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REPORT.

The committee, to whom were referred the memorial of the legislative council of the territory of Orleans, and also the memorial of the house of representatives of the same territory, make the following Report, on the said memorial of the said legislative council, and in part on the said memorial of the said house of representatives.

THE object of the memorialists is to obtain from the general government a *grant* of lands for the establishment and support of colleges, schools and other seminaries of education within the territory of Orleans.

Your committee are of opinion, it ought to be a primary object with the general government to encourage and promote education in every part of the union, so far as the same can be done consistent with the general policy of the nation, and so as not to infringe the municipal regulations that are, or may be adopted by the respective state authorities on this subject.

The benefits resulting to society in general from the establishment and support of public institutions for the education of youth, and the general diffusion of science, are too well known to all discerning persons to require any particular investigation on the present occasion. The national legislature has, by several of its acts on former occasions, evinced, in the strongest manner, its disposition to afford the means of establishing and fostering with a liberal hand, such public institutions.

By a resolution of the old Congress, under the confederation, of the 20th March, 1785, it is declared that lot No. 16, of every township, in the territory north west of the river Ohio, (which is equal to one thirty sixth part of the same) shall be reserved for the maintenance of public schools within the said township. It also appears by an act of Congress, passed the 3d March, 1803, that in addition to certain tracts of land before that time appropriated for that purpose, there were appropriated and vested in the legislature of the state of Ohio, in trust, for the use of schools in that state, certain quarter townships, in certain tracts therein described, estimated to be equal to the one thirty-sixth part of all the lands contained in the said several tracts to which the Indian claim had been extinguished: also, the one thirty-sixth part of all the lands of the U. S. lying in the said state of Ohio, to which the Indian title had not been extinguished, which might be purchased of the said Indian tribes by the U. S. making the quantity of land appropriated for the use of schools within the said state, equal, at least, to one thirty-sixth part of all the lands belonging to the U. S. within the same. A similar provision has also been made by a law passed in 1803, for the use of schools in the Mississippi territory.

By this liberal policy, the general government has secured to the people of the state of Ohio, and of the Mississippi territory, a permanent fund for the promotion of learning and the general diffusion of knowledge within the same.

Your committee are of opinion, it would be sound policy in the general government, as well as consistent with equal justice, to act on this occasion with the same liberality towards the people of the territory of Orleans that has been shewn in relation to the state of Ohio and the Mississippi territory; and to make the like provision for the establishment and support of public schools in the one case, that has been made in the others.

In pursuing this line of conduct, the national legislature will afford to the people of the territory of Orleans, the strongest proof of a disposition, not only to extend to them the rights and privileges of American citizens in general, but to place them on an equal footing with the citizens of the most favored portion of the union, who have experienced the immediate attention of the general government; and to observe towards them the fostering care of an indulgent parent, feeling a lively interest in their future prosperity and happiness. In this measure the people of that territory will become sensible, in some degree at least, of the advantages they have derived, and may yet obtain, from being incorporated into the union, and becoming a portion of a free and independent nation.

The committee have not been able to obtain official information to enable them to form a correct opinion with regard to the quantity or value of the public lands within the city of New Orleans, nor have they any information respecting the situation of the said lands in relation to the center of the city, or the bank of the river Mississippi, and as it may probably be necessary for the general government to reserve for public purposes some portions of the said lands, which cannot at present be designated, your committee are of opinion, it would not be advisable, at this time, to appropriate or dispose of the lands belonging to the U. S. within the limits of the city of New-Orleans.

Your committee respectfully submit to the House, the following resolution:

Resolved, That, for the establishment and support of public schools within the territory of Orleans, there shall be appropriated, and reserved from sale, one thirty-sixth part of all the lands of the U. S. within the territory, to which the Indian claim has been extinguished, or may hereafter be extinguished; which one thirty-sixth part shall consist of the section No. sixteen, in each township, if the said lands shall be surveyed in townships of six miles square each, and the same divided into sections of one mile quare each; and shall, if the lands be surveyed in a different manner, be designated by lots: and the lands, so appropriated, shall be applied to the use aforesaid, within the townships, or particular divisions not exceeding townships in extent, respectively, within which the same shall lie.

REPORT.

The Committee of Commerce and Manufactures, to whom was referred the petition of the merchants and other inhabitants of Plymouth, and the towns on Roanoke and Cashie rivers, in the district of Edenton and state of North Carolina, submit the following

REPORT—

THE petitioners pray that Congress would make Plymouth, in North Carolina, a port of entry. Their petition was referred to the Committee of Commerce and Manufactures at the last session, and the committee reported, that it was "inexpedient to erect Plymouth into a port of entry." The House reversed the decision of the committee, and directed a bill to be brought in declaring it to be a port of entry: the bill was afterwards postponed, and finally acted upon during that session. The report then made to the House is herewith submitted, and the committee request the same may be received as part of the present report.

