

we would place the debtor at the mercy of the creditor.—No, sir, said Mr. T. it does by no means follow from the rule I have laid down. Imprisonment is not necessary to enforce it. Let me refer you to the law of Virginia. We have adopted in that state the civil law rule. The execution is levied on the body; the debtor gives notice of his intention to the creditor, delivers in a schedule of his effects on oath, and is discharged from confinement; but the debt still exists; if at any future day he acquires property, he is still liable; nay if he has sworn falsely, and he is not detected until his death, even then the creditor levies his execution and obtains his due. I content then, said Mr. T. that the inducement to dishonesty is nothing in magnitude to what it is under this bill. But, sir, the honorable gentleman stated that the debtor had it in his power, under our state laws, to select the creditor who should be first paid—is it not so, also under this bill? may he not with a perfect knowledge of his situation pay off a favorite creditor, before he commits any act of bankruptcy? The gentleman farther says, that the debtor may convey his property to a friend, for his own benefit, with a view of defrauding his creditors. I know not what system of jurisprudence prevails in Pennsylvania, but in Virginia the whole transaction could be investigated in a court of equity and the deeds rendered void.—But, sir, said he, in order to give to this bill the support of this House, it is not only necessary to point out defects in existing systems. Gentlemen must prove that this scheme is as nearly perfect as can be expected. Its warmest friends cannot pronounce it perfect. Let me remark here, sir, said Mr. T. that nothing is more difficult to prevent than fraud—it works under cover, and hides itself from the eye of legislation. If you attempt to punish it, you only drive it to seek out paths more unfrequented, labyrinths the more inexplicable—I do not even ask therefore for absolute perfection; but the imperfections of this bill are obvious and palpable.

Sir, continued Mr. T. I have another strong objection to the bill, I regard it as the most fruitful, possible source of litigation. Look again to England for experience. I submit it to legal gentlemen to say if it has not produced there more litigation than any other subject whatever. The bench of the jurist groans under folios containing innumerable cases arising under the laws of bankruptcy in England—look to your own short experience of three years, when a similar law was in operation here; cases arising under it have not yet been settled, although fifteen years have passed since its repeal. A bill has passed this House at this session, appointing new commissioners in some cases, where almost all originally appointed have departed this life. The fact is, sir, that the commissioners and assignees are generally the only persons benefited, they run away with the money and leave the empty purse to the creditor. These then are some of the happy effects of this holy bill.

But, sir the honorable member from Pennsylvania, has urged upon us the passage of the bill, on the ground that a preservation of union required it. You must have a general system, he tells you, for the purpose of increasing harmony among the citizens of the different states. Let me tell you, sir, that instead of producing harmony, I believe that this bill would be an apple of discord to the people.—How would those classes excluded from its operation like the discrimination it proposes to make? Would the mechanic or farmer like to be told by the merchant, "you shall linger in jail for your debts, while I am released under the law of Congress?" Sir, said Mr. T. I do not fear a dissolution of this Union. These states are bound to each other by a unity of interests, and their strength will, it is to be hoped, endure for ever. I apprehend more danger from a consolidation of power there than from any thing else. We are not satisfied without powers as they are, but we are ever evincing a restlessness to increase them. Project after project is laid upon your table, by which we ask of the states a surrender of some new power. Upon the whole view of the subject then, Mr. Tyler said, that he was disposed to leave this question to be settled by the legislatures of the different states. He observed, by way of conclusion, that he had been induced to take part in this debate from his peculiar situation. He represented a district partly commercial and partly agricultural; he felt a strong desire to promote the interest of every part of the community; he had, however never heard a whisper in Richmond from any merchant, that they wished any law of this sort. From my knowledge of the character of the merchants in that city, said he, I feel satisfied that they do not wish to seek shelter from their engagements under a bankruptcy law—they ask for no law operating as a receipt in full to their creditors. Let me give you an instance of

their course, as presented by the papers of that city, and I believe truly presented. Two young gentlemen commenced the mercantile business, and from some untoward occurrence, failed in trade—their creditors assembled, compromised with them, and discharged them from their demands—they commenced business again and were successful; and they have torn up their discharge and paid up every cent of their former debts. This is the conduct which will characterize the truly honorable merchant. But this bill, as I have said before, will render honorable a different course. Leave men then, sir, to follow the dictates of their own integrity, and your course will accord with the admonitions of policy and wisdom.

