

better that Congress should be convened at some other place than that such a postponement should take place. He did not think the President asked for more than this; and so far from being disrespectful, he thought it the only way in which the bill could be agreed to.

Mr. Harper admitted, that if no other case were contemplated by this bill than the one lately experienced, the proposed limit might be admitted, as harmless; as by the Constitution, Congress must have been in session about the beginning of December, and thirty days would not have elapsed from the second Monday in November to the period fixed by the constitution for the meeting of Congress. He trusted, however, they should not pass a law without an object. Suppose, said he, Congress stood adjourned to the 1st of July, or 1st of August, and a contagious disorder should break out, or an enemy invade the city, a few days before either of those periods, might it not be desirable that the President should have the power of postponing the meeting for longer than thirty days? If such a disorder were to break out in June, could it be supposed that it would subside in July, when it was clear to every one that nothing but frost will put an end to the contagion? This amendment, therefore, where it could be acted upon at all, would be mischievous, and in other cases perfectly nugatory. As to respect and confidence, he did not mean that they should be induced by them to do an improper thing. But if it were proper to place the power in question in the hands of the President, he would not have it so placed as to be nugatory and foolish. The gentleman had found out that respect could only be personal, though all mankind had agreed that respect might be paid to offices, separate from persons. He never supposed that the law would be particularly disrespectful to the present President; but it seemed to show too great a jealousy of the Executive Department. The gentleman seemed to think the difficulty would be removed by the President's having the power to convene Congress at a different place; but he did not consider what expense and trouble would attend a removal of all the Machinery of government. He could not suppose that if the proposed power were placed in the President, that he would postpone Congress for a longer period, at any time, than was necessary. His own credit would be a sufficient guard against this. The gentleman from Pennsylvania himself could scarcely believe that it would not.

Mr. Swanwick said, that when Congress adjourned to any other day than that fixed by the Constitution, they had doubtless some reason for doing so. If this were the case, why should they put it in the power of the President to frustrate their views. But the expense of removing the government had been objected against. This could not be allowed to be so great an evil as the parting with the power which had been vested in them, of fixing their own time of meeting. He thought the motion of his colleague to limit the postponement to thirty days, would be sufficient, if such a power was necessary at all, though he thought that of convening Congress at any other place, was sufficient to guard against the contingencies which had been mentioned.

Mr. Nicholas believed gentlemen could not figure to themselves a case where, if a postponement were proper, thirty days would not be a sufficient time. The Constitution said, they should meet once a year; but that the two houses should have power to adjourn themselves to any time that they thought proper; and if they agreed to meet in July or August, as the gentleman from S. Carolina had supposed, was it proper that the President of the United States should have the power of preventing them? He would agree, that in all likelihood, his respect for his own character and his responsibility, would in general, prevent him from making an improper use of this power; yet still it was a power vested in the legislature, and it should be recollected that in placing the different powers of the government, there had always been a jealousy over the executive. He could well suppose that cases might exist, where the wishes of a President to do right, might be counteracted by interest. It was possible that the President and legislature might have different views, and it might be extremely important to him to effect his purposes, to have the power of postponing the meeting of Congress. If these different cases were within the view of the framers of the constitution, when they arranged the several powers of the government, they ought to be touched with a delicate hand. The law before them was meant to operate principally against any future contagious sickness. To give the power of postponing Congress for five or six months, would be an improper power. Nothing that he had seen of the present government could lead him to suppose that such a situation of things as that which he had mentioned should ever take place, by a disagreement in the different branches, but he believed the distribution of powers had been made with a view to these differences. He therefore hoped, the power would be limited.

Mr. Thatcher did not know that the house could be engaged on a subject of less importance than the present amendment; for if they looked back upon all the adjustments which had taken place since the commencement of the government, there had been only one or two cases in which the amendment could have operated; and it was not probable that in fifty years to come, there would be another. He supposed a number of cases, in which the amendment would either have no effect, or a bad one. He hoped, therefore, it would be disapproved to.

Mr. Wadsworth could see no good effect which the amendment could produce, as the time was already limited by the constitutional day, and thinking it unnecessary, he should be opposed to it.

The question upon the amendment was put, and negatived, 45 to 44.

The question now being on the engrossing of the bill for a third reading.

