

The Gazette.

PHILADELPHIA, FRIDAY EVENING, DECEMBER 8.

CONGRESS.

HOUSE OF REPRESENTATIVES.

THURSDAY—DECEMBER 7.

Mr. Dwight Foster, from the Committee of Claims, made a report upon the Petition of Andrew Popen, concerning in one which had heretofore been made by the Secretary of War, unfavorable to the Petitioner, and allowing him to withdraw his Petition, which was concurred in by the House.

Mr. Coit moved for the order of the day on the report of the Committee of Elections on the Memorial of Robert Rutherford, which being agreed to, the House resolved itself into a Committee of the Whole on the subject, Mr. Dent in the Chair. The Report it will be recollected, stated that the proofs which had been adduced by the Petitioner in support of his allegations against the election of General Morgan, were insufficient.

On motion being made to concur. Mr. Macon said he did not know whether the Petitioner was present or not. It was usual, he said, to place a chair for Petitioners in such cases, to give them an opportunity of being heard in support of their memorials. If Mr. Rutherford were present he hoped the usual course would be taken.

Mr. Coit had no objection to the proposed formality, though he believed the Petitioner was not present.

Mr. Macon said, as he was informed the Petitioner was not in the House, there was no need of providing him a chair.

The Committee rose, and the House concurred in the Report.

Mr. T. Claiborne said, that during the last Winter, a Report had been made by the Committee of Claims, on the Petition of Amy Dardin, unfavorable to the Petitioner, which, after a full discussion, had been disagreed to by the House, and on the 24th of February a motion for appointing a Committee to bring in a bill for her relief was made and committed to a Committee of the Whole, but for want of time had not been acted upon. He now wished to bring the matter before the House, and for that purpose moved that a Committee be appointed to bring in a bill for the relief of Amy Dardin.

This motion met with opposition. It will, perhaps, be recollected that this, though a strong claim, in point of justice, is directly in the face of the Limitation Act. Messrs. Macon, Sitgreaves and Harper, moved the matter to go again to the Committee of Claims, as many Members, now in the House, were unacquainted with the merits of the claim, and the latter Gentleman because he thought the House had been surprised into a decision, contrary to fifty other determinations on similar questions, which ought now to be reversed. Mr. Claiborne opposed this course, and trusted the House would again be influenced by the justice of the claim, to act as they had heretofore done, by passing a Bill for the relief of the Petitioner. Mr. Gallatin thought it would be best to commit the business to the same Committee of the Whole to which they had yesterday referred a Report of the Committee of Claims on the subject of excepting a certain description of claims from the operation of that Act. The business was, however, closed by Mr. Claiborne's withdrawing his motion for the present.

Mr. Sitgreaves presented the Petition of Israel Jones, in behalf of Joshua Ashbridge, praying for a settlement for supplies furnished for the United States during the war. Mr. S. said, though his claim appeared to be barred by the Statute of Limitation, yet there was a circumstance attending it which he supposed would operate in its favour. Application was made in due season for settlement, but it was prevented by the want of certain formalities. Referred to the Committee of Claims.

Mr. Nicholas called up for decision the Resolution which he lately laid on the table directing the Committee of Ways and Means to report a Plan for raising a sufficient Revenue to meet the Deferred Debt, which becomes payable in the year 1801.

This Resolution was put and carried 43 to 24.

Mr. Lyon said, as this Resolution had been agreed to, he would propose another, in some respects connected with it. It appeared to him proper, at the time they were directing the Committee of Ways and Means to report a plan for raising Revenue, to turn their attention to retrenching unnecessary expenses. He therefore proposed the following motion for the adoption of the House.

Resolved, that the Committee of Ways and Means be instructed to enquire whether any, and if any, what retrenchments may, with propriety be made in the Public Expenditure.

Mr. Williams thought the best way of disposing of all such resolutions as the present was to refer them to the committee of the whole on the state of the union, where they might receive full discussion. He meant to have made this observation before the last motion passed. He was by no means opposed to the resolution, but was of opinion this would be the best reference it could have. He suggested the propriety of the resolution, lying upon the table till tomorrow.—Agreed.

