ney, Roberts, Amos Robinson, Nathan Robinson, of Stow, Reynolds, Shumway, David Sheldon, Shaw, Pliny Smith, Sargeant, James Smith, Spooner, Seger, Stacey, Scott, Stanley, Stanton, Thayer, Tarbox, Vail, Wood, Silas Wright, Whatley, Woodworth and Webber.

☞ Mr. Benjamin Emmons and Mr. Wetherbe, (Absented themselves.)

Those who voted in the negative were

Messrs. Ebenezer Allen, Jonathan Allen, Baker, Bigelow, Bullock, Bishop, Blanchard, Barlow, Beeck, Castle, Cowee, Corse, Samuel Chamberlin, Joshua Clap, Josiah Dana, De Forest, Edson, Eaton, Ferguson, Fisher, Hervey, Hurd, Hunt, Hazletine, Elijah Hammond, House, Hutchins, Hinman, Herrick, Itham, Janes, Kibbey, Leavenworth, Muazy, Morris, Joel, Marsh, Macomber, Olin, Olds, Samuel Porter, Abner Perry, Painter, Peters, Paine, Putnam, Phelps, T. H. Parker, Ralph Parker, Rich, Spencer, Shafter, Sabin, Stevens, Stoughton, Simonds, Sexton, Spaulding, Thaddeus, Tuttle, Taylor, Tuthill, Solomon Wright, Whitney, Wheeler and Wheelock.

Yeas, 93——Nays, 64.

Legislature of Massachusetts.

IN SENATE, *Wednesday Feb.* 1.

The order of the day, on the resolution offered by the hon. Mr. Bidwell, [which we gave in a late Centinel] for agreeing to the proposed alteration of the Constitution of the United States, was called for; when its adoption was advocated by Mr. Bidwell, and opposed by the hon. Mr. Mason. The debate continuing to the usual hour of adjournment—the Senate rose.

Thursday, Feb. 2.

The order of the day on Mr. Bidwell's resolution being called for, Gen. Hull, Mr. Bacon, Mr. Hill, and Mr. Bidwell spoke in favor of it; and Mr. Pickman, Mr Storer, Mr. Tudor and Mr. Mason against it. At three o'clock the question was taken, and the resolution was rejected.

YEAS—Hon. Messrs. Bacon, Coffin, Maynard, Ellis, Dillingham, Hill, Hildreth, Bidwell, Hull, Woodman, Howe, Tilden, Chandler—13.

NAYS—Hon. Messrs. Cobb, (President) Frye, Thomson, Jones, Bigelow, Brigham, Hayward, Hale, Mason, Tudor, Starkweather, Titcomb, Storer, Spooner, Pickman, Heard, Hooker, Derby, Tyng—19.

HOUSE OF REPRESENTATIVES.

Jan. 30, to Feb. 2.

A great number of local acts have passed various stages; and progress made in the business of the session, which when completed will be duly noticed.

A remonstrance of Edward Tuckerman and others, and another from the inhabitants of Roxbury against the petition of William Tudor, &c. to build a bridge to Dorchester-Point, were committed to the committee on the subject.

A bill to incorporate J. Mason and others, by the name of Union Marine Insurance Company, had a first and second reading—A bill to incorporate N. Fellowes and others, into an Insurance Company, was read a first time.

A resolve passed, directing that before any petition be sustained by the general court, for issuing new state notes in lieu of such as may have been stolen, lost, burnt, or otherwise destroyed; the notes lost shall be advertised in the paper printed in Boston, by the printers to the general court, for the time being, four weeks successively.

Friday, Feb. 3.

This day being assigned for taking into consideration the amendment to the Constitution of the United States, Mr. Bangs laid on the table a resolution for ratifying the same. This resolution occasioned a debate, which continued until two o'clock. The speakers in favour of the resolution were, Messrs. Bangs, Austin and Slocum; those in opposition thereto Messrs. Ives, Holmes, Knox, Phillips and Wheaton. The arguments on this question having been so often before the public, we shall not attempt even a sketch of the debate; at the close of which, the question, shall the resolution for ratifying the amendment pass, was determined in the negative—132 to 79.