The statement of the tonnage engaged in foreign voyages from Plymouth, Skewarkey and Windsor, for the last year, does not differ materially from that of the preceding year. By the collector's returns the registered tonnage does not appear to have increased while the amount of revenue collected from those ports has sensibly diminished, presuming there are no errors in the document before the committee. In the former report the committee supposed the duties collected from Plymouth, Skewarkey and Windsor, amounted to about 6909 dolls. per annum, making about one fifth of the revenue of the whole district of Edenton, upon an average of several years; but the collector's return for the year ending the 30th September 1804, gives a duty, for the same ports, of only 3850 dolls. and the duty collected at Edenton, and the other ports of the district, exclusive of Plymouth, Shewarkey and Windsor, amounted to 30,153 dolls. for the same year.

The foreign trade of Plymouth is by no means considerable, but it exports, coastways, large quantities of corn, peas, tar, rosin, turpentine, and other native productions. Eighty one coasting vessels entered and cleared from that port during the last year; and the value of the articles exported in them is estimated at 87,200 dolls.

The petitioners complain of the inconvenience in crossing the Albermarle sound, to enter their vessels at Edenton, where they are also obliged to give bond and pay the duties: but similar objections might be raised against the greater number of ports of entry in the U. S. as many ports of delivery are at a greater distance from their ports of entry. And with respect to the registered tonnage, Plymouth does not appear at present to possess sufficient to give it preference over these ports.

Under these impressions, and considering if Plymouth should be made a port of entry, the emoluments of the collector would be inadequate to his support, without the addition of a considerable salary, the committee are induced to submit the following resolution:

Resolved, That the petitioners have leave to withdraw their petition, with the documents accompanying it.

REPORT.

The Committee of Commerce and Manufactures having considered the petition of Tristram Hussey, of the island of Natucket, in the state of Massachusetts, submit their

REPORT—

The petitioner, with Edward Cary, jun. and others merchants of Nantucket, were, and still are, the owners of the ship Union. This vessel has been, for some time past, employed in the whaling business, with an American master and crew, regularly documented as a vessel of the U. S. In the year 1801, on the passage to the Brazils, and before they arrived at the Cape de Verde islands, they obtained eight casks of spermaceti oil, and sent the same to New-York, in an American vessel. The collector charged seventy-two dollars and fifteen cents duty on the oil, notwithstanding it was the produce of American fisheries. Upon a second voyage, in the same ship, in the following year, they procured twenty-seven casks of oil from whales taken on the passage, prior to passing the Cape de Verde islands, and shipped the same also in an American bottom, to New-York, where the collector again demanded a duty on its importation, and they were obliged to pay a further sum of three hundred and twenty-three dollars and twenty-five cents for the duties. In both instances the oil was not landed at any foreign port. It was actually taken from the ship Union and put on board American vessels; and the proof exhibited to the committee is incontestible that it was the produce of the American whale fishery. The collector of New-York might, with equal propriety, have charged a duty on the whole cargo of oil imported in the Union, had she entered at that port, as in the two cases under consideration. It appears that American oil cannot be subject to any duty whatever. There is no law known to the committee, that seems to authorise a similar charge. No duty can be collected on articles of the growth, produce or manufacture of the U. S. and wherever any American articles have been returned from foreign countries, the duties are believed to have been invariable remitted, or rather, none have ever been demanded. Cod fish, taken by American fishermen in vessels, are not chargeable with duty, whether in the vessel in which they were caught, or on any other American bottom. Surely then, oil of the American fisheries must be intitled to a similar exemption from duty. The committee are of opinion, that Congress ought to relieve the petitioners from the payment of the duty charged to them, without the authority of law to warrant it, and they beg leave to submit the following resolution:

Resolved, That the prayer of the petitioner is reasonable, and ought to be granted.

SENATE OF THE U. STATES.

FEBRUARY 20.

