

HOUSE OF REPRESENTATIVES.

TUESDAY, FEBRUARY 25.

The bill intitled "An act to continue in force an act concerning certain fisheries of the United States, and for the regulation and government of the Fishermen employed therein, and for other purposes as therein mentioned," was read a third time, and upon the question Shall this bill pass?

Mr. Macon opposed it, on the ground that no peculiar favour should be granted on the exportation of one article of provision more than another—and

Mr. Smith advocated it, as forming a nursery for our Seamen—and replied generally to the observations of Mr. M. when the question on passing the bill was taken and carried—ayes 51.

Mr. Harrison, from the Select committee to whom were referred the amendments of the Senate to the bill "in addition to the act intitled an act for regulating the grants of lands appropriated for Military Services, and for the Society of the United Brethren for propagating the Gospel among the heathens," reported, that it would be proper to disagree to the first amendment of the Senate, and to agree to the other amendments; in which the house concurred.

Mr. D. Foster, from the committee of claims, made a report on the petitions of Temple Elliott, William Boyce and Simon Somers, who severally prayed for grants of land from the United States, in consideration of services performed in the Virginia line of the army during the Revolutionary War.—A report on the petition of the said Temple Elliott, was heretofore made, to which the committee express an opinion that the house should agree, and that the same decision which shall be adopted on Mr. Elliott's petition, shall be applied to the other petitioners.

The report was read a first and second time, and committed to a committee of the whole house, and made the order of the day for to-morrow.

Mr. Otis presented a petition of Gilbert Dench, which having been read, he moved to refer to the Committee of Claims.

Mr. D. Foster opposed the reference, and the motion was negatived, only 26 members voting for it.

Mr. Champlin called for the order of the day on the report of the committee of Claims on the petition of the Corporation of Rhode Island College; and upon the question, will the house now take that subject into consideration, it passed in the negative.

Mr. Livingston then called for the order of the day on the message of the President relative to the requisition for, and delivery up of, Thomas Nash, alias Jonathan Robbins; and the house having resolved itself into a committee of the whole on that subject—Mr. Edmond in the chair—

Two resolutions having been heretofore referred to the committee (Mr. Bayard's and Mr. Livingston's) a debate arose upon the point of order which should be first taken up—when,

Mr. Sedgwick (Speaker) moved that the resolutions of the hon. gentleman from New-York, be first taken into consideration, which was carried; ayes 48, noes 32.

Mr. Livingston's resolutions having been read.

Mr. L. rose, and after expressing a wish, that a candid and impartial inquiry and decision should take place, upon so serious a question, which involved merit or censure, upon the conduct of a public officer, proceeded to the examination of evidence. Having begun to read a printed deposition of Jonathan Robbins, from a newspaper, wherein he swears he is an American, was born in Danbury, state of Connecticut, was impressed from on board an American vessel by the British frigate Hermoine, &c.

Mr. Bayard rose and objected to the reading of the paper, upon the ground that it could not be received as evidence by the committee—this objection caused a long debate as to the point of order in which Mr. Livingston said, he did not wish to introduce it as evidence—he did not believe a word contained in it, and thought it only a defence set up by Robbins to avert that trial and punishment which awaited him—Mr. L. said, his only object was, to prove that Robbins had said he was an American citizen—was impressed, &c.

The chairman at length decided that the gentleman could not be permitted to read the paper.

Mr. Gallatin appealed to the committee, and upon the question, Will the committee adhere to the decision of their chairman, it passed in the negative, ayes 39—noes 43.

The committee then rose, reported progress, and obtained leave to sit again.

A message was received from the Senate, by Mr. Otis, their secretary, informing the House, that the Senate had receded from their amendment disagreed to by this House to the bill providing for a second Census, or enumeration of the inhabitants of the United States—and also informing the House, that the Senate adhered to their amendment disagreed to by this House to the first section of the bill in addition to the act regulating grants of land for military services, &c. and requested a conference with this House on said disagreement and adherence, and had appointed a committee for that purpose on their part.

The house took up the message, agreed to a conference, and appointed three managers on their part.

On motion of Mr. Gallatin, the house adopted a resolution, instructing the committee appointed on the subject of public lands, to prepare and report a bill appropriating a tract of land, sufficient to compensate the Canada and Nova Scotia Refugees, and regulating the mode in which their respective bounties for land shall be located.

On motion of Mr. Gallatin, the house also came to a resolution, empowering the clerk, with the approbation of the speaker, to employ such additional assistance in his office, as may be deemed necessary during the remainder of the session, to be compensated out of the money allowed for contingent expenses of the House.