The YEAS were, Messrs. Hathorne, Sprague, Prentiss, James Martin, Prince, Kitteridge, Carr, Austin, White, Harris, Bridge, Chandler, Loring, Hastings, Oaks, Shepard, Carver, Hildrith, Parlin, Hoar, Jonathan Smith, jun. Cobb, Dunbar, Sprague, Snow, Tinkham, Nathaniel Smith, Hobart, Albert Smith, Godfrey, Drowne, Slocum, Walker, jun. Wm. A. Leonard, Mitchell, Greene, Broadbrooks, Nyne, Coffin, Derby, Mark Adams, Wells, Scamman, Merrill, Flagg, Bangs, Joseph Adams, Monroe, Fisher, Park, Wood, Rawson, Farley, Thomas, Young, Danforth, Northup, Picket, Holbrook, Rosseter, Howland, Race, Wardwell, Bicknell, Mann, Kinsley, Heath, Brewer, Hatch, Tucker, Fisher, Sharp, Gay, Comstock, White, Bemis.—79.

NAYS.—Messrs. Otis, Hunewell, Parkman, Wm. Smith, Wm. Brown, John Phillips, Waldo, Foster, Page, Wade, Coswell, Little, Marsh, Nelson, Johnson, Carter, Fitz, Cheever, Thorndike, Spafford, Rogers, Sargent, Thurston, Rust, Dodge, Blachard, Thomas Perley, Jackson, Bancroft, Isaac Hastings Abbot, Daniel Whitney, Rice, Slack, Hall, Dana, Littlefield, Ely, Bliss, Taylor, Montague, Bardwell, Webber, Pearce, Abner Brown, Porter, Hunt, M'Clellan, Fowler, Ashman, Foster, Turner, Elisha Phillips, Elisha Ruggles, Drew, Nathan Rice, Wheaton, Tobey, Church, Brownell, Bodfish, Doane, Clark, Mayhew, Ben. Allen, Lord, Perkins, Webster, Holmes, Tow, Carlisle, Wilder, Cutler, Denny, Drury, Jonas Howe, Wood, Jonah Howe, Fox, Taft, John Hastings, Kendall, Davis, Marsh, Gregory, Jonas Whitney, Walker, Wm. Whitney, Larned, Bent, Israel Allen, James Longley, Archelaus Lewis, Titcomb, Symmes, Prince, Emerson, Lothrop, Lewis, Dunlap, Peter I. Smith, Foxcroft, Herrick, Parris, Hamlin, Payson, Hill, Porter, Brackett, Knox, Davis, Baker, Jordan, Shurtliff, Ives, Stowell, Gideon Wheeler, Ben. Wheeler, Patten, Thayer, Whiton, Oliver Leonard, Lovell, Baxter, Bacon, Boyd, Bates, Lothrop, Nathaniel Perley, Fairbanks, Hubbard, Oakman, Wilson, and Howard—132.

We are authorised to state, that the hon. Mr. Baldwin, of Woburn, who was accidentally absent, when the question was taken, would have given his Nay to the resolution.

SUPPLEMENTARY REPORT

Presented 1*st February*, 1804.

Read, and ordered to be referred to a committee of the whole House on Monday next.

The Committee of Claims, to whom was recommitted the petion of David Valenzin, together with their former report thereon, respectfully submit the following

REPORT—

Under the peculiar circumstances of this case your committee feel it a duty they owe to the House and to themselves, not only to prelent the facts which have governed their opinion, but also to state minutely the whole progress of the enquiry.

The petition was referred to the committee on the 10th day of November last—It was accompanied by no evidence whatever—Neither the petitioner nor any person in his behalf appeared to exhibit proof in support of the claim or to point out the source from which it might be obtained—It was not even known to any member of the committee by whom the petition was presented. On the 15th November the committee thought proper to transmit the petition to the Secretary of the Navy, with a request that he would furnish whatever evidence might exist in his department, respecting the transactions complained of by the petitioner. The answer of the Secretary, as appears by his note of the 18th November, was necessarily delayed, until commodore Morris, who was the in the Potomac and hourly expected, should arrive in this city. On the 30th November the committee received from the Secretary the documents which accompanied their former report. The only information derivable from these documents, which could reflect any light upon the subject, was a declaration subscribed by commodore Morris, in which it was stated that on the 17th January, 1803, lieutenant Sterrett, by his order, captured and brought in for trial the Imperial Polacca Paulina, Lucca Radish master, bound from Malta to Tripoli, having on board Tripoline subjects, among whom was David Valenzin, the petitioner, who appeared principal in the charter party and claimant of the greater part of the cargo; that the commodore attempted to procure an adjudication of the prize at Malta, but was refused by the governor of that island; that he then proceeded to Gibraltar, in the hope of trying the validity of the capture at that place, but the duke of Kent, then governor of Gibraltar, declined taking cognizance of the affair; that he was compelled in consequence to send the papers with the Tripolitan to America; that David Valenzin was at the time of the capture a subject of the Bey of Tripoli, the papers which had been secreted by him clearly proving him to be such; and that he was declared to be so both by Mr. Cathcart and his own servant.