A BILL,

Making provision for extinguishing the debts due from the U. S.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That all persons, or the legal representatives of persons, to whom loan office, or final settlement certificates, or indents of interest, have been issued, and all persons in whose favor settlements have been made at the treasury, or who stand credited on the books of the treasury, which said certificates, credits and settlements, were issued or made for services or supplies done or furnished prior to the fourth day of March, in the year one thousand seven hundred and eighty nine, and have not since been funded or paid; and all persons who served in the armies of the U. S. during the late revolutionary war with G. Britain, and to whom arrearages of pay, clearly appearing on the muster and pay rolls, or other authentic document now existing in the war office, or in any other department of the government, may be due, shall be allowed to present their respective claims at the treasury, and shall receive the amount thereof, without any interest, upon proving, by the oath or affimation of at least one disinterested witness, to the satisfaction of the accounting officers of the treasury, that he or she so claiming, is the person or legal representative of the person to whom the same was originally due.

SEC. 2. *And be it further enacted*, That if the claim shall arise upon a certificate alledged to have been lost or destroyed, the claimant shall state the manner of such loss, or destruction, with his or her belief of the same, upon oath, and shall likewise give bond, with security, to be approved by the accounting officers of the treasury, conditioned for the repayment of the sum by him or her received, with interest thereon, in case the certificate so alleged to have been lost or destroyed, shall ever thereafter be presented at the treasury for repayment.

SEC. 3 *And be it further enacted*, That when any claim shall be presented, as aforesaid, it shall be accompanied with the oath of the claimant, that he or she hath not sold or disposed of the said claim, or any part thereof, but that the whole amount is intended to be drawn for his or her sole use and benefit, and for none other; which said oath, the auditor of the treasury is hereby authorised to administer, if the claimant shall attend at the treasury in person.

SEC. 4. *And be it further enacted*, That no claim shall be paid in virtue of any power of attorney, unless the said power shall be made in the form now prescribed by the rules of the treasury, and the attorney shall swear, at the time of presenting the same, that he verily believes the money intended to be drawn, is for the sole use and benefit of the claimant, and for none other, and that he does not believe that the said claim has been pledged, sold, or disposed of in any manner whatsoever; which oath the auditor of the treasury is hereby authorised to administer; and unless the said power be accompanied with the proof required in the first and second sections of this act, taken before some judge or justice of the U. S. or of some of the respective states, authenticated by the seal of a court of record.

SEC 5. *And be it further enacted*, That any person wilfully swearing or affirming falsely in the premises, shall suffer as in the case of wilful and corrupt perjury, and may be prosecuted therefore in any court in the U. S. having competent jurisdiction.

SEC. 6. *And be it further enacted*, That this act shall continue in force for and during the term of years, from the passing thereof and no longer.

Boston, March 6.

Last evening we were favored with the following extract of a letter, announcing an event somewhat unexpected, viz.

"*St. Croix, Jan. 26, 1806.*

"The public mind is much agitated in consequence of a letter yesterday received by Gen. Muchlenfels, from Adm. Duckworth, brought down by one of his frigates *purposely sent*, stating that he had heard from undoubted authority, that Denmark had joined the Northern powers, and that he was authorised by his court to tender his services with a part of his fleet for the protection of the Danish colonies. The English part of the community do not entertain a doubt of an alliance formed between Denmark, England, and the Northern Courts; but the Danish gentlemen who have received letters from Copenhagen, as late as the 29th Nov. rely much on the assurances therein given of a continued prospect of the neutrality of that country. The pacific disposition of our nation evinced by an uninterrupted peace of near a century has until now made me feel a security for the future which the present accounts begin to undermine."

Extract of a letter from a gentleman in St. Domingo, dated Feb. 11.

"About day light of the 6th ult. the look out ship of the French fleet returned to port with her signal for a strange fleet, on which the five French ships of the line, two frigates and a corvette having slipped or cut their cables, got under way and stood to leeward, not supposing themselves safe in harbor; soon after which the English appeared in sight, and when the French were about four leagues from the harbor, a single ship bearing admiral Cochrane's flag, said to be the Northumberland, ran into the midst of the French, opened on them and received the fire of 3 French ships, at the moment of giving her own fire, which carried away her main and foremast, and hove her on her beam ends for the moment, she was soon after supported by three other ships, and these 4 British joined the action against 5 French, for one hour and 15 minutes, until the remaining 3 British got up—when the whole continued the action for near two hours longer; at this time the admiral's ship L'Imperial of 134 and the Le Brave of 84 guns, were ran on shore by their crews, and the 3 others, viz. Alexander of 90, and the Jupiter and Diomede of 74 struck—the French frigates made off about the middle of the action to look for a place of safety.

"It was said that the French admiral Sevil, and upwards of 700 men were killed and wounded on board the Imperial by which some idea may be formed of the obstinacy of the engagement. After the English had taken possession of their prizes, they stood to leeward, supposed for Jamaica, and the next day a fleet of 6 ships of the line passed St. Domingo, and stood to leeward also.