Mr. Harper called for the order of the day on the bill which had been reported for the relief of Mrs. Carmichael, which being agreed to, the House resolved itself into a committee of the whole on the subject, Mr. Dent in the chair; when, the bill having been read,

Mr. Allen moved to introduce a clause for the allowance of interest upon the sum proposed to be granted to the widow, from

the time at which the application was made to government for payment, on the ground of the heirs of Mr. Carmichael having been obliged to mortgage his estates to their full value, for the want of the money which was now allowed to be justly their due; it was only reasonable therefore, he said that they should receive an interest equal to that which they had been obliged to pay.

This motion was supported by Messrs. Harper, S. Smith, Sewall, and Rutledge, and opposed by Messrs. Varnum, J. Williams, Gordon, Coit and Edmond, on the ground of its being unprecedented; as it might lead to applications from persons who had already been differently dealt with; that the claim not being a legal, but, an equitable claim, and somewhat of a doubtful nature in the minds of some gentlemen, the petition ought to be satisfied with receiving the sum proposed to be allowed, particularly since it was not by any means certain that so large a sum had been expended by her late husband, in his capacity of charge des affaires, and when it was recollected how many just and legal claims of our own citizens were every day abandoned. Mr. Williams touched at the necessity there was of curtailing the expenses of our diplomatic department; and it was suggested by Mr. Gordon, that if the house were to let up a precedent of this kind, it might give encouragement to persons who had claims upon government, of a doubtful nature, to hold them back (knowing if they were allowed at all, they should have an interest allowed also upon their demand) until a convenient time should present itself, at which, perhaps, it might not be possible to bring forward the objections which might have been produced at an earlier period.

This debate continued for some time, when Mr. Macon objected to the bill as not being conformable to the instructions given to the committee who brought it in. The resolution of the house authorized the officers of the treasury to settle the account. If the bill, he said, had been thus drafted, and Mr. Franklin, Mr. Laurens, and others had been allowed interest, the treasury department would also have allowed it in this case. It was not usual for that house to settle accounts, but to authorize the proper department to do it. He therefore moved for the committee to rise. This opinion and motion were supported by Messrs. Coit, Edmond, Venable, and Matthews; and were opposed by Messrs. Gallatin, Harper and Craik. Mr. G. maintained that the bill, though not strictly conformable to the letter, was agreeable to the spirit of the resolution of the house; that this case differed from those where the precise sum due could be ascertained at the treasury; here there was a discretion to be exercised, as to the amount of the sum to be allowed, and he thought it better to be exercised by the house, than by the officers of the treasury. Mr. Craik believed, if no expressum agreed upon, no relief would be granted, as the account could not, in that case, be adjusted by the accounting officers of the treasury.

The motion for the committee to rise, in order to have the bill recommitted, was at length put and carried 43 to 38. Leave was refused to sit again, and the bill was recommitted to the committee who reported it.

A communication was received from the Treasury department, containing an account of the receipts and expenditures at the treasury, for the quarter ending the 31st of June last, and those of the War Department, ending on the 30th of June and the 30th of September, which were ordered to be printed. The Treasury account up to the end of December was promised in a few days.

Mr. Harper moved that this communication be referred to the committee of ways and means; but this reference being slated to be unusual, as the subject was before the committee of ways and means, of course, he withdrew the motion. Adjourned.

PORTSMOUTH, (N.H.) Nov. 25.

On Wednesday last agreeably to adjournment, the Hon. General Court convened in this town.

The hon. Senate being assembled with the house in the representatives chamber, His Excellency the Governor came in escorted by the committee, and addressed the Legislature with the following

SPEECH:

Fellow-Citizens of the Senate, and of the House of Representatives,

In meeting you at this time when the tranquility, general health and prosperity of the state afford so much cause for mutual congratulation, may I not invite you to join me in renewed expressions of gratitude to the sovereign disposer of events for the continuation of his providential care.

To unite our utmost endeavours to improve and strengthen the agreeable state of our internal affairs; must be a pleasing employment.

The constitution of the state requiring that "a valuation of the estates within the state shall be taken anew once in every five years at least" referring to the time when the last was taken, I presume it will be thought necessary in the present session to provide for a new valuation.

Although I have repeatedly expressed my sentiments respecting taxes, I cannot omit alluding your attention to the subject at this time, considering that it is always wise in a time of peace and tranquility to make preparation for such changes of circumstances as may happen in the course of human events.

Gentlemen of the Senate and Gentlemen of the House of Representatives.

Standing armies in times of peace being burdensome to the people and dangerous to liberty, a well regulated militia is wisely considered as the natural and only safe defence of republican governments—under this persuasion, a spirit highly patriotic has been manifested in a multiplicity of instances as it respects the militia of this state; yet there

is an opinion prevailing that the burthen is not so equally borne as it ought to be.