From this representation alone the committee did not feel themselves justified in recommending any relief for the petitioner—At the same time apprehensive that other facts might exist material in the case, they delayed their report until the 12th December, when no further evidence appearing, the report, with the papers received from the Navy department, was presented to the House. Upon the suggestion of a member in his place, that the petitioner had expressed to him a desire to be heard before the committee, and that evidence would be adduced to establish the claim, the report and petition were ordered to be recommitted—The committee convened the next morning, and the petitioner appeared, attended by a stranger, who being acquainted with the petitioner's language, had kindly offered to assist him as an interpreter—The petitioner then declared himself a Jew, born at Venice; that his mother dying when he was sixteen years old, his father removed to Tripoli, where he established himself as a merchant; that his brother and himself arriving to years of maturity, left their father and commenced business at Rosetta in Egypt, from whence for many years past they had carried on a circuitous traffic with Tripoli, through Smyrna and Malta; that in one of these voyages he was captured by the American squadron, divested of all his property and papers and sent a prisoner to this country, where he had long expected a trial; that he had been offered his liberty by the Secretary of the Navy and a passage to the Mediterranean in a public vessel, which he had declined until the legality of his capture should be determined; that he knew not what disposition had been made of his effects, nor in what way to obtain his papers.

After hearing the petitioner, the committee the same morning addressed a letter to the Secretary of the Navy, (marked A.) requesting further information in the case, if in his power to furnish it—particularly, what disposition had been made of the polacca? For what purpose Valenzin had been brought a prisoner to the United States? And in whose possession were his papers; if any were found upon him at the time of his capture? The answer, under date of the 20th of December, (marked B.) which is said to furnish the only official information, relative to the case, existing in that department, contained a letter from Daniel G. Heath, prize-master on board the Polacca. This letter, the writer of which, it is understood, immediately left the city on a furlough, barely states, that the prize, by order, of Commodore Morris, had been delivered up to Lucca Radish, her commander; that he knew not why Valenzin was brought hither as a prisoner; and that his papers were committed to the care of Lieutenant Sterrett. As no notice was taken in this letter of the petitioner's property, the committee were left to conclude it had passed with the Polacca into the hands of her captain, nor were they undeceived in this respect until some time afterwards. They also remained ignorant in whose hands the papers were deposited until the morning of the 27th December, when by accident they learned that the marshal of the district of Maryland had them in his custody. The committee made no delay in communicating this fact to the House. A resolution was instantly adopted, empowering the committee to send for such persons and papers as might be necessary to the investigation of the claim. They availed themselves of this authority by issuing their warrant (marked C.) and dispatching a messenger to Baltimore the next day. He returned on the 30th with all the papers and documents said to have been found on board the Polacca at the time she was captured. These were numerous, written partly in Arabic, partly in a corrupt dialect of the Italian spoken on the coast of Barbary, and wholly unintelligible to every member of the committee. By the aid, however, of two gentlemen in the House acquainted with the Italian language, they were enabled to make some progress in translating a few of what appeared the most important documents. Whilst the committee were thus employed, Commodore Morris, who had taken his departure shortly after his comunication already mentioned, returned to this city, and at the request of the committee, immediately appeared before them. He repeated the statement he had before given, and seemed confident that the petitioner was a Tripolitan, rightfully captured, and his property lawful prize; that he had two complete setts of papers, the one clearly shewing him to be a subject of Tripoli; the other, of a more recent date, fraudulently calculated to prove him a subject of the Emperor of Germany; the latter being readily produced by him at the time of his capture, whilst the former were found concealed in the bottom of a cask. He added, that as the Polacca was not in a condition to cross the Atlantic, he had ordered her to be delivered to Lucca Radish the master; and *as the property taken from the petitioner was of a perishable nature, he had directed it to be sold at Malta, for the benefit of the captors.