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FIVE DOLLS. PER ANN. WEDNESDAY, FEBRUARY 1st, 1804. PAID IN ADVANCE.

(BY AUTHORITY.)

AN ACT

For the relief of Paul Coulon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Paul Coulon, as agent for the captors of the ship Betty Cathcart, and Brig Aaron, prizes to the French privateer La Bellona, out of any monies in the treasury, not otherwise appropriated, the sum of six thousand two hundred and forty one dollars, and forty four cents, being the amount retained by the treasury department from the sales of the ship Betty Cathcart, for duties on the cargo of the brig Aaron.

NATHL. MACON,
Speaker of the House of Representatives.
JOHN BROWN,
President of the Senate pro-tempore.
January 26, 1804.
APPROVED,
TH: JEFFERSON.

AN ACT

Making an appropriation for the repair of seventh street west.

Be it enacted by the first and second chambers of the city council of Washington, That the sum of thirty dollars is hereby appropriated for the repair of seventh street west, from Tyber creek to south E. street, to be expended under the direction of the Mayor.

JOHN P. VAN NESS,
President of the first chamber of the city council of Washington.
DANIEL CARROLL of Dud'n.
President of the second chamber of the city council of Washington.
Approved, January 26th, 1804.
ROBERT BRENT, Mayor.
of the city of Washington.
Copy from the original deposited in my office.
Test, THOMAS HERTY, Reg.
of the city of Washington.

AN ACT

Supplementary to an act for laying a tax on Hackney Carriages, Theatrical and other public amusements.

BE it enated by the First and Second Chambers of the City Council of Washington, That all licences hereafter granted shall be made out for the respective numbers beginning with No. I. and so on numerically continued as applied for and granted, and that no hackney carriage after the first day of February next shall ply within the city until the number of the licence shall be painted on each side in legible figures of at least two inches in length on penalty of Ten dollars for each offence recoverable and to be applied as prescribed by the act to which this is a supplement.

Sec. 2. And be it enacted, That it shall be the duty of the superintendant of police to prosecute for all the breaches of this act.

JOHN P. VAN NESS,
President of the first chamber of the city council of Washington.
DANIEL CARROLL of Dud'n.
President of the second chamber of the city council of Washington.
Approved, January 26th, 1804.
Copy from the original deposited in my office,
Test THOMAS HERTY, REG.
of the city of Washington.

AN ACT

Appropriating money for the relief of the poor.

Sec. 1. *Be it enacted by the first and second chambers of the City Council of Washington,* That there be appropriated the sum of three hundred dollars, in addition to the monies heretofore appropriated for the relief of poor, infirm and diseased persons; to be advanced by the treasurer to the trustees of the poor, and expended by them in the same manner, and under the same restrictions as monies heretofore appropriated.

Sec. 2. *And be it enacted,* That in addition to the above sum the unexpended balance of the appropriation made by the act entitled "An act for the relief of certain persons and authorising the Mayor to borrow money," be and is hereby appropriated to the relief of the poor of the city of Washington, and the treasurer is hereby authorised and required to pay over the same to the trustees.

JOHN P. VAN NESS,
President of the first chamber of the city council of Washington.
DANL. CARROLL of Dud'n
President of the second chamber of the city council of Washington.
Approved, January 26th, 1804.
ROBERT BRENT, Mayor.
Test THOMAS HERTY, REG.
of the city of Washington.

To the General Assembly of the State of OHIO.

Gentlemen of the Senate, and of the House of Representatives,

WE have met together to consider the situation of our political society, under circumstances the most auspicious, both as it respects our exterior and interior relations, and sufficient to excite in all our hearts the most sincere effusions of gratitude to that Being, in whose hands are the destinies of nations and of man.

