500 24 pound shot into the town and batteries. All the officers and men engaged in the action behaved with the utmost intrepidity. At half past 6 all the boats were in tow, and the squadron standing to the N. W. At 8 the John Adams, Capt. Chauncey, from the United States, joined company. At 9 the squadron anchored, Tripoli bearing S. E. 5 miles distant. Gun-boat No. 3 was this day commanded by Mr. Brooks, master of the Argus, and No. 6 by Lieut. Wadsworth, of the Constitution. Annexed is a return of our loss in this attack. Killed—Gun-boat No. 9, 1 lieutenant, 1 midshipman, 1 boatswain's mate, 1 quarter-gunner, 1 sergeant of marines, and 5 seamen. Ditto gun-boat No. 8, 2 seamen. Total 12.

Wounded—gun-boat No. 9, 6 seamen, two of which mortally.

Capt. Chauncey brought me the first positive information that any reinforcement was to be expected. By him I was honoured with your letters of the 7th, 22d and 31st of May, informing me that four frigates were coming out under Com. Barron, who is to supercede me in the command of our naval forces in these seas, at the same time approving my conduct, and conveying to me the thanks of the President for my services. I beg you, sir, to accept my warmest thanks for the very obliging manner in which you have made these communications,

and to assure the President, that to merit the applause of my country is my only aim, and to receive it, the highest gratification it can bestow.

Captain Chauncey informed me, that the frigates might be expected every moment, as they were to sail from Hampton Roads four days after him. In consequence of this information, and as I could not bring the John Adams into action, she having left all her gun-carriages for her gun deck, except 8, on board the Congress and Constellation, a day or two previous to her sailing, I determined to wait a few days for the arrival of Com. Barron before another attack, when, if he should arrive, the fate of Tripoli must be decided in a few hours, and the bashaw completely humbled. Had the John Adams brought out her gun-carriages, I should not have waited a moment, and can have no doubt but the next attack would make the arrival of more ships unnecessary for the termination of the Tripoli war. I gave Captain Chauncey orders to remain on the station, that we might be benefited by the assistance of his boats and men, as nearly half the crews of the Constitution, brigs and schooners, are taken out to man the bombs, guns and ship-boats, when prepared for an attack.

Aug. 9. We were engaged supplying the bombs and gun-boats with ammunition and stores, and getting every thing in readiness for an attack the moment Com. Barron should arrive and make a signal. I cannot but regret that our naval establishment is so limited as to deprive me of the means and glory of completely subduing the haughty tyrant of Tripoli, while in the chief command, it will however afford me satisfaction to give my successor all the assistance in my power. At 3 P. M. I went on board the Argus for the purpose of reconnoitering the harbor of Tripoli, we stood in towards the town, and were near being sunk by the enemy's fire—one of their heaviest shot which struck about three feet short of the water line, raked the copper off her bottom under water, and cut the plank half through. In the evening the wind blew strong from the N. N. E. the squadron weighed and kept under sail all night. The day following we anchored, Tripoli bearing S. S. W. 6 miles distant. At 10 A. M. the French consul hoisted a white flag staff under the national colors, which was a signal that the Bashaw was ready to treat. I sent a boat into the harbor and took this opportunity to forward Capt. Bainbridge and his officers, letters from their friends; the boat was not allowed to land, but returned in the afternoon and brought me a letter advising that the Bashaw was ready to receive 500 dollars for the ransom of each of the prisoners, and terminate the war without any consideration for peace or tribute; this is 500,000 less than was demanded previous to the action of the third instant. These terms I did not hesitate to reject, as I was informed by Captain Chauncey that it was the expectation of our government on the arrival of four frigates, to obtain the release of the officers and crew of the Philadelphia without ransom and dictate the terms of peace. I enclose you copies of our correspondence, which will convince you that our attacks have not been made without effect.

(To be concluded in our next.)

### By Authority.

#### LAWS OF THE U. STATES.

##### AN ACT

To provide for completing the valuation of lands, and dwelling houses, and the enumeration of slaves in South-Carolina; and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the secretary of the treasury, be, and he is hereby

authorised and directed to employ clerks, for such compensation as he shall judge reasonable, to complete, register, and record, under the direction of the supervisor of the district of South-Carolina, the lists and abstracts of the valuation of lands and dwelling houses, and of the enumeration of slaves within the state of South-Carolina; and under the direction of the supervisor aforesaid, to add to or deduct from the valuation aforesaid, of each individual, such a rate per centum as has been determined by the commissioners appointed by the said state, under the act intitled "An act to provide for the valuation of lands and dwelling houses, and the enumeration of slaves, within the United States," agreeable to the provisions of the said act, of the act intitled "An act supplementary to the act intitled 'An act to provide for the valuation of lands and dwelling houses, and the enumeration of slaves, within the United States,' and of the act intitled, 'An act to provide for equalising the valuation of unseated lands.' Which lists and abstracts, thus completed in conformity with the provisions and equalizations made by the commissioners aforesaid, shall have the same force and effect as if they had been completed, registered and recorded, under the direction of the commissioners aforesaid, agreeable to the provisions of the above mentioned acts. The supervisor aforesaid, shall be allowed in addition to his annual compensation, at the rate of three dollars per diem, for each and every day employed by him, in completing or superintending the completion of the lists and abstracts aforesaid. Provided, that the whole amount of the said additional allowance, shall not exceed five hundred dollars, and the said allowance, as well as the compensation of the clerks employed by virtue of this section, shall be paid out of the monies appropriated, or which may hereafter be appropriated for defraying the expences, incident to the valuation of houses and lands, and the enumeration of slaves, within the United States.

Sec. 2. And be it further enacted, That the supervisor of the district of South-Carolina be, and he is hereby authorised and directed, as soon as the assessment of the direct tax to be levied, and collected in the state of South-Carolina, by virtue of the act, intitled "An act to lay and collect direct tax within the United States," shall have been completed, to appoint for the whole of the said state, one or more surveyors of the revenue; who shall be authorized to make out the lists, containing the sums payable, according to such assessment, for every dwelling-house, tract or lot of land & slave, within the said state. Which lists shall have the same force and effect as if they had been made for each assessment district by a district surveyor of the revenue. The surveyor or surveyors of the revenue, thus appointed for the whole state of South-Carolina, shall likewise perform all the other duties, exercise all the powers, and receive the same compensation, which by virtue of the provisions still in force of any former act or acts, were directed to be performed, exercised and received by the surveyors of the revenue for the several assessment districts; and so much of any act or acts, as directed the appointment of one surveyor of the revenue for each assessment district, is, so far as relates to the state of South-Carolina, hereby repealed.

Sec. 3. And be it further enacted, That the several supervisors, or officers acting as supervisors, may with the approbation of the secretary of the treasury, unite, whenever such measure shall be thought expedient for the better collection of the direct tax, one or more assessment districts into one district, and appoint only one collector of the said tax, for the assessment districts thus united, any thing in any former act or acts to the contrary notwithstanding.

Sec. 4. And be it further enacted, That the accounting officers of the treasury be, and they are hereby authorised to settle the accounts of any of the commissioners, or assessors employed in making the valuations, and enumerations abovementioned, in the state of South-Carolina, although the same may not have been presented to, and