The general regulation of the militia belongs to our national government, but if in any particulars you should think proper to facilitate the business, your determination will meet my ready attention; connected as we are with the United States, our duty and interest combine to evince the propriety of contemplating our national affairs. In forming that system of government we had a share; a system which I doubt not is now more generally approved than when it was first adopted, notwithstanding any difference of opinion which has arisen respecting the administration of it in any particulars with respect to foreign nations.

Perfection in human affairs is not to be expected; to satisfy every citizen is next to impossible; but if our system of national government is generally good; if we have the choice as frequently as we wish, of persons to administer it; if one of our fundamental and irreverible principles in a republican government is that a majority shall govern, is it not proper to give a firm support to the laws and administration of such a government, and for every citizen duly to consider how far clamour and opposition thereto has invited, or procured, or may invite and procure injuries from any foreign nation.

The depredations on our navigation and commerce must not only be sensibly felt by the immediate individual sufferers, but considered as a great injury and indignity to the nation—to prevent the future and procure satisfaction for the past, appertains to our national government.

To guard our rights, and fully and candidly examine the conduct of every one whose appointment we have a voice in, is a duty incumbent on every citizen; but should we in any future time neglect or misuse our privileges until we find ourselves either in a state of anarchy, or governed by tyrants, we must then look back to the present happy state with deep regret for the loss—a state which perhaps may not be regained until the blood of many citizens is shed as the price.

In our constitution it is expressly declared that "knowledge and learning are essential to the preservation of a free government," and that "it shall be the duty of the legislatures and magistrates in all future periods of this government to cherish the interest of literature and the sciences, and all seminaries and public schools"—And it is also declared "the legislature shall assemble for the redress of public grievances, and for making such laws as the public good may require"—Coming as you do from all parts of the state, if there are any public grievances you must know them, also what laws the interests of literature and the public good may require.

Permit me to ask that a due attention may be paid to the subject of all public laws at an early period in the session, that time may be given for their thorough consideration, and be assured gentlemen that it is among the first wishes of my heart to be instrumental in promoting the peace and prosperity of the community.

JOHN TAYLOR GILMAN.

State of New-Hampshire, Nov. 23, 1797.

NEW-YORK, Dec. 4.

Curious problem to be solved by the "patriots."

In the United States, the republicans say the house of representatives, is the only genuine representation of the people. They consider the executive and senate, as aristocratic bodies; not being elected by the people, and therefore objects of jealousy.

In France, the republicans consider the council of five hundred, the democratic branch, as the foes of liberty, and the directory as the friends of the people. How is this apparent contradiction in the republican system to be reconciled? How happens it that in France, the men elected by the electors of the people's choice, should be underserving of the people's confidence, while the directory engross the whole? Yet in the United States, the reverse should take place? This is a mystery we with our found-headed patriots would unfold.

The character of the French, under the monarchy, was that of an active, subtle, penetrating, jovial people. The character is substantially the same now; but the traits are more strongly marked with energy; and to the softening given to their manners by a polite and brilliant court, has been substituted a ferocious pride and dogmatism in their new principles, which render them as intolerant towards the advocates of the old government and religion, as ever the old court was toward the protestants, in the most bigotted times. A staunch French republican is as much a bigot to his democracy, as the duke of Guise was to popery.

In former times the French nation furnished England, Germany, Holland and other countries with cooks, hairdressers and dancing masters, and wherever there was a Frenchman, there was noise, life and vivacity. Since the revolution, the French have changed their horripole and cottillon steps for the quick march, advance and right about face; and 30,000 of them are spread over Germany and Italy teaching the people the same republican steps. They are teaching the Germans and Italians to dance.

ALEXANDRIA, Nov. 30.

French Spoliation. To the Editor of the Columbian Mirror.

I enclose you a list of vessels and cargoes which have been taken by French privateers, and condemned in their ports, all except one, I believe within the last nine months, owned by merchants and others of this town—there may, however, be more; certain I am, there are not less than 21.—On a calculation of the tonnage, I find it amounts to upwards of three thousand tons and the value of vessels and cargoes not less than three hundred thousand dollars.

