

CONGRESS.  
HOUSE OF REPRESENTATIVES.

Monday Evening.

The committee appointed to report on the message of the President, respecting Consuls on the coast of Barbary, reported, that the circumstance was provided for by the sixth section of the act respecting Consuls and Vice-Consuls.

It was then moved that the House should go into a committee, on the bill to authorize the President to obtain the cession of certain territories, in Georgia, which was agreed to, Mr. Cobb in the chair.

Mr. Sedgwick moved that the House should rise and report the bill.

Mr. Fitzsimons wanted to know the meaning of the words in the bill by purchase, or otherwise? If the President is to buy the right from the state of Georgia to the lands which they claim, we ought to make provision for it. What is the meaning of the words?

Mr. Swift said, that this bill for the Georgia lands was an unlimited thing. No man had a higher opinion than himself of the President, but it was improper to grant such extensive powers. The House think the state of Georgia wrong in having claimed this land. It will still be more extraordinary in us to propose to buy what they have not a right to sell. We ought to declare, at once, that the lands belong to the United States, and not give any such indefinite power which might offend our constituents. He was ready to allow the Georgians payment of any expense which they might have been at in defending it from the Indians, and nothing else.

Mr. Ames imagined that it would require a wheelbarrow load of documents and papers, to determine whether these lands were the property of the state of Georgia, or not. In the last night but one of a session, there was not time for entering into the discussion of the right. He thought it would be good policy to agree to the resolution. There was, however, an interim danger of persons who claim the lands going and taking them by force, and thus bringing the United States into another war ten times more bloody than the present. He should deplore the disappointment, if the bill did not pass.

Mr. Sedgwick had an amendment which was empowering the President to give dollars for the cession.

Mr. Harper imagined, that to fill up the blank would be attended with insuperable difficulties. It would be much better to let it stand as it was. To fix the price before you attempt to make the bargain, is quite wrong. We have not information sufficient to know what sum it will be prudent to give. We cannot, at this time, appoint a committee to enquire. He advised to refer it to the Secretary of the Treasury to report to next Congress. The fixing a price would be destroying the responsibility of the Executive. He might shelter himself under a vote of the House, as having fixed the sum. He was satisfied that the Executive has abundance of reasons for trying to make the bargain as cheaply as he can, but this resolution would destroy the principle of responsibility. We had been told that the Georgians have not a right to these lands, and therefore that it was improper to attempt a purchase from them. In the second place, that, if we had acquired such a right, it would be useless, because we have too much land already. With regard to the former, Mr. Harper went into a long historical detail to prove, that Georgia actually had a right to the lands in question. He wished that the land did belong to the United States, and wished that it might be bought. We are not to suppose this a mere visionary claim. It is a legal claim, and extends over thirty millions of acres of the finest lands in the world, and most admirably situated both for commerce and emigration. It might, every foot of it, be made worth half a dollar, or a dollar, per acre. Its settlement would tend to open the navigation of the Mississippi. These thirty millions of acres have been sold to certain adventuring companies, at five hundred thousand dollars. If the purchasers themselves had completed their rights, he would advise the re-purchase from them.

Mr. Dayton liked the amendment better than the original resolution. He proposed an amendment, which was not distinctly heard. He was sensible of the value of time. The Senate are waiting for the resolution of this House. He said that in this bill there had been omitted a tract of land forty

miles square, formerly purchased from the Natches. He feared that this affair might involve the states in a war with the Creeks, the most formidable tribe of the Indians.

Mr. Sedgwick said, that his amendment had been amended. We understood that it now included the tract of forty miles square purchased from the Natches.

Mr. McDowell hoped that the bill would not pass at all. It was a subject of so much intricacy that it could not be discussed at present. He did not think that it would be very honorable in the government, if the sale was actually completed, to embarrass the purchasers of the lands, till they should be forced to give up their right.

Mr. Findley liked the resolution better without the amendment.

A member recommended not fixing any sum, but striking it out of the amendment. If the sum is too low, we shall not get the land. If too high, we may be sure that the state of Georgia will not part with it for one farthing less than the whole sum mentioned in the bill. No gentleman can, at present, guess what the land is worth.

Mr. Boudinot was for limiting the sum.

Mr. Kittera requested that the question might be taken.

Mr. McDowell moved that the committee might rise, as they had not sufficient information for proceeding.

This motion was negatived.

The amendment of dollars was finally rejected. The bill was reported to the House with amendments, agreed to, and ordered to be engrossed for a third reading.

An additional appropriation act was taken up with amendments, from the Senate, which were agreed to.