## FOREIGN NEWS.

### VERY LATE FROM ENGLAND.

Charleston, March 14.

The regular trading ship *Sally*, Capt. Watson, arrived at this port yesterday, in 38 days from Liverpool. By her we have received Liverpool papers to the 29th January inclusive, nearly a month later than any advices hitherto come to hand.—Their contents, notwithstanding, are rather uninteresting, as to political intelligence.—The Regent's Speech to Parliament, on the 27th January, and some few other paragraphs, are all we find worth copying at present.

LONDON, JAN. 28.

### SPEECH

Of the Lords Commissioners to both Houses of Parliament, Jan. 27, 1818.

MY LORDS AND GENTLEMEN—We are commanded by His Royal Highness, the Prince Regent, to inform you, that it is with great concern that he is obliged to announce to you the continuance of His Majesty's lamented indisposition.

The Prince Regent is persuaded that you will deeply participate in the affliction with which His Royal Highness has been visited, by the calamitous and untimely death of his beloved and only child the Princess Charlotte.—Under this awful dispensation of Providence, it has been a soothing consolation to the Prince Regent's heart, to receive from all descriptions of his Majesty's subjects, the most cordial assurances both of their just sense of the loss which they have sustained, and of their sympathy with his parental sorrow; and, amidst his own sufferings, his Royal Highness has not been unmindful of the effect which the sad event must have on the interests and future prospects of the kingdom.

We are commanded to acquaint you, that the Prince continues to receive from foreign powers, the strongest assurances of their friendly disposition towards this country, and of their desire to maintain the general tranquillity.

His Royal Highness has the satisfaction of being able to assure you, that the confidence which he had invariably felt in the stability of the great sources of our national prosperity, has not been disappointed.

The improvement which has taken place in the course of the last year in almost every branch of our domestic industry, and the present state of public credit, affording abundant proof that the difficulties under which the country was laboring, were chiefly to be ascribed to temporary causes.

So important a change could not fail to withdraw from the disaffected the principal means of which they had availed themselves for the purpose of fomenting a spirit of discontent, which unhappily led to acts of insurrection and treason; and His Royal Highness entertains the most confident expectation, that the state of peace and tranquillity to which the country is now restored, will be maintained against all attempts to disturb it, by the persevering vigilance of the magistracy, and by the loyalty and good sense of the people.

Gentlemen of the House of Commons,

The Prince Regent has directed the Estimates for the current year to be laid before you.

His Royal Highness recommends to your continued attention, the state of the public income and expenditure; and he is most happy in being able to acquaint you, that since you were last assembled in Parliament, the revenue has been in a state of progressive improvement in its most important branches.

My Lords and Gentlemen,

We are commanded by the Prince Regent to inform you, that he has concluded Treaties with the Courts of Spain and Portugal, on the important subject of the abolition of the Slave Trade.

His Royal Highness has directed that a copy of the former Treaty should be immediately laid before you; and he will order a similar communication to be made of the latter Treaty, as soon as the ratification of it shall have been exchanged.

In those negotiations, it has been His Royal Highness's endeavor, as far as circumstances would permit, to give effect to the recommendations contained in the joint Addresses of the two Houses of Parliament; and his Royal Highness has a full reliance on your readiness to adopt such measures as may be necessary for fulfilling the engagement into which he has entered for that purpose.