The scarcity of the circulating medium which pervades all ranks of the community, and of which every one complains, is easily accounted for; and, indeed, how can it be otherwise, when we consider that the commercial body of the United States have been plundered on the seas of property, within the last 12 months, to upwards of twenty millions; and particularly, that this small town which does not contain 6,000 thousand inhabitants, of all descriptions, has sustained a loss of three hundred thousand dollars, within the last nine months.

I have been led, partly, to transmit you this list of captures, in consequence of reading yesterday the President's Speech to Congress. The force with which he speaks of the importance of trade to the interest and welfare of the country, and the consequent propriety of protecting it, must be felt by all; and also with the design that the sufferers, (of which, Mr. Editor, I am one) when they perceive the aggregate loss, may take it into their consideration, in case of a failure of an amicable settlement with France, whether the United States are not in justice bound to make compensation to this class of citizens for the losses sustained by them in pursuing a lawful commerce; for it is notorious, that this body of men have been sacrificed, and last session of Congress were prohibited from arming in their own defence, for fear of giving offence to France. If therefore in the wisdom of Congress it was deemed necessary, in order to keep peace with the French Republic, that one class of citizens should suffer for the good of the whole, I hold it but just and reasonable that the whole should contribute to pay the losses thus incurred by this particular body of men; or otherwise, what we call the social compact is but a name without a meaning.

A SUFFERER

By French Spoliation. Captured by French Cruisers and condemned.

Table listing ship names and cargo values in dollars. Includes Ship Sally and cargo (10,000), Ship Polly & Nancy and cargo (20,000), Brig Jesse and cargo (15,000), Brig Hope and cargo (18,000), Brig Nancy and cargo (20,000), Brig Virginia and cargo (30,000), Brig Lydia and cargo (10,000), Brig Joseph and cargo (20,000), Brig Polly and cargo (10,000), Snow Hope and cargo (25,000), Schr. Juno and cargo (16,000), Indulry and cargo (10,000), Polly and cargo (10,000), Friendship and cargo (10,000), Maria and cargo (10,000), Little Indulry and cargo (4,000), Lucy and cargo (10,000), Paragon and cargo (12,000), Hannah and cargo (12,000), Hopewell and cargo (16,000), Cargo of schooner Maria (14,000).

Dollars 302,000

The valuation of the above I believe to be considerably under the cost.

From LONDON PAPERS.

LAW INTELLIGENCE.

THE KING v. SAMUEL WESTON, Et. This indictment was preferred against the defendant by Mr. Marder, jun, brandy-merchant, of Weymouth. It appeared that Mr. Marder had at the beginning of the war, enrolled himself to serve in the Weymouth corps of Volunteers, of which Mr. Weston had the command; in consequence of Mr. Marder's frequently absenting himself on days of exercise, and refusing payment of his fines incurred by such absence, he was expelled from the said corps, and at their instigation Capt. Weston publicly disgraced him, by posting him in printed bad bills served by the captain.

Mr. Gibbs, on behalf of the prosecution, proved the printing and publishing the libel.

Mr. Dallas then addressed the court and jury. He assured the jury that much would depend on the verdict they this day pronounced, in as much as it would affect the discipline of every volunteer corps in the kingdom. It was for the jury to judge of the intention as well as the law, as every item in the hand-bill carried strict facts, and he had no doubt but they would acquit the defendant on these grounds.

Judge Lawrence, in summing up the evidence, pointed out the law as it stood as to libels, and directed the jury to find a verdict for the prosecution. The jury before they gave their verdict, addressed the Judge, saying, that they were not satisfied as to his explanation of the law in this case, being of opinion, that as Mr. Marder had not stood up to the spirit of the articles of enrolment he had signed, he deserved the public censure the corps had inflicted. The Judge solemnly replied, these circumstances were not for their consideration, as the law was clear that this hand-bill was a libel, and again directed the jury to find a verdict for the prosecution. The jury retaining their opinion, acquitted the defendant.

At Norwich affizes the guard to the Telegraph coach from Yarmouth to London recovered 80l. damages from the coachman, by whose carelessness in driving, his leg was broke. Wisham and Green, two old offenders, who escaped from goal, and were apprehended by a breeches-maker, from whom they had stolen some breeches, and who recognized his work on the limbs of the former, were sentenced to death.

FOR SALE,

BY THE SUBSCRIBERS, Madeira Wine, first quality, in pipes. Madeira Wine, New-York quality, in pipes. LITHON WINE, in pipes. CLOVES and NUTMEGS of the latest importation, in boxes. Spanish Wool, in Bales, suitable for Hatters. Willings & Francis, Penn-Street, No. 21. Nov. 1.