A message was received from the Senate, notifying that they had receded from their amendment to the bill for the exportation of arms. They agreed to the bill for the promulgation of the laws, with amendments.

The bill relative to the Georgia lands was then read a third time, and passed. The yeas and nays were taken.

Yeas, - - - 41.  
Nays, - - - 24.

The House then went into a committee on the petition of Edmund Hogan; the report of the select committee was read, and after some remarks, agreed to.

The house then, at half past ten in the evening, adjourned till Tuesday.

Tuesday, March 3.

The bill supplementary to the mint act was returned from the Senate, with an amendment, which was agreed to.

There was little or no business done, but an adjournment from two o'clock till five.

Mr. New, from the committee of enrollments, reported the following enrolled bills:

An act for the more effectual recovery of debts due from individuals to the United States.

An act making further appropriations for the military and naval establishments, and for the support of government.

An act for the more general promulgation of the laws of the United States, with several others of which we did not learn the names.

Mr. Dexter laid a resolution on the table nearly in the following words: "Resolved, That a committee be appointed to consider and report on the propriety of revising the laws of the United States, inflicting capital and other infamous punishments, and of repealing the same in certain cases."

Mr. Dexter said, that he laid the resolution on the table, hoping that gentlemen would consider the subject as important enough to command some share of their attention during the recess: That the existing laws were so severe as to give impunity to some crimes in the eastern states; that grand jurors would reluctantly present offenders, no juries for trials often acquit them improperly; that he had known a singular instance, in which an offender despised a trial, from a confidence that no evidence could induce the jury to convict him. Mr. Dexter further observed, that he had long been convinced, that the present fashionable punishments were introduced when the rights of men were little understood and less regarded;—that they were unjust and barbarous in principle, and mischievous in practice, as it is not difficult to shew that they have a direct tendency to produce the very crimes they are intended to prevent; and that justice, humanity, and even policy, call loudly for reform.—If reasoning should be distrusted, at least facts and actual experiment ought to convince: That such facts had long existed both in Europe and America,

as to place it beyond doubt, that savage laws will always make a savage people: That the change of things in Portugal, and particularly in Lisbon, which had lately taken place, was another proof in addition to many others: That the danger of assassination and robbery there had been well known, that the abolition of sanguinary punishments there lately, had abolished the crimes; and that he had been informed by a most respectable gentleman, just arrived from thence, that the midnight traveller is now as safe in Lisbon as in Philadelphia.

Mr. Dexter was not unacquainted with the fears of some very good men; that mitigating punishments would produce an inundation of crimes, especially in large cities; but he said experience had shewn, that no such danger existed: the best citizens of Portugal had objected from similar fears, but they had happily discovered that such fears were groundless. A legislature ought to dare to do right, and trust events to heaven. Moral good cannot produce natural evil as its ordinary fruit.

Mr. Dexter concluded by observing that if he should not be a member of the next Congress, he hoped some gentleman would think the subject important enough to be attended to; at least he should have done his duty, and the resolution would shew the opinion of one of the sovereign people, that the criminal code ought to be amended, and he doubted not that the future servants of the public would pay due respect to it.

A committee of both houses waited on the President to learn if he had any thing farther to communicate to the House. The committee returned with an answer that he had not, and that his kind and most affectionate wishes attended them in returning to their constituents.

The House then adjourned sine die.—Mr. Lyman said that he had a motion in his hand which he intended to have made. The House immediately came to order and the motion of Mr. Lyman was read in the following words:

"Resolved unaniously, "That the thanks of the House of Representatives be presented to Frederick Augustus Muhlenberg, in testimony of their approbation of his conduct in discharging the arduous and important duties assigned him while in the chair."

The motion was unanimously agreed to and the Speaker replied as follows:

"I feel myself highly honoured by this distinguished mark of your approbation of my conduct in the station you were pleased to assign unto me, and although I am conscious that my public efforts do not merit so precious a reward, yet permit me to assure you, that it has made a lasting impression on my mind, and I shall ever esteem it with unfeigned satisfaction."

"Gentlemen, I most sincerely thank you. May every possible happiness attend you, May you long continue to enjoy the confidence of your fellow citizens, and may you meet with their just applause of having deserved well of your country."

Foreign Intelligence.

LONDON, Dec. 23.

Particulars of the storming of Praga, and of the Surrender of Warsaw.

THE circumstances attending the storming of Praga, and those which preceded the surrender of Warsaw, have as yet been imperfectly related; we have now received the particulars, which make humanity shudder.