Mr. N. Smith said, he did not at present see the propriety of passing this bill. Perhaps gentlemen in favour of it, could satisfactorily explain its principles. They had not been explained, and until they were, he should not be willing to vote for it. The Constitution, he said, provided that there should be one session in a year, commencing the first Monday in December. The bill before them provided that whenever an earlier period of meeting should be fixed by law, that the President should have the power to postpone the meeting, provided that the postponement did not go beyond the constitutional day. Now he supposed there could not be a meeting of Congress before the constitutional day, except by an express law. If this were the case, it followed, that whenever the legislature should pass a law for an earlier meeting, they could at the same time provide for any difficulty which might arise. The President might be authorized to delay the meeting, in case of necessity, to the constitutional day, or any other; but why pass a general law to provide for inconveniences which may possibly grow out of some future law? He had heard of legislatures providing for difficulties arising from laws which they had passed, but never for such as might be supposed to grow out of future laws, the passing of which was wholly uncertain. As well might they sit down and provide for inconveniences which may grow out of a law laying a land tax; since that law may pass, and some gentlemen may wish and expect it will pass. He thought however, it would be time enough to provide for the difficulties arising under it, after it was passed. He might be told that he was told that the law, notwithstanding the objection he had brought against it, would do no harm; but this was not a sufficient reason for him to vote for it: before he did this, he must believe it would do good.

The question on engrossing was put, and negatived, 58 to 32. Of course the bill was lost.

Mr. Livingston, from the Committee of Commerce and Manufactures, made an unfavourable report on the petitions of Archibald Cook, Abiel Wood, and Robert Cooper, who all prayed for the remission of duty on goods, which had been lost and destroyed.

On motion of Mr. Sewall, this report was re-committed, as he said he had received some fresh documents in support of the claim of R. Cooper. Mr. Thatcher also wished that the case of Cook and Wood might be also re-committed.—Agreed.

Mr. A. Foster called for the order of the day on the report of the Committee of Claims on the petition of Edward St. Lee Livermore, which being agreed to, the House went into a committee of the whole on the subject.

It appears that from the singular situation of the Judge of the District of New-Hampshire, on the 3d of April, 1794, Congress were induced to pass an act, whereby the duties enjoined on the District Judges, by the act "to regulate the claims to invalid pensions," were transferred, as far as related to the district of New-Hampshire, to the Attorney of the said district, whose duty it was thereby made to perform the same. The object of this petition is to obtain compensation for the discharge of the said duties and as duties have been required and performed under the laws of the United States, by the petitioner, the committee conceived he was entitled to a reasonable compensation and submitted a resolution to the House, authorizing the accounting officers of the Treasury to settle his account.

This report occasioned some debate. It was supported as reasonable by Messrs. D. and A. Foster, Gordon and Brookes, and opposed by Messrs. Nicholas and Colt, on the ground, that no expense was ever contemplated to be incurred by the business in question, and that if they allowed a compensation in this case they might expect application from all the officers of the United States, whenever any new duty was laid upon them by laws subsequent to their appointment.

The report was negatived 43 to 31, and the House concurred in the votes.

Mr. Sitgreaves said, the House had made a subject the order of the day for to-morrow upon which he did not think they had sufficient information; he meant the bill relative to Foreign Coins. The last report which had been received from the Director of the Mint was in 1796, and all the calculations which had been made in the course of the late debate were founded upon that Report, and not upon the present actual state of that establishment. He should, therefore, propose a resolution to the following effect:

"Resolved, that the director of the mint be directed to report to this House a statement of all the Bullion deposited in the mint since his last report, and an account of gold and Silver Coin issued from the Mint in the same period; distinguishing in the statement of deposits, the Foreign Coin from the Bullion."

Mr. Nicholas had no objection to this motion, if it were not meant to postpone the consideration of the bill which the gentleman had alluded to; as any postponement of that business would have the effect which some gentlemen had said was already produced, of doing all the mischief which the act, if not repealed, was calculated to produce. He could see no effect which this report could produce as to the bill in question.

Mr. Sitgreaves said, the gentleman from Virginia misapprehended his intention, if he supposed he meant to delay for a single moment the business he alluded to. If he had any such intentions, he would have taken a direct mode of effecting his purpose: he left it to others to pursue their ends by indirect means. He wished only to correct the statements which had been made on the subject,

collected from an old report, which might be done and sent to the House by to-morrow morning.—Carried.