* The committee being thus, for the first time, informed of the sale of the petitioner's property, were particular in their enquiries as to its amount, and the manner & proceeds of the sale. To these enquiries the Commodore made no other answer than by referring the committee to Mr. Heath, the prize-master, who, he made no doubt, would furnish all the necessary information on the subject. Mr. Heath, it appeared, had left Washington the 20th December, the day on which his letter to the Secretary of the Navy was delivered to the committee, nor could it be ascertained by the most diligent enquiries, in what direction he had gone. This circumstance, aided to the extreme difficulty of decyphering the petitioner's papers; the doubtful evidence which resulted even from such as could be translated, and the reserve manifested by those who possessed originally the means of information, served to produce a delay which the committee deeply regretted, but which, by their utmost efforts, they could not avoid. Being informed that William Eaton, esq. late consul at Tunis, was daily expected in Washington; that he had seen the petitioner in the Mediterranean, and was well acquainted with his language, the committee indulged a hope that from him at least, some useful information might at length be derived. Meanwhile it was perceived that the petitioner's apparel was not such as to render him comfortable during the inclemency of the season; believing the government bound to provide him with necessary food and clothing until the proper measures were taken for his liberation, the committee on the 5th January, addressed a letter (marked D.) to the Secretary of the Navy, in which they freely communicated to him the embarrassments they experienced in the investigation—the further delay which must inevitably attend it—the destitute condition of the petitioner—and requesting to be informed, whether, as the head of a department, he did not consider it compatible with his duty to make some temporary provision for the petitioner's relief. To this letter an answer (marked E.) was received the 17th of the same month. On that day Mr. Eaton, who had just arrived, attended the committee. He assisted them in further translating the Italian, but was unable to interpret the Arabic originals, the import of which is still undiscovered. From an attentive examination of the papers, one circumstance appeared strongly marked. In such as bore date prior to the commencement of hostilities between the United States and Tripoli, wherever the petitioner's name occurred, he was uniformly denominated *a subject of Tripoli.* In those dated subsequent to that event he was as uniformly styled an *Austrian* or *Imperial subject.* The former are those which were said to be secreted at the time of his capture. Amongst the latter is a passport, purporting to be signed by the Imperial Consul at Rosetta. The unfavorable presumption which naturally arose from conduct so equivocal, was in some measure removed by the remarks of Mr. Eaton; who declared it as his opinion that *Jews*, (and the petitioner was evidently of the number,) throughout the coasts of the Mediterranean, were not considered as the proper subjects of any nation: particularly that none of the Barbary powers, would, in any case, recognise them as such—unless for some special or mercenary purpose; and finally, that the petitioner appeared to him one of those *sea pedlars*, (such was his expression) who are frequently found in that part of the world, but whose residence is never known.

At this stage of the enquiry your committee did not deem it so essential to decide the propriety of the original capture, as to discover whether the captors had conformed to the requirements of law, in relatien to the prisoner or the prize. No certain evidence had yet been obtained of the amount and value of the property taken—nor indeed of its actual sale,

Accidentally hearing, on the 17th January, that the account of sales had been returned to the navy department, and the proceeds deposited in the bank, the committee immediately wrote a letter (marked F.) to the Secretary of the navy, desiring information on these points. His answer of the next day (marked G.) did not communicate the information desired, inasmuch as no returns it seemed had been made to that department. The Secretary, however, mentions that he had heard, informally, a sum of money had been deposited in the bank by the prize master, which was said to have proceeded from the sale of Valenzin's property.

The presence of Mr. Heath now appeared to your committee indispensable. A suggestion that he might be at Havre-de-Grace, or at Dover, had induced them to write him (copy marked H.) as early as the 11th January, directed to both those places, but without success. On the 19th the committee made out their warrant, (marked I.) and sent a messenger in pursuit of him. On the morning of the next day, it was understood, the unfortunate petitioner, in a moment of insanity, put a period to his own existence!

(To be continued.)

HAT MANUFACTURY.