At the close of the last session of the general assembly, our fellow citizens were anxiously concerned at the prohibition of an invaluable acquired right which was unjustly withheld by the officers of the Spanish government at the port of New-Orleans, and which threatened to annihilate the commerce and becloud the best prospects of this and the neighbouring western states; yet anxiously concerned as they were, and conscious of the great injury they laboured under, they sustained it with a fortitude and prudence which has done them honor—wisely confiding in the general government, to whom alone it belonged to have the evil remedied, and to provide against similar events in future, and herein we have an additional inducement for that confidence which the legislature expressed at their last session, in the executive of the United States, and in the measures which were pursuing to accomplish those objects, and which have succeeded beyond our most sanguine expectations.—The right of depositing the produce for exportation, of all that extensive, fertile country, whose waters are tributary to the Mississippi, either at New-Orleans or any where else on the banks of the river near its mouth, although a great object, yet would have been held at best but by a precarious tenure, whilst both sides were subject to a foreign government; but by a wise and magnanimous policy, war, ever to be deprecated, with all its inconceivable attendant horrors, have been averted, and expences to support that war, which might have been incalculable, and could not fail to have been heavily felt, are rendered unnecessary; whilst by a friendly negociation, and in the most just and honorable way, the city and island of New-Orleans, with the whole of Louisiana, are added to the American empire—an acquisition incalculable to the United States, whether considered as a territory, rich in natural resources, as the means of securing the uncontrouled and peaceable navigation of the Mississippi, by possessing its key, or as a great and encreasing source of national revenue.

In our own state we have this year been favored with abundant crops, less visited by affliction than heretofore, and strengthened with a great encreased and still encreasing population; we have exhibited the pleasing spectacle of a free people, assuming the right of self-government, purely elective in all its branches, and conducting those elections and organising that government with a temper, moderation and caution becoming a people capable of enjoying those political and religious liberties which are their inherent rights.

The present state of the militia calls aloud for your particular attention.—When the government was first organised, a return of the militia was required of the then adjutant general, who was directed by the 12th section of the "Act establishing and regulating the militia," to make a return to the commander in chief annually; his answer to that request shewed that the militia law had been neglected, and that not a single regiment in the state was either officered or organised; believing that our safety and freedom depends on this class of our fellow citizens and finding that the only proper safeguard for protection and defence was in this lamentable situation, it was thought expedient, as the existing militia laws from the change of government which had taken place, were not applicable to our present situation, to issue general orders, requiring the senior officers who were in commission in each county, to hold elections agreeably to the constitution, to fill the vacancies in their regiments, and make report to the adjutant general, that the militia might be placed on as respectable a footing as existing circumstances would permit. These orders were attended to by some of the commandants with a zeal and activity highly honorable to them, and a few regiments have been completely officered and disciplined, with light companies annexed to them. A return of the effective force, a communication from the President of the United States on this subject, a requisition from the general government to assemble with the least possible delay, and hold in readiness five hundred of the militia including officers, to compose a regiment to march to take possession of the lately ceded country of Louisiana, should the officers of the Spanish government either refuse or delay to give it up agreeable to treaty, with the measures taken to raise this force, and other documents relative thereto is hereunto annexed. See exhibit No. I. and from which you will discover the necessity of taking into early consideration an institution on which every free state should place its greatest reliance for repelling aggressions from without, for maintaining order and good government within its own borders, and which tends to keep alive that spirit which effected our independence and gave the United States a name amongst the nations of the earth.

The laws laying a tax on lands will, I hope, this session, undergo a revisal, and the remedies which time and experience has pointed out, be applied; particularly it is suggested, whether it would not be advisable to have all the lands of resident proprietors listed anew, provision made for obtaining from the several officers a list of all lands which have been located or acquired by individuals, and which are subject to, but have never been entered for taxation—The public weal also requires, that a more expeditious and certain way of obliging delinquent collectors to account for and pay into the treasury, their respective balances due the state, should be devised, and it will further be a proper subject for your enquiry, whether it is not necessary that the revenue arising from this source, should be wholly reserved for state purposes.