The Prince Regent has commanded us to direct your particular attention to the deficiency which has so long existed in the number of places of Public Worship belonging to the Established Church, when compared with the increased and increasing population of our country.

His Royal Highness most earnestly recommends this important subject to your early consideration, deeply impressed as he has no doubt you are, with a just sense of the many blessings which this country, by the favor of Divine Providence, has

enjoyed; and with the conviction, that the religious and moral habits of the people, are the most sure and firm foundation of national prosperity.

LIVERPOOL, JAN. 24.

The French Journals received during the present week are chiefly filled with the debate of the Lower House on the proposed Law for recruiting the French armies. It is not at all surprising that the discussion on this subject has been more than usually animated and interesting.—To a military nation, such as France has recently been, every question which respects the army, touches all the springs of a Frenchman's most powerful emotions. The dreams and realities of conquest and of glory, as well as of defeat and subjugation, are revived by these debates, and the national vivacity which seemed to have slept during the former part of the Session, appear in all its accustomed vigor.

The whole import of Cotton into Great Britain in 1817, is estimated at 479,291 packages of various sizes, weighing by computation 131,951,200 lbs. which at an average of 1s. 6d. per lb. would amount to nearly 10 millions sterling; a most astonishing sum for the raw material of a single manufacture! The greater part of this immense importation has been brought into this port.

This quantity exceeds the imports of 1815 and 1816, severally, by about 110,000 bags, weighing about 41,000,000 lbs. or upwards of two millions sterling. The greatest part of this increase has arisen from the opening of the East India trade, which in extent and importance, it is thought, will soon rival the trade to the West Indies, as far as respects Liverpool. His Royal Highness the Prince Regent has appointed Major General Sir Peregrine Maitland, K. C. B. Lieutenant Governor of the Province of Upper Canada, in the room of Francis Gore, Esq. resigned.

## INDIAN WAR.

Milledgeville, March 10.

The detachment of troops from Tennessee, under Col. Hayne of the regular army, about 1200 strong, reached the Chatahoocchie on Wednesday last & are by this time near Fort Scott, if they have not arrived there. *M'Intosh*, the distinguished friendly Chief, has gone with his Warriors to the aid of Gen'l Jackson.

The heart aches at the recital of continued massacres by the Indians.—Four persons, two men a woman and her child, were attacked about ten days past by the savages, on the public road, between the Creek Agency and Fort Mitchell. One of the men was shot dead & scalped, the other though wounded made his escape; the woman was shot in three places and tomahawked but not scalped; the child had a cut on the hand, apparently made with a knife. They were both found alive and conveyed to Fort Mitchell, where the woman, under the benevolent care of Maj. Hughes, U. S. Factor, is likely to recover—the child has died. The woman says there were fifteen Indians, but in her situation, it is not likely she could ascertain the number. It cannot be long before these wretches will be made to suffer tenfold the evils they have inflicted—a terrible vengeance awaits and will shortly overtake them.

Immediately after the murder of Dykes family, in Wayne county, most of the inhabitants exposed to Indian depredations removed to thickly peopled settlements for safety. Six men who neglected to follow this prudent example, associated themselves for mutual safety in one house, about fourteen miles below the bridge, on the Great Satilla. On the 14th ult. five of them went out for the purpose of calling up some swine, but they had not got out of sight of the house before an ambuscade of Indians fired on, & killed four of them, Joseph Stafford and three brothers named Oosteens. John Moore escaped to the house, which the savages had fortunately not the courage to assail; otherwise every soul must have been destroyed.—*Savannah Repub.*

## CONGRESS.

HOUSE OF REPRESENTATIVES.

MONDAY, MARCH 9.

Mr. Bassett, from the committee on the subject, reported a bill making appropriations for the public buildings & for furnishing the Capitol and President's House; which was twice read and committed.

Mr. Butler reported a bill for the relief of Gen. John Stark, which was twice read and committed.