The subscriber informs his customers and the public generally that he has discontinued business in the city of Washington, and has opened shop on Bridge street near the Union Tavern—he solicits the continuance of former customers, and hopes that all others who may chuse to call and purchase his manufacture will be amply suited, if neatness and goodness be requisites

JOEL BROWN.

George Town, Feb. 17—tf

(By Authority.

AN ACT

Making appropriations for the support of the military establishment of the United States, in the year one thousand eight hundred and four.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for defraying the expense of the military establishment of the United States, for the year one thousand eight hundred and four, for the Indian department, and for the expense of fortifications, arsenals, magazines and armories, the following sums be, and the same hereby, are respectively appropriated, that is to say:

For the pay of the army of the United States three hundred and one thousand four hundred and seventy six dollars:

For forage four thousand and fifty six dollars:

For the subsistence of the officers of the army and corps of engineers twenty eight thousand and eighty two dollars and eighty three cents and one half of a cent:

For the subsistence of non-commissioned officers, musicians and privates one hundred and sixty three thousand eight hundred and thirty nine dollars and thirty seven cents and one half of a cent:

For clothing, eighty thousand dollars:

For bounties and premiums, fourteen thousand dollars:

For the medical and hospital department, ten thousand dollars:

For camp equipage, fuel, tools, expense of transportation and other contingent expenses of the war department, seventy one thousand dollars:

For fortifications, arsenals, magazines, and armories, one hundred and nine thousand eight hundred and ninety six dollars and eighty eight cents:

For purchasing maps, plans, books, and instruments for the war department and military academy, one thousand dollars:

For the Indian department, seventy five thousand five hundred dollars:

Sec. 2. *And be it further enacted*, That the several appropriations, herein before made, shall be paid and discharged first out of any balance remaining unexpended of former appropriations for the support of the military establishment, & secondly, out of any monies in the treasury, not otherwise appropriated.

NATHL. MACON,
Speaker of the House of Representatives.
JOHN BROWN,
President of the Senate pro-tempore.
February 10, 1804.
APPROVED,
TH: JEFFERSON.

Valuable Property
FOR SALE.

IN Virtue and by authority of a deed of trust and power of attorney, bearing date on the 30th day of May 1801, and duly recorded from Gen. Uriah Forrest to me, and for the purposes therein mentioned, I will on Wednesday the 28th day of March next, if fair, if not the next fair day, sell at public sale at the Union Tavern in George Town, to the highest bidder, that beautiful and valuable seat now occupied by Gen. Forrest, and the adjoining lands (or so much of them as will pay the debt they are bound for) conveyed by the said deed to me, called Pretty Prospects, containing 420 acres, be the same more or less, bounded as is in the said deed expressed, on the south by the lands of John R. Plater, on the south east by the lands of Philip B. Key, being parts of the original tract called Pretty Prospects, on the east by the waters of Rock Creek, on the north by the lands of James Dunlap, and on the west by the outlines of the said original tract.

The terms of payment will be for negotiable notes with approved indorsers, payable at three instalments, to wit, for one fourth part of the purchase money in such notes payable at the end of sixty days after the date thereof, for one half of the remaining three fourths of the said purchase money in such notes payable at the end of six months after the date, and for the residue in such notes payable at the end of twelve months after date.

Should the highest bidder at this sale refuse or neglect to give such notes, with approved indorsers, within one half hour after the said land is cryed down to him, his bid will be considered as of no avail and the land will immediately be again set up to sale to the highest bidder upon the terms above expressed, at which second sale, no notice will be taken of any bid that may be may be made by the person so failing to comply with the terms hereof.

JOHN TEMPLEMAN.

Feb. 17—wtdos

PATENT RIGHT.

FOR painting rooms, ornamenting ceilings, borders, &c. to represent paper hangings. The subscribers having purchased the patent from John Selby the original inventor, for the district of Columbia, the states of Virginia, N Carolina S Carolina, Georgia, Tennessee, the province of Louisiana and New-Orleans, will dispose of the same for such place or places within the above limits as may be agreed on. The model may be seen and terms made known by applying to,

Messrs. RICHARD RYLAND,
WILLIAM BYRNE,
Stocco plaisterers, Capitol Hill,
City of Washington—Feb. 3—3t

N. B. Those desirous of blending economy with utility and elegance, will find their account in this invention. Letters post paid and addressed as above will be attended to