By yesterday's Mail.

NEW-YORK, Dec. 6.

By the packet Queen Charlotte, captain Clemens, we are favoured with London papers to the evening of Oct. 7, (being 5 days later than our former advices) from which we have selected the most material articles as will be found under the different foreign heads.

From these advices we are more confirmed in our former opinion that hostilities will be recommenced on the continent of Europe. Every movement and operation announces this further appeal to arms.

Several of the lately transported deputies from Paris have escaped, and arrived in Switzerland. Carnot, the late president of the executive directory is among the number. He had arrived at Thun, and was said to have brought with him a considerable sum of money.

Letters from Basle, mention that the French ecclesiastics and other emigrants, who had returned to France, were hastening back to Switzerland, and that at least 6000 had passed through that city. No asylum being offered in Switzerland, the greater part had been obliged to join the army of the prince of Conde.

The British fleets still continued to blockade Cadix—and the Texel.

Madame Buonaparte had arrived at Venice: She occupied the palace of Morelli—and was received with uncommon splendor.

The king of Spain has given the daughter of the infant Don Louis, his uncle, in marriage to the prince of peace. [This man a few years since was a private in the Garde du Corps.]

We do not observe any accounts of our Commissioners at Paris.

The following is said to be the arrete of the directory which was the occasion of lord Malmesbury's returning to London.

Arrete of September 11.

"The executive directory hereby order, that citizens Treillard and Bonnier, who are charged to negotiate a peace with England, do (in the first conference with lord Malmesbury, minister plenipotentiary of the king of England) lay before his lordship a note, the object of which shall be to know if that minister is vested with sufficient power to restore to France and her allies, all captures, &c. which have been taken possession of by the English since the commencement of the war. The plenipotentiaries are desired to request an answer from his lordship the same day.

"The executive directory further publish, that if lord Malmesbury declares himself not invested with the necessary powers to establish that basis which the rights and treaties which unite the republic render indispensable, or if he does not give a peremptory answer in the time appointed, he is ordered to leave Lille in 24 hours, and repair to his court for sufficient powers."

This arret was placarded in all the streets of Paris.

Three per cent consols, in London, were at 48 cash, 49 on time, on the evening of the 7th October. (War prices.)

VIENNA, September 19.

The unexpected return of Count Meerfeldt, who has been here since the 17th, has made every hope of peace vanish. They speak of nothing but war, and a war carried on to the utmost extremity.

The Aulic Council of this Department is in permanence, and the utmost activity pervades the Aulic.

The Executive Directory of France has sent its Ultimatum, which our court cannot or will not, accept. Nothing is said of its contents.—This news has made a terrible sensation amongst the inhabitants of all classes in this capital.

September 20.

The intelligence of a new Revolution at Paris has caused a great sensation in our Cabinet. Immediately after the news of it reached Udina, Gen. Meerfeldt set out for this city, where he has arrived. The dispatches he has brought with him contain the resolutions of the present Government at Paris, relative to peace. The French appear no longer to shew that complacence we had hoped.

MILAN, September 13.

Buonaparte has received by several Couriers from Paris, circumstantial accounts of the late revolution there; and the ultimatum of the Directory relative to the negotiation.

The French minister, M. Declue, who arrived yesterday morning at the house of Mr. Canning with dispatches for Lord Malmesbury, we find came express from Udina, the seat of the negotiation between the French Republic and the Emperor to Paris. He continued there but 12 hours, when he was dispatched to Lille, from which place he proceeded to England. On his arrival at the house of Mr. Canning, a special messenger was sent for lord Malmesbury who arrived in town about noon, and the French courier delivered his packet into his own hands. Lord Malmesbury prudently recommended the Frenchman to reside in the house of one of the messengers of State, until his answer should be prepared for him, which he said would be very soon. What the nature of the dispatch is, we leave our political readers to divine; it is only certain, that, be what it may, it produced no sensation on the funds. They rose in the morning indeed to 49 five eights, but they suddenly fell back to 49, and finally closed at 49 one fourth & three eights. Those persons who draw conclusions, as to the nature of unexplained reports, from the depression they made on the stocks, can form no judgment therefore from the appearances of yesterday.

It is said indeed that the dispatch has no reference to the late negotiation at Lille; and a supposition has been formed which is