The "Act regulating the public salt works," expiring of itself, will demand your attention, and as it is required of the agent in that department, to make an accurate report to the general assembly of the productiveness and state of the public works, you will be enabled to make such future dispositions and provide for working those yet unoccupied, in such way as may appear most conducive to the public good. As nature has placed this valuable article of salt, so necessary to the sustenance of man, in the bosom of our state, and as monopolies of that article has been effected in a neighbouring state, would it not be adviseable if it can be effected, to prevent its exportation from the state, that our own citizens may reap all the benefits accruing from its use at home, or in salting their surplus provisions for exportation, at as moderate a price as possible.

At the last session, an act was passed empowering the treasurer, to receive from the secretary of the treasury of the United States, monies granted for the opening of roads within the state, which monies when received was directed to remain in the treasury, until drawn out by some act pursuant to the intention for which it was granted; and as the good policy of rendering the means of communication safe and expeditious, through every part of the state, recommends itself to your consideration, you will doubtless provide by law for a proper and equitable disbursement of this part of the public funds.

The "Act to regulate the election of justices of the peace" will require revision, as there is no provision made therein for filling vacancies which may arise from deaths, removals or resignations; and as some of the townships in different counties are already without those necessary officers in consequence thereof.

Agreeably to the return of the aggregate amount, of all white male inhabitants above the age of twenty one years; it will be necessary to make a constitutional apportionment, of senators and representatives to each county or district, that the newly erected counties may, where their number will justify the measure, have a separate representation.

The commissioners appointed by virtue of the "Act to provide for the locating a college township in the district of Cincinnati," have performed that service, and it remains for the legislature to provide for the future disposition of that property in such way and manner as may best promote the noble ends for which the donation was originally made.

At this session, it will be necessary to provide by law, for carrying that part of the first section of the first article of the constitution of the United States into effect which directs that "Each state shall appoint in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives, to which the state may be entitled in congress," for the purpose of electing a president and vice-president of the United States. Coming as you do, gentlemen, from every part of the state, you can best ascertain the public will, which in governments constituted as ours is, and on occasions of this kind, ought always to be solemnly regarded, whether it will be proper for the legislature by joint ballot to appoint the electors, or to provide for their election by general ticket throughout the state.

In exhibit No. 2, is annexed a list of the resignations which have been received during the recess. As these vacancies have been filled agreeably to the constitution, by granting commissions which will expire at the end of this session, it will be necessary for the legislature to make more permanent appointments.

From the nature of the two preceding grades of the territorial government and the manner in each, in which laws were adopted or enacted, it is natural to suppose that several which are still in force, are illy calculated to suit the present genius of the people, and which were but intended for temporary purposes; these laws have been published at several different periods, ever since the settlement of the North-Western Territory, and but few of the courts or public officers can now procure a copy of all the editions. Laws, which are a rule of action to the citizens, ought always to be promulgated for their information; and every officer concerned in the administration of justice, should have it in his power to know those duties which the laws require at his hands. For these reasons, and with a due regard to frugality and public economy, in saving that time which might otherwise be consumed at a considerable expense to the state, I would advise that a joint committee of a few members be appointed, to set in the next recess, in order to revise all the existing laws which are in force, that they may be presented in one point of view, to the next general assembly, for their further consideration therein.

Having thus complied with a constitutional duty, it only remains to reiterate my sincere wishes for the prosperity of our infant state, and the assurances of my zealous co-operation with you in every measure conducive thereto.

EDWARD TIFFIN.
Chillicothe, December 5th, 1803.

MASSACHUSETT'S LEGISLATURE.

The answer of the Senate to the Governor's Speech.

May it please your Excellency,

THE various subjects which were under consideration at the former session of the legislature, but not brought to maturity, on account of the season of the year, will now be resumed and prosecuted with the degree of attention they are respectively thought to deserve. We are particularly impressed with the importance of attending to the judicial department of government. The prosperity of the community, greatly depends on a prompt and impartial, a wise and virtuous administration of justice. It shall, therefore, be our endeavor to remedy any defect which experience may have pointed out in our present judiciary system; and with your Excellency we hope the result will tend to promote that great object of all wise legislation, the happiness of the people.