Mr. Sewall presented the petition of Simon Forrester, praying for the million of the duty on certain hemp which had been destroyed by fire.—Referred to the committee of commerce and manufactures.

On motion of Mr. Sitgreaves, the resolution referring that part of the President's speech which had reference to a provision for the expenses of carrying into effect the 6th article of the Treaty with Great-Britain, to a committee, was referred to the committee of ways and means.

Adjourned.

PENNSYLVANIA LEGISLATURE.

HOUSE OF REPRESENTATIVES.

December 16.

A petition from a number of citizens of Chambersburgh in the county of Franklin, praying an act to incorporate that town, was presented, read and referred to a committee.

A letter from Jonathan Williams and Reynolds Keen two of the associate judges of this district, stating the various services they are called upon to perform, the great length of time such services require, and the incompetence of their salaries, was presented and read.

Mr. Evans called up his resolution for the appointment of a committee to bring in a bill to perpetuate the act extending the powers of the justices of the peace, which was made the order of the day for Thursday next.

A committee was appointed to join a committee of the senate to compare engrossed bills and to present them to the governor for his approbation. The report of the committee appointed to arrange the subject matter of the governor's address was read a second time.

That which relates to the health laws was referred to the committee already appointed.

That which relates to the establishment of public schools was referred to a committee, consisting of a member from each county.

The further consideration of the report was postponed, as the hour had arrived for the appointment of a committee to try the election of Jacob Shoemaker.

The house proceeded to the formation of a committee recording to law; the names of the members present were called and were written upon slips of paper, rolled up and put into a box; they were then put alternately into three boxes, and the clerk drew a name out of each box alternately; two tellers took down the names as they were called by the speaker; the parties were present, and had the right to challenge until seventeen names only remained out of the whole number; after the seventeen names were drawn unchallenged, each of the parties was furnished with a list and had the right to strike off four, and thereby to reduce the number to nine. The parties retired and the following members are the committee: Messrs. William Malloy, Mawhorter, Horn, Wells, Kirk, Rea, Phillips, Tittermary and Snyder.

The committee were directed to meet at 6 o'clock in the afternoon. Adjourned.

NEW-YORK, December 16.

From Jamaica papers received last evening. Kingston, (Jam.) October 13. Extract of a letter from Cape Nicholas, dated the 17th ultimo.

"The night before last the Pelican returned here from a cruise, after a most gallant action. The republicans at Gonaves had fitted out a brig of 4 guns, long six pounders, and full of men, and a schooner with one nine pounder and 40 men, for the express purpose of taking the Drake; luckily, however, they fell in with the Pelican instead of her, and attacked her, and after an action of near two hours, half an hour closely engaged, the republican brig sunk, having first struck her colours—about 15 of her crew, which at the commencement of the action was near 100 men, were preserved, and many of them miserably burnt, by the blowing up of cartridges."

November 4.

We understand that Rigaud has at last taken Leonage, and that he intends going against the English possessions at Grand Anse.

By the Guinea ships which called at Barbados, we learn, that the crew of the ship Thomas, bound from Angola for this island, was overpowered by the negroes near Barbados, and that 14 hands, leaving the captain and the rest to maintain a very unequal combat, betook themselves to the boat, without an oar, provisions, or water. After being out 32 days, the boat drifted to Barbados, when only four miserable wretches were found alive.—It appears that their hunger became insupportable, they call lots, in order to ascertain who should die for the subsistence of the remainder, when the lot fell on the Doctor's Mate, who accordingly was killed. The remainder fell victims to disease, arising from the extremity of their wants; and, of 4 who reached Barbados, one died on the beach, and two were not expected to live.—A Barbados paper, containing the particulars, was seen by the captain of the Bridget, but he has not brought it with him.

By the last arrivals from St. Domingo accounts are received that his Majesty's ships Severn and Magicienne had sailed from the Mole to endeavour to destroy the vessels of Commodore Barney, in Port-de-Paix, for which purpose they are provided with mortars.

His Majesty's ship Grampus, of 54 guns lately arrived at C. N. Mole, from England; on her passage some of the seamen manifested a mutinous spirit. One man who had been a delegate on board the mutinous fleet at home, and had been acquitted, insulted the Captain on the quarter deck, and was seconded by another of the crew, they were however, both put in irons, were tried at the Mole, and the civ-dewant delegate was executed; the other was condemned, but awaits his Majesty's pleasure.