"Captain A. understood that the object of the French in sending that fleet to St. Domingo was to destroy the American vessels in the brigand ports, for which purpose they had provided a number of small vessels."

"The French fleet amounted altogether to 554 guns, the British 720, leaving a balance of 166 in favor of the latter."

Charleston, S. C. Feb. 19.

The following is a number of Africans imported since the opening of the port, according to the reports made at Fort Johnson:—

In the year 1804,	-	5764
1805,	-	6725
To the 16 Feb. 1806,		1696
Total,		14,185

Several vessels with negroes came up to the city in distress, without being reported, which are not included in the above.

ADVERTISEMENT.

THE Public are notified that the partnership of Thomas Hunton of Fauquier and George Britton of Shenandoah was dissolved on the second day of August 1805.

March 10—3t

CONGRESS.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, MARCH 5.

DEBATE

On Mr. GREGG's resolution

(CONTINUED.)

MR. J. RANDOLPH. I am extremely afraid, sir, that so far as it may depend on my acquaintance with details connected with the subject, I have very little right to address you, for in truth, I have not yet seen the documents from the Treasury, which were called for some time ago, to direct the judgment of this House in the decision of the question now before you; and, indeed after what I have this day heard I no longer require that document or any other document—indeed I do not know that I ever should have required it—to vote on the resolution of the gentleman from Pennsylvania. If I had entertained any doubts they would have been removed by the style in which the friends of the resolution have this morning discussed it. I am perfectly aware, that on entering upon this subject, we go into it manacled—handcuffed, and tongue tied; gentlemen know that our lips are sealed, on subjects of momentous foreign relations, which are indissolubly linked with the present question, & which would serve to throw a great light on it in every respect relevant to it. I will, however, endeavour to hobble over the subject, as well as my fettered limbs and palsied tongue will enable me to do it.

I am not surprised to hear this resolution discussed by its friends as a war measure. They say (it is true) that it is not a war measure; but they defend it on principles which would justify none but war measures, & seemed pleased with the idea that it may prove the forerunner of war. If war is necessary—if we have reached this point, let us have war. But while I have life, I will never consent to these incipient war measures, which, in their commencement breathe nothing but peace, though they plunge us at last into war. It has been well observed by the gentleman from Pennsylvania behind me (Mr. J. Clay) that the situation of this nation in 1793, was in every respect different from that in which it finds itself in 1806. Let me ask, too, if the situation of England is not since materialy changed? Gentlemen, who, it would appear from their language, have not got beyond the horn-book of politics, talk of our ability to cope with the British navy, and tell us of the war of our revolution. What was the situation of G. Britain then? She was then contending for the empire of the British channel, barely able to maintain a doubtful equality with her enemies, over whom she never gained the superiority until Rodney's victory of the 12th of April. What is her present situation? The combined fleets of France, Spain, and Holland are dissipated, they no longer exist. I am not surprised to hear men advocate these wild opinions, to see them goaded on by a spirit of mercantile avarice, straining their feeble strength to excite the nation to war, when they have reached this stage of infatuation, that we are an over match for G. Britain on the ocean. It is mere waste of time to reason with such persons. They do not deserve any thing like serious refutation. The proper arguments for such statesmen are a strait waiscoat, a dark room, water gruel, and depletion.

It has always appeared to me that there are three points to be considered, and maturely considered before we can be prepared to vote for the resolution of the gentleman from Pennsylvania. *First.* Our ability to contend with G. Britain for the question in dispute: *Secondly.* The policy of such a contest: and *Thirdly.* In case both these shall be settled affirmatively, the manner in which we can, with the greatest effect, re-act upon and annoy our adversary.

Now the gentleman from Massachusetts (Mr. Crowninshield) has settled at a single sweep, to use one of his favorite expressions, not only that we are capable of contending with G. Britain on the ocean, but that we are actually her superior. Whence does the gentleman deduce this inference? Because, truly, at that time when G. Britain was not mistress of the ocean, when a North was her prime minister and a Sandwich the first lord of her admiralty, when she was governed by a counting house administration, privateers of this country trespassed on her commerce. So, too, did the cruizers of Dunkirk at that day Suffrein held the mastery of the Indian seas. But what is the case now? Do gentlemen remember the capture of Cornwallis on land because De Grasse maintained the dominion of the ocean? To my mind no position is more clear, than that if we go to war with G. Britain, Charleston and Boston, the Chesapeake and the Hudson will be invested by British squadrons. Will you call on the count de Grasse to relieve them, or shall we apply to admiral Gravina, or admiral Villeneuve to raise the blockade? But you have not only a prospect of gathering glory, and what seems