The House proceeded to the consideration of the report of the committee of pensions on the petition of Richard King; and, after considerable debate, the report of the committee against the claim was reversed by a vote of 66 to 56, on the motion of Mr. Anderson, supported by himself, Mr. Johnson, of Kentucky, and others, and opposed by Messrs. Rhea, Sherwood and others—and the committee was instructed to bring in a bill to authorize the equitable settlement of this claim at the Treasury.

The resolution providing for the adjournment of Congress on the 15th day of April next, received its third read-

ing, and after some debate, and two attempts to postpone the subject, it was agreed to, 101 to 46.

The bill respecting the District Courts of the United States for the District of New-York, was taken up on its second reading; and the question having been stated on ordering the bill to be engrossed for a third reading—some inquiry was made into the cause of being so frequently called to act on this subject. It was stated to be owing to the continued sickness of one of the Judges. It was said he ought to resign, &c. The bill at length was ordered to be engrossed for a third reading.

The House then again resolved itself into a committee of the whole, on the report of the committee on the question of Internal Improvement.

Mr. Cushman delivered a speech of nearly two hours in length, in favor of the report.

Mr. Austin delivered a speech equal in length, on the other side of the question.

Mr. Simkins followed, in a speech of half an hour, in favor of the report.

When the committee rose, and the House adjourned at a little before six o'clock.

TUESDAY, MARCH 10.

Mr. M'Lane, from the committee of commerce and manufactures, reported a bill regulating passenger-ships and vessels.

Mr. T. M. Nelson, from the committee on military affairs, reported a bill regulating the payments of invalid pensioners.

Mr. Forney, from the same committee, reported a bill for the relief of William King.

Mr. Mason, of Mass. from the committee appointed on that subject, made a detailed report on the claims from Massachusetts for expenses incurred in calling out her militia, accompanied by a bill to authorize the settlement and payment of those claims. These bills were severally twice read and committed.

On motion of Mr. Floyd, the President of the U States was requested to lay before this House any information he may possess, which can be communicated without injury to the public good, relative to Augustus Pierre Chateau, Julius Deman, & their company, Robert M'Knight, James Barrd, and their company; likewise J. Harro, captured by the forces of the King of Spain, and confined in the prisons of Sante Fe, and that he communicate any information he may possess relative to the place where captured.—And a committee was appointed to present the resolution to the President.

The House resumed the unfinished business of yesterday—and again went into a committee of the whole on the resolution reported by the select committee on the subject of Internal Improvement.

Mr. Johnson, of Virg. spoke more than an hour against the resolution; & Mr. Lowndes occupied about the same time in its support.

After Mr. Lowndes had concluded his remarks, he rose again to revive the amendment which he had proposed to the resolution on Friday, but which he had afterwards withdrawn, that gentlemen might be left free to debate the whole subject, untrammelled by the question being presented separately in its different branches. That the members of the committee might now have an opportunity of voting for any one branch which might be acceptable and against any which might be objectionable, he renewed his motion with some variation to divide the proposition into three distinct resolutions.

The question was then taken on striking out all the original resolution after the word "Resolved," and inserting the following; and decided in the affirmative—ayes 78, noes 58.

"The Congress has power under the Constitution to appropriate money for the construction of Post Roads, Military and other roads, and of Canals, and for the improvement of water courses."

The question was then taken on the second resolution, offered as part of the substitute by Mr. Lowndes, and agreed to, ayes 76, noes 70, as follows:

"Resolved, That the Congress has power under the Constitution to construct Post Roads, and Military roads, provided that private property be not taken for public use without just compensation."

The third branch of the substitute was also agreed to, as follows: ayes 70, noes 69.

"Resolved, That Congress has power under the Constitution to construct roads and canals necessary for commerce between the states; provided, that private property be not taken for public purposes, without just compensation."

Mr. Mercer proposed to add another resolution to those agreed to, which, after some discussion, was adopted, ayes 75, noes 63, as follows:

"Resolved, That Congress has power under the constitution, to construct canals for military purposes, provided that no private property be taken for any such purpose without just compensation being made therefor."