SAVANNAH, Nov. 17.

By a gentlemen from St. Simons, we are favoured with the following melancholy account: That on or about the first instant, the schooner Nancy, Capt. M'Connell, from this port bound to St. Mary's, was cast away on Wolf-Island inlet. The above schooner was chartered by a col. Deitz, who lately arrived here from New York, and who together with his wife, daughter and servant, and a Mr. Levin Bowen, cordwainer of this city, took their passage. The keel and one side of the vessel has been found driven ashore on the beach opposite were it is supposed the had went to pieces; but nothing has been heard of any of the crew or passengers, except Mr. Bowen, who was found dead on the 5th inst. on the north end of little St. Simon's, above high water mark, by our informant. Several articles together with some papers belonging to Col. Deitz, have been found, which place it beyond a doubt that they must all have perished. He has specie on board to the amount of 10,000 dollars, besides other property, and Mr. Bowen property to the amount of 15,00.—Col. Deitz was going to St. Ma-

ry's with a view to take up his residence there.

WILMINGTON, (N. C.) Nov. 30.

We are authorized to say, and from pretty good authority, that the French Republicans are in quiet possession of Louisiana—Particulars, if any, in our next.

The Gazette.

PHILADELPHIA,
TUESDAY EVENING, DECEMBER 19.

By Authority.

Fifth Congress of the United States

AT THE SECOND SESSION,

Began and held at the City of Philadelphia,

in the State of Pennsylvania, on Monday,

the thirtieth of November, one

thousand seven hundred and

ninety-seven.

An ACT to postpone, for a limited time, the

commencement of the duties imposed by the

act, intitled "An act laying duties on stamped vellum, parchment and paper."

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That so much

of the act, intitled "An act laying duties on stamped vellum, parchment and paper"

as directs that the duties imposed by that

act, shall be levied, collected and paid "from

and after the thirty first day of December

next," shall be, and the same hereby is re-

pealed; and that the duties aforesaid shall

be levied, collected and paid, from and after

the thirtieth day of June next, and not

sooner; to which last mentioned day, all

notices, certificates, and other matters or things,

directed by the said act, and having respect

to the commencement or collection of the

said duties, or any of them, shall relate.

JONATHAN DAYTON, Speaker of the

House of Representatives.

TH: JEFFERSON, Vice-President of the

United States, and President of the Senate.

Approved Dec.

15, 1797.

JOHN ADAMS, President of the

United States.

Deposited among the rolls in the office of

the Department of State.

TIMOTHY PICKERING, Secretary of State.

MARRIED—On Saturday evening last,

by the Rev. Mr. Abercrombie, Capt. John

Munn, to Miss Susan James, both of this

city.

It is expected that Dr. Coke will

preach at the Methodist Church in Fourth

street, at 6 o'clock, this evening the 19th

inst.

We understand that the execution of Owen

O'Hara, for murder, is to take place on

Saturday next.

GAZETTE MARINE LIST.

PORT OF PHILADELPHIA.

ARRIVED

Sch'r Fancy, Houston, from N. Providence

Sally, Briggs, do R. Island

Eliza, Watson, do Virginia

Sloop Yanco, Haskell, do Boston

CLEARED

Ship Edward, Wickham, for Amsterdam

Brig Tryal, Knox, do Trinidad

Sch'r Favorite, Shaw, do Savannah

John Brown, Stratton, do Norfolk

Sloop Polly, Baker, do St. Vincents

The schooner Patriot, captain Hammet, from Go-

navies, is below.

The George, Follet, from St. Ubes, and Maria,

Jane, Blunt, from Hamburg, are arrived at Port-

mouth, N. H.

New York, Dec. 18.

The Ellice, Harvey, from London to this port,

is taken by a French privateer, and carried for

the West-Indies. A packet arrived last evening

from New-Haven brings this information—and

that captain Harvey, the passengers and seamen had arrived at that place.

Boston, December 11.

This day arrived ship Sarah, Pollard, from a whaling

By this day's Mail.

NEW-YORK, Dec. 18.

IMPORTANT!!!

Captain Rumford, of the brig Sir John Wentworth, in 21 days from Martinique, informs us, that two days previous to his sailing, an English armed brig belonging to Lancaster, arrived there in 32 days from Liverpool, with the important news of admiral Duncan's engagement with and complete victory over the Dutch fleet from the Texel, which happened about the 12th of October.