The suburb of Praga, separated from Warsaw by the Vistula, was defended by more than a hundred cannon, disposed upon 33 batteries.—It was under the fire of this terrible artillery that Gen. Suwarrow made his troops mount to the assault, in the same manner as he had done at the taking of Ismael. It will be recollected that it was General Suwarrow, who commanded at the taking of this Turkish fortress, where the Russians entered only by climbing over the dead bodies of their comrades as well as their enemies. The General gave the same orders in the assault of the suburbs of Praga; he enjoined his soldiers to give quarter to no one. The engagement lasted two hours, and this memorable day, the 4th of November, will be numbered among those in which human blood was shed in most abundance, even in these unhappy times in which we live. The number of unfortunate Poles, who perished by the sword, the fire, and the water, (the bridge over the Vistula having been broken during the action,) are estimated at 20,000. In the suburb of Praga, 12,000 inhabitants of both sexes, and all ages, were the victims of the first fury of the Russians, who massacred all whom they met, without distinction of age, sex or quality.—After this dreadful execution, no more hopes remained of saving Warsaw. The principal chief of the insurrection, Count

Potocki himself, advised to treat with the Russian General, and for that purpose, repaired to the head-quarters of the Russians, with propositions of peace in the name of the Republic. But Count Suwarrow refused to hear him, observing haughtily that the Emperor, his Sovereign, was by no means at war with the Republic; that the only object of his coming before Warsaw, was to reduce to obedience those Polish subjects, who, by taking up arms, had disturbed the repose of the State. He at the same time insinuated, that he should treat with none of the chiefs of the insurrection, but only with persons who, invested with legitimate authority, should come to speak in the name, and on the part of his Polish Majesty.

Count Potocki being sent back with this answer, it was resolved to send deputies from the Magistracy of Warsaw to the Russian Commander. During all this time the fire of the city did not cease playing upon the Russians in the suburb of Praga, who answered it but feebly.—The Deputies, Buzakowski, Strazakowski, and Makarowicz, having repaired to the head quarters, and the night of the 4th being spent under the acutest anxiety, they returned about noon on the 5th. They had been constrained to surrender the city at discretion into the hands of Count Suwarrow, under the singular condition, that the inhabitants should be secure in their lives and property. The General having consented to this, added, "That, besides safety to their persons, and the preservation of their property, there was a third article, which without doubt, the Magistrates had forgotten to ask, and which he granted, Pardon for the past."

The Deputies being returned into the city, a Proclamation was published to this effect:

"The Magistracy of the free city of Warsaw.

"The Deputies of the city of Warsaw, sent to Gen. Suwarrow, commanding the Russian troops under the city, having reported to the Magistracy that they were received amicably by his Excellency, the said General, who had declared his disposition for a capitulation; and also that they had obtained some preliminary articles, signed by him, by which he had promised the citizens, safety to their persons and property, and oblivion of all past wrongs.—The Magistracy notifies the same to the citizens, wishing them to keep themselves quiet till the entire conclusion of the capitulation, and that they will cease their fire, his Excellency having ordered them not to fire on their part."

In consequence of this submission of the city, the Magistracy also informed the inhabitants of the desire of General Suwarrow, that all persons, inhabitants, should surrender all their arms, of every kind, before the signing of the capitulation, under promise of all arms of value, and fowling pieces, being returned to the proprietors, after the re-establishment of tranquillity. All the inhabitants obeyed this order; but the soldiery then in the city refused. Their Chief, Wawrzewski, and many members of the Supreme Council, refused to take part in the capitulation. This difficulty gave occasion for more parleys, which lasted all the 6th. The King demanded a week to labour at a pacification; but Count Suwarrow would grant no more than two or three days, during which time they laboured to repair the bridge over the Vistula. In fine, it was agreed, that those of the military who refused to lay down their arms, should have liberty to go out of Warsaw. But the Russian General added this declaration, that "all who chose this alternative might be sure of not escaping any where else; and that when overtaken, no quarter would be granted."

After the agreement was signed, the Members of the Supreme Council, and Generalissimo Wawrzewski, waited upon the King, in the morning of the 7th of November, and remitted into his hands the authority they exercised at Warsaw.—The same day the Magistrates informed the inhabitants, that the capitulation having been signed, the Russian troops were about to enter the city; that the Russian General having promised observance of the most exact discipline, the Burgesses were enjoined to preserve order and tranquillity, on their part; and the more keenly to preserve tranquillity, they ordered all houses to be shut, &c.

The entry of the Russians followed on the 9th of November, in the manner we have before related.

PARLIAMENT.