At a meeting of the commissioners, appointed in and by an act of the Legislature of the State of New-York, passed 6th April, 1798, entitled "An act to code the jurisdiction of certain lands in this state to the United States," held at the City-Hall of the city of Albany, on Tuesday, the 11th February, 1803.

His Excellency John Jay, Esq. Governor.

The Hon. Stephen Van Rensselaer, Esq. Lieutenant Governor.

The Hon. Robert R. Livingston, Esq. Chancellor.

The Hon. John Lansing, Junior, Esq. Chief Justice.

His Excellency the Governor informed the Board that fortifications had been erected, partly at the expense of the United States, and partly at the expense of this State, on Governor's Island and Oyster Island. That he was informed that some fortifications would be judged requisite on Bedlow's Island, but nothing of importance had as yet been done on that Island. That these fortifications being for the defence of the port and harbour of New-York, he submitted to them whether the jurisdiction of those islands should not be ceded to the United States, in pursuance of, and within the limitations prescribed by the statutes of the United States, and of this State, on the subject.

His Excellency further informed the Board, that directly after the passing the act of this State authorizing such cessions, he had sent a copy of it to the Secretary at War, and requested him to designate the places in and about the city of New-York, which it would be judged necessary to fortify, to the end that a proper cession of jurisdiction relative to such places might be made. That he has not received such information from the Secretary at War, which he presumes may be imputed to the question whether this State would not adopt the propositions of the United States relative to balances.

That understanding from some of the members of the Legislature, that a bill was preparing for adopting those propositions, and with a probability of success; and that a cession of the jurisdiction of the places already fortified, would be necessary to be made by the 15th of this month, he convened all the commissioners, except the Mayor of New-York, who was at too great a distance to be summoned, and to arrive here in season.

The board then proceeded to the further consideration of the subject, and after some time spent thereon, it was decided on as follows:

The Honorable the Lieut. Governor gave his assent to the proposition for ceding to the United States, the jurisdiction of the Islands in the North and East rivers, near the city of New-York, commonly called Governor's, Bedlow's, and Oyster Islands, for the purpose of erecting fortifications thereon, for the defence of the port and harbor of New-York.

The honorable the Chancellor objected to giving his assent, and delivered his reasons in writing, in the words following, to wit: Because the law having passed nearly two years ago, when the Legislature were apprehensive of an immediate war, there is reason to suppose that now, when the danger is no longer apprehended, they would not choose to invest so great a power in the commissioners.

Because Governor's Island, containing about seventy acres of land, Congress may establish such a government in it, and give such privileges as may interfere, at some future period, with the essential political and commercial interests of the city. The constitution of the United States setting no limits to their power within places subject to their jurisdiction.

Because, supposing the islands to be the only points from which the city of N. York can be defended, if the exclusive jurisdiction is ceded to the United States, and they should neglect to defend the same, the city must be left totally defenceless.

Because this being a matter purely in the discretion of the State, and not claimed of right by Congress, unless the advantages to be derived from it are very evident, the state cannot justify a relinquishment of any part of their territories.

Because, as members of the union, we are entitled to protection and defence, without being compelled to purchase it by a relinquishment of any of our rights.

Because, though the law, under which we sit, has been in force nearly two years, yet we never have, till five days before it must be carried into effect, been consulted on the subject, nor had any opportunity of making the enquiries on which our judgment should be founded, so that it becomes impossible to comply with the terms of it, by conveying by notes and bounds, and we are thus driven, if we convey at all, to give the whole of the islands, though some parts of them may be unnecessary for fortifications.

Because, having no surveys or plans before us, we are unable to say, whether the islands proposed to be ceded are the spots upon which fortifications may be most advantageously erected for the defence and safety of the city.

Because the Mayor of the city of New York, who may be supposed best to understand its interests, has not been called upon to give his opinion on the subject.

The honorable the chief justice also objected to giving his assent, and delivered his reasons in writing, in the words following, to wit:

Because, the Mayor of the city of New York, who is one of the commissioners, has not been notified to attend. The evident intention of the law, which has vested in the commissioners a discretion, being that it should be exercised jointly, though in the result three may make the cession.

Because, the commissioners are not possessed of any plan or system of defence, or survey, from which the expediency of making such cession, as connected with the only objects on which the commissioners are authorized to act, the safety and defence of the city and port of New York, can be inferred. The few days in which the commissioners are called upon to determine on this important measure, preclude the possibility of obtaining that accurate information which is necessary to direct the exercise of the discretion vested on them by law.