Mr. Lowndes then moved the adop-

tion of an additional resolution, as follows:

"Resolved, That it is expedient that the sum to be paid to the United States under the 20th section of the act to incorporate the subscribers to the bank of the United States, and the dividends which shall arise from their shares in its capital stock, be constituted as a fund for the construction of roads and canals."

The question on this resolution was decided in the negative—ayes 74, noes 73.

Mr. Forsyth then moved that the committee rise and report the resolutions to the House.

This motion brought on a desultory debate of an hour's continuance—in which Mr. Hugh Nelson, in opposing the motion, and asking that the amendments of the resolutions be allowed at least one day more to urge their objections to them, incidentally avowed his hostility to the resolutions, as dangerous and alarming assumption of power, and a direct infringement of the constitution and of state rights, &c.

Mr. Johnson, of Ky. in reply, incidentally offered a few remarks in favor of the resolutions.

Finally, Mr. Forsyth's motion was withdrawn: when the committee reported progress, obtained leave to sit again.

The House adjourned.

WEDNESDAY, MARCH 11.

The Speaker presented the petition of Vincente Pazos, representing himself to be the deputy of the authorities acting in the name of the republics of Venezuela, New-Grenada, and Mexico, and complaining of the capture of Amelia Island, stating that application had been made to the Executive, who had refused justice, as he says, and praying the interposition of Congress.

Mr. Forsyth moved that the petition be not received. He stated that as the petitioner was the agent of a foreign power, and applied to Congress as an appellate power over the Executive, he thought it improper that he should be thus heard.

Mr. Colston remarked, that in his estimation the petition ought to be laid on the table and printed, that the members might know its contents before any disposition was made of it. At all events Mr. C. said he should insist on the reading of the petition before he voted upon any question respecting it.

After some further debate, the memorial was read, as required. It purports to be "The Memorial of Vincente Pazos, of Peru, deputed agent of the authorities acting in the name of the Representatives of Venezuela, New-Grenada and Mexico," and states the motives of these Representatives in giving authority to occupy Amelia, &c. and the manifold grievances of loss of military stores, &c. as well as of the military position; complaining also of a recent decision of the admiralty court for the district of Georgia, in the case of a prize vessel, and denying the crimes of smuggling and slave dealing imputed to the occupants of that island. The Memorial, after stating that the memorialist has addressed the President of the United States on this subject, and has received an answer not satisfactory thereto, concludes as follows:

"In repeating these manifold grievances to your honorable house, your memorialist looks with confidence for that dignified and sincere support of the great Republican cause in which those whom he represents are so deeply engaged, and he relies in the bosom of your august Assemblies those representations, depending on such a redress of grievances, as shall support with the honor, dignity and justice of the government of the United States."

Mr. Lowndes stated his readiness to enquire into the conduct of the Executive, but denied that the right of petition belonged to any but citizens, and that if we received the petitions of foreign nations, it would transfer the diplomatic functions from the Executive to the Legislature. The petition referred to correspondence between the agent and our Executive, and Mr. L. objected to such a mode of bringing diplomatic correspondence before this House. Mr. L. was willing to enquire into this or any other subject of complaint; but he objected to such a course as the present, which every member had the means of bringing fairly before the House in a proper shape.

Mr. Tucker, of Va. said, that while he coincided in the great principle to which Mr. Lowndes had based his remarks, he was desirous of stating why he was disposed to vote for receiving the memorial, until he should receive some further information on the subject. He had enquired and found that a motion to permit the memorialist to withdraw his memorial, in order to give it another shape, would not be in order until it had been first received by the House. He agreed thoroughly with Mr. Lowndes, that this House never should entertain any appeal on the part of the representative of any foreign government; he never would entertain such an appeal; yet, as he conceived from the reading of the paper, that it contained an application