The following is a list of the new Members, who took their seats in the House of Commons, on Tuesday, viz. Lord Dorchester, for Cricklade; William Dundas, Esq. for the burghs of Austr-

Castle for for sur for Stewart, Hon-  
lock; Henry Strachey, Esq. for Castle; Charles Chetwynd, Esq. for Riving; Michael Hicks Beach, Esq. for Cirencester; Charles Dundas, Esq. for Serks; Sir John Frolicke, Bart. for Weymouth; Sir Henry Vane Tempel, Bart. for Weymouth; and Right Hon. William Wynbarn, for Norwich.

Minority in the House of Lords, on Lord Gaitford's Amendment to the Address in favour of negotiating a Peace with France.

Duke of Bedford, Marquis of Londowne, Earls of Derby, Salisbury, Devonport, Thanes, Enckinham, B. Mount, Alberman, Gaidere, South, Lord Chedworth.

List of the Minority on Mr. Wilberforce's Amendment to the Address to negotiate a Peace with France

Anlon Thomas, Anderson, J. W. Antonio Lee, Aubrey Sir John, Baring, Henry, Baring Sir Francis, Baring, Hon. Bouverie Hon. Edward, Hon. Hon. William, Bullock John, Burch, Rowland, Burch, J. R. Byng, George, Church J. B. Coke T. W. Coke Edward, Colquhoun William, Courtenay, J. Cox, H. Hippisley, Curwen C. Davies, Sir Charles, Duncombe Henry, Fitzroy, Hon. Thomas, Featherston, Sir Henry, Fitzpatrick, Rt. Hon. R. Fletcher, Henry, Foxes Sir M. B. Foley, Hon. Edward, Fox Rt. Hon. C. J. Francis, Phillip, Charles Lord, Grey Charles, Hare James, Harcourt John, Hill Richard, Howard Henry, Hulley William, Jekyl Joseph, St. John, St. Andrew, Keppel Thomas, Lauchlan John, Lambton William, Henry, Lambton, Lechmere Edmund, Long Samuel, Ludlow Earl, Mc.Leod, Colonel, N. Malins, William, Martin James, Milnes Sir William, Milbank Ralph, Mordaunt Sir R. North Dudley, Peirse Henry, Plymmer William, Rufel Lord William, Sheridan R. B. Shaw Cunliffe, Smith William, Spencer Lord Robert, Sturt Charles, Taylor A. M. Taylor Clerk, Telford General, Thompson Thomas, Thorne Robert, Thornton Henry, Townshend Lord, John, Walwyn James, Welles, C. C. Wilbraham Roger, Wilberforce William, Wynne R. Watkin Maitland, Hon. Thomas, Whitebread Samuel, jun.

Plymouth, Dock, Dec. 30.

The La Nymphe and Stag frigates, Admiral Park is just arrived in the Sardin from Torbay, with the remainder of the outward bound West India fleet. Never was so large a fleet known to be together. The number is computed at seven hundred sail.

From the American Daily Advertiser.

GERMANIC LETTER XII.

To the Citizens of the United States.

IT has been shewn, that the comments in the President's Speech upon ill-created societies were genuine inferences from facts; and that his recommendation to every description of citizens was derived from his faculties, and their affectionate reliance on his wisdom and virtue.—It is now to be examined, whether in those comments, or in that recommendation, he intimated any expectation of a sanction from Congress, which the constitution did not permit, and the crisis demand.

How grateful forever it might have been that the House of Representatives should reciprocate the sentiments, contained in that communication; they were at present liberty to modify, or indeed absolutely to omit them. No other reply therefore could have been looked for or desired, than one, corresponding with the conviction of that body.

And where would legislative power have been wounded, if the House of Representatives had explicitly discountenanced the societies? If their debates be truly represented in the gazettes, and their assent to condemn was founded on a supposed defect of power, they have retracted themselves by subtleties, which will neither endure a severe test, nor square with their own precedents.

I say, a supposed defect of power; because it is understood to have been inculcated as a political truth; that, even if the societies had demeaned themselves in a manner, offensive to public tranquillity, the House of Representatives had no right to censure. The doctrine went so far, that it would exclude from the reprobation of that House every public evil, however general, although it may be better to suppress it by the temperate application of public opinion, than by the rigours of law.

It is the part of patriotism to avoid the assimilation of our constitution to the British or any other; unless a strict adherence to the language and spirit of the federal charter may be combined with republican analogies to other governments. The journal of the British House of Commons is bounds with examples of the most pointed censure, built too, not upon the fanciful idea of the omnipotence of Parliament, but upon the proof of commons being the great inequal of the land. But I wave these advantages, which might be drawn from this source; preferring to refer to principles wholly American.

The argument might be strengthened by reciting the many instances of censure, shewn through the legislative proceedings of the states, all of which breathe pure republicanism, and in different degrees give to the legislative from the judicial power.