Gazette Marine List.

Port of Philadelphia.

Yesterday came into this port the Enterprize armed schooner, Lieut. Shaw, from a cruise; but lost from Marcus Hook.

The snow Java, (and not the Alexander Hamilton) from Batavia, has arrived at Baltimore—sailed from thence early in October, in company with the Alexander Hamilton, and Molly, Swaine, of and for Philadelphia. They passed round the east end of Java, in order to avoid a French frigate of 44 guns, and two corvettes, lying there.

The schr. Peggy, Dandelot, from hence to St. Jago de Cuba, is lost on the Triangles, crew saved.

Extract from the Log-book of the United States Schooner Enterprize, Lieut. John Shaw, commander.

Jan. 10. Boarded the American brig Polly, of Wiscasset, took six prisoners out of her, about a deg. E. of Martinique. She was taken by a French privateer of 8 guns, who put on board eight men to navigate her to Guadaloupe, leaving on board the Polly the captain, a man and a boy, who retook her after an oblique struggle with the Frenchmen, killed two and disabled the rest. Lent an officer and 12 men on board the Polly, at the same time, to assist them in anchoring her in St. Pierre's.

Jan. 13. Boarded a British schooner, John Perkins, master, from St. Kitts, bound to St. Vincent's. She had fallen in with a French privateer to leeward of Martinique, and engaged her four glasses, when the Frenchman struck his colours. The British had 2 killed and 3 wounded.

Jan. 23. Boarded and re-captured the schr. Victory, 5 days in possession of the French, had been taken by the French privateer the Sun, of 8 or 10 guns.

Jan. 24. Boarded and re-captured the brig Andrefforgin, of Topsham, bound for Jamaica six days in possession of the French, taken by the privateer La Union, Topaz, master.

Jan. 29. Boarded the American schr. Citizen, of Baltimore, bound to Carracon.—Sent in Mr. Baker, with dispatches for the Delaware. Note—the crew of the Delaware had been very sickly, but were then recruiting fast.

Feb. 4. Boarded the United States, Constellation, St. Croix bearing N. N. E. 10 or 12 leagues distance—who, on the 11, had an engagement with a French 54. Spoke the British frigate Unity. Also, spoke the United States frigate L'Insurgente, bound to Jamaica.

Feb. 6. Spoke and boarded the schr. Sea Flower, capt. Mann, of Philadelphia, bound to Porto Cavallo, having sprung her rudder and bowsprit, and lost a man overboard.

Feb. 11. Spoke the schr. Thistle, of Philadelphia, Ellis, master, bound to Jamaica, six days out from New-York.

Boston, February 19.

We learn from Newport, that the United States frigate Boston, of 32 guns, capt. Little, has captured and sent into Newport, a large French letter of marque ship, pierced for 32, and mounting 20 guns, from Cape Francois, tor Bourdeaux. The prize is expected here the first fair wind.

The above prize, we learn, is commanded by Lt. Haffwell. She has a very rich cargo of coffee; and it is expected is a good prize. Reports mention her to be the property of Toussaint; and that in consequence of her capture, the General Greene frigate had been detained at Cape Francois. But these are mere reports.

The keel of the Massachusetts 74, to be built in this town, has arrived at the Navy yard—it is in five pieces; and cost 500 dollars. Vast quantities of timber for plank, and other materials are daily arriving.

Norfolk, February 15.

Arrived here on Thursday, the schr. John, capt. Muir, 16 days from St. Thomas; by him we have the following list of vessels captured and sent into Point Petre, Guadaloupe, between the 1st December and 3d January Ranging Polly, Coz, Portsmouth (Vir.) Polly, Barnard, Currituck. Ship George, —, Kennebank; Sally, —, do. Brig Neptune, Flint, Salem.

Dolphin, Rice, Portsmouth (Mass.) Dove, Hegard, Newhaven. Schr. Seaflower, Baker, Boston. Sally, Butler, New-York. Commerce, Hutchings, Washington. Chance, Goodrich, New-London. —, Williams, New-London. —, Harris, from Philadelphia. Mary, —, N. Carolina. Jeremiah, —, Boston. Sloop Abigail, Jones, Boston. Signet, Hunt, Newbern.

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BY PARTICULAR DESIRE.

The President of the United States intending to honor the Theatre, with his presence on Wednesday Evening, Feb. 26, when will be presented,

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February 26

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Feb. 26.

1847.

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TO WIT.

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(Signed) D. CALDWELL,

Clerk of the District of Pennsylvania,

January 31,

1847.