Your Excellency's just remarks on the change in the political affairs of Europe, since our last meeting, and the new war kindled there between the nations, with whom we have the greatest intercourse, naturally leads the reflecting mind to lament the complicated miseries they suffer, amidst scenes of destruction and alarm, and at the same time to rejoice in the distinguished blessings which we, as a nation, are enjoying in a state of neutrality and peace. While contrasting their situation with our own, as a ground of patriotic attachment to our government, and religious gratitude to the great disposer of events, we agree with your Excellency in the importance of performing the duties, as the best means of securing the rights and advantages of a neutral character. Confiding, however, in the constituted authorities of the union, to regulate our foreign concerns, we rejoice that we are at liberty, as members of the government of Massachusetts, to turn our whole attention to the internal welfare and prosperity of the commonwealth.

The constitution of the United States having authorised Congress to provide for organising and disciplining the militia, reserving to the respective states the trust of appointing the officers and training the militia, agreeably to the organization and discipline prescribed by Congress; the Senate feel the propriety of carrying into effect, so far as it depends on this government, the laws of the United States on that subject, particularly the late act requiring, among other things, the appointment of brigade quarter-masters and regimental chaplains. Attention shall also be paid to the mode and causes of removing non-commissioned officers; and to the recommended provision of a judge advocate, as a permanent officer in each division, so far as, upon investigation, may be found requisite, and consistent with the constitutional distribution of powers between the general and state governments.

We are happy to be informed that such progress has been made in building the State Prison, that it may soon be assigned as a place for the reception and confinement of convicts sentenced to hard labor. The Senate will readily co-operate in any legislative measures necessary to effectuate the design of that institution.

Impressed with the considerations, mentioned by your Excellency, in favor of granting pardons, in certain cases, to convicts under sentence of death, upon condition of their submitting to imprisonment and hard labor; and considering that such commutations of punishment require a concurrent exercise of the executive power of pardoning, and the authority of the legislature to provide a legal substitute for the punishment remitted; the Senate will attend to the expediency of making some general provision by law for that purpose.

With regret we have heard of repeated instances of robbery committed in this neighbourhood, and will deliberate upon the measures recommended by your Excellency, and any other means which may be deemed most effectual, to restrain the commission of such outrages upon the persons and property of peaceable members of society or to bring the perpetrators to detection and punishment.

The conduct of your Excellency, in pursuance of the resolve of the 5th of last March, relative to the demand of this commonwealth against the United States, for ordnance and military stores, delivered for their use, meets with the entire approbation of the Senate.

The resolution of both houses of Congress, proposing an amendment of the constitution of the United States, respecting the election of President and Vice President, shall receive from the Senate, that serious consideration which its importance demands.

On that, and all other subjects which may be communicated, or occur during the session, we beg leave to assure your Excellency, that we will cordially unite in the effort to cherish sentiments of mutual friendship and respect between the respective governments and departments of government, to which we are related, as legislators, or as citizens, and to suffer no personal disagreement or party interest, to divert us from the practice of those duties which we owe to each other, and to the public.

The above answer was adopted, in Senate, Jan. 18, and Messrs. TUDOR, BIDWELL and PICKMAN appointed a committee to present it to the Governor.

ANSWER OF THE HOUSE.

May it please your Excellency,

THE season of the year prevented our prosecuting the consideration of many important subjects at our last session—we shall endeavor to bestow that attention upon them at this time which they respectively deserve. Among these the state of the judicial department is highly interesting. The great accession of wealth, and increase of population in this state, rendered it necessary to revise the judiciary system, and enquire what further provision can be made, in order that justice may be administered to every one promptly and without delay. We hope that our deliberations on this and all other subjects, which may be discussed among us, will terminate in measures tending to promote the happiness of our constituents.

The deep commiseration which every sincere christian, and every mind possessing the feelings of humanity must experience for the misery occasioned by the new war commenced in Europe, can receive little alleviation from the idea that our own pecuniary interests may be promoted by it. The increase of wealth we are fully sensible, is too frequently accompanied with the increase of vices.