In this engagement admiral Duncan captured eight ships of the line, and a fifty gun ship, among which were two admiral-ships. The account states it to have been a severe and bloody battle.

Admiral Duncan's ship was, in a disabled state, towed to, and anchored off, Dover, with four feet water in her hold; and, at 7, and some other vessels were sent from the Downs to pick up the disabled ships.

In consequence of the reception of this news at Martinique, every armed vessel at St. Piers, fired guns of rejoicing.

The news of this victory was published in an Extra. paper the day the brig left Liverpool; one of which papers capt. R. saw at Martinique.

This will, by many, be called West-India news, and of course, disbelieved, but from the veracity of the capt. and the positive manner in which he states the above particulars, we cannot hesitate in declaring it to be our opinion that it is well founded.

The night before the brig from Liverpool arrived at Martinique, she fell in with the French privateer Sans Pareil, from Guadaloupe, with which she had a severe engagement—the captain of the former was killed, and several hands badly wounded.

ARGUS ACCOUNT.

EXTRAORDINARY NEWS.

Leaked out on Saturday, a most important piece of intelligence if true, viz. that the Dutch fleet, in the North Seas, had met the British fleet, and lost nine ships taken! To render the story more probable, it is added, that the British Admiral Duncan's ship had nine feet of water in her hold, that several other of his fleet were much disabled, and that a fresh fleet was sent out to take them in!

This plausible account, it would seem, is brought by a British armed brig which arrived at this port from Martinique on Tuesday, but never leaked out until Saturday afternoon, though it fell into good hands. It is related as follows—That prior to the sailing of this said British armed vessel, a vessel had arrived at Martinique with the above account in 32 days from Liverpool, that great rejoicings were had at Martinique in consequence of it, and that he, himself, the brave little British armed vessel abovementioned, popped off many guns!

What renders this account extraordinary in our view is, that by accounts from the Texel to October 1, we were informed, that in consequence of some disaffection in the Dutch fleet, there was a disembarkment of many thousands, and no appearance of an expedition.

NEW THEATRE.

TO-MORROW EVENING,

DECEMBER 20,

Will be presented a COMEDY, called the

COUNTRY GIRL,

To which will be added a farce in two acts

called the

IRISHMAN IN LONDON,

in which Mr. Hardinge will make his first appearance

on this stage.

Box, one Dollar; Pit, three quarters of a Dollar; and Gallery, half a Dollar.

The doors of the Theatre will open at five, and the curtain rise precisely at six o'clock.

Places for the Boxes to be taken at the Office in the front of the Theatre, from 10 till 2 o'clock,

and from 10 till 4 on the days of performance.

Tickets to be had at H. and Rice's book-store, No. 50 Market-street, and at the Office adjoining the Theatre.

VIVAT REPUBLICA!

FRESH RAISINS.

A Small cargo, just arrived, and now landing at Chestnut street wharf, from the sloop Yanco, capt. Haskell, consisting of Kegs, Boxes and jars. A few jars of excellent Grapes, and sacks of soft shelled Almonds.—Apply to the Master on board, or to

December 19

For Charleston,

THE SHIP

VENUS,

Lying at the wharf of Messrs. Perrett's

low terms, and fail the first opening.—Apply to the master on board, or to

December 18

CLERKSHIP.

A YOUNG MAN, who could bring in dispa-

table recommendations, is desirous to be employed in the capacity of copying Clerk, at a public office.—He would engage on moderate terms.

For further particulars enquire at the office of this Gazette.

Chocolate and Mustard,

of a superior quality manufactured,

GINGER and Pepper, ground; shelled or

pearl Barley; Philadelphia Porter, Beer,

Ale and Cyder; Taunton and Burton Ale;

London Porter; red, Port and Lisbon Wine,

suitable for exportation or home consumption.

The highest price given for Mustard-Seed.

Also for sale, A quantity of Bocking and

common Bazes, a variety of colors; a bale of Fullians, Shawls, &c. for sale by

JOHN HAWORTH,

No. 98, south Front-street,

nov. 27. m & t. s. j.

Wanted, to Hire,

A Large and convenient HOUSE, in or near

the centre of the city—for which a good

rent will be given; to be taken for a year, or

more for a longer term. Inquire of the Printer,

Oct. 17. 201