On the 11th instant Mr. MILTON, from the committee of commerce and manufactures, to whom was referred the memorial of William Tuckett and others, merchants and traders of the city of Philadelphia, submitted the following

REPORT—

The committee entertain no doubts, that the facts are justly and correctly stated in the memorial. The object, the memorialists have in view, is to obtain permission for their vessels to proceed on their respective voyages.

The cargoes consist principally of flaxseed, an article depending on a speedy exportation, to ensure its value. The memorialists place great reliance, to obtain the permission sought, on the hardship of their cases, and also on the ground of having procured clearances for their vessels, from the custom house, to proceed on their voyages, previous to the passage of the act, laying an embargo.

While the committee view, with becoming sensibility, the distressing situation in which the memorialists are placed; while with them they deplore and deprecate the events, which have brought to a pause the commercial intercourse of the United States with foreign nations—they cannot give their assent to the opinion, that the cases of the memorialists are entitled to exemption from the inconveniences and hardships, if not the losses, which result from a general embargo. The committee cannot see any reason, why the cases, now under consideration, ought to be discriminated from those of other citizens. They cannot perceive, how the mere compliance with the usual form of taking out clearances, for vessels to proceed on their voyages, can invest the memorialists with any distinguished privileges. From the distressing condition of the American commerce, liable, in its peaceful and inoffensive pursuits, to aggressions and outrages from the belligerent nations of Europe, it became the indispensable duty of Congress, to inhibit, by an embargo, the departure, on foreign voyages, of our seamen, our vessels and merchandize. The republic feels vitally those injuries, which arise from the impoverishment of its citizens, and from the deprivation, by illegal impressments and detentions, of its mariners. The strength of a republic resides in the citizens it can number, and in their patriotism and valor. Impotent and inefficient would that government be, without the investiture of powers, in extraordinary crises, to control and restrain the persons or pursuits of the citizens. Such a government, destitute of that natural and irresistible impetus and energy, indispensible to its preservation, would crouch to, and sink under the first blow that should be aimed at it. The enlightened and virtuous patriots, who framed the constitution, foreseeing the trials and conflicts the United States would have, in their political progress, to encounter, infused into that instrument all the vigor essential to the accomplishment of the end for which it was designed—the happiness and salvation of the nation. That the extraordinary powers here spoken of, and contended for, are given to Congress by the constitution, cannot be denied. The acts of Congress, recorded in the statute book, long acquiesced in by every description of citizens, afford a conclusive argument in support of the right to exercise those powers. The acts alluded to, are the embargo laid in 1794, and the several laws passed the 28th of February, 1806 and 1807, to suspend the commercial intercourse between the United States and certain parts of the island of St. Domingo.

The embargo laid in 1794, operated alike on all vessels, whether they were or were not, cleared out prior to the time it was enforced; nor has such a distinction ever received the sanction of any nation, the peculiarity of whose situation imposed an embargo, as an act of imperious necessity.

With equal grace, and the same justice, could the farmer and planter, the mechanic and manufacturer, put in their claim to exemption from the sacrifices, which they are offering on the altar of patriotism: assigning as a reason for the exemption, that the products and articles of their respective vocations, were the acquisitions of their skill and industry, previous to the existence of the act laying an embargo, and that they have the right, if they should think proper to exercise it, to export those products and articles to foreign markets. If the position of the memorialists be sound, it would be absurd in the extreme ever to lay an embargo, as it never could be brought into action at the time, when all the energies of such a measure were required for the public safety and welfare.

Were vessels permitted to proceed on foreign voyages, Congress would deservedly merit censure for inconsistency, and for wanting dignified stability and firmness in the day of trial. The committee can never be induced to recommend a policy, nerveless, and without a character, while they maintain a due regard and devotion to national honor, and to national interest.

The attention of the committee having been directed to the memorial of the merchants and traders of Philadelphia, by an order of the House of Representatives, they feel themselves constrained, in deciding on the embargo cases before them, to take a transient view of the causes which led to that measure, and to express their opinion of the necessity imposed on the United States of adhering to it, until proper assurances are given, that their neutral rights shall be respected. Those who have bestowed any thoughts on the state of affairs in Europe, must have contemplated as probable a measure of this kind, on the pressure of inauspicious events.

The love of domination and the cupidity of commercial monopoly, have regularly and undeviatingly been producing and maturing this extraordinary crisis, in which, without their accord, the United States are unhappily involved. If a wise and prudent policy, tolerating and countenancing no measures or practices, which could compromit the peace or interrupt the harmony of the United States, with any of the belligerent nations of Europe, could have preserved to them the advantages of an honest and impartial neutrality, our citizens and merchants would not now be lamenting that languor and inactivity, produced by a suspension of commerce. Congress had it in its option either to permit the continuance of commerce, or to resort to the secure and precautionary measure of an embargo. If the continuance of commerce had been preferred, Congress, from the existing state of things, would have been compelled, with an inadequate marine force, to afford some sort of protection to it, or to allow private ships to arm for their defence. If such a step had been taken, war must have ensued; if resistance to the execution of the decree of France, bearing date the 21st November, 1806, or of such orders as should be issued by the British cabinet, in conformity to the retaliating power contended for in the note of Lord Howick to Mr. Munroe, of 10th January, 1807, and of the proclamation of the 16th October, 1807—could produce it. In this state of affairs between the United States and the nations of Europe, a permission to arm private ships would be tantamount to a declaration of war. Individuals who had been injured by either of the nations, or who might be influenced by narrow prejudices, or short sighted views, would have it in their power to plunge the United States, without their consent, into a war with one of the belligerent nations, and to pave the way to an alliance with the other. From these considerations a preference was given to the embargo. On the 18th December, 1807, the President of the United States addressed a confidential message, since published, to the Senate and House of Representatives, as followeth: "The communications now made, shewing the great and increasing dangers with which our vessels, our seamen and merchandize are threatened, on the high seas and elsewhere, from the belligerent powers of Europe; and it being of the greatest importance to keep in safety these essential resources, I deem it my duty to recommend the subject to the consideration of Congress, who will doubtless perceive all the advantages which may be expected from an inhibition of the departure of our vessels from the ports of the United States." This message from the Executive Magistrate, whose province it is to preside over our foreign relations, received from Congress, that immediate and prompt attention which was due to its importance.

The evidences of dispositions manifested, and of measures adopted and in execution, by the belligerent nations, left no doubt on the mind, of the certain prostration of neutral commerce. The embargo was laid as being the safest course: It was considered as the best means that could be resorted to, for the protection of our citizens, and for the preservation of our vessels and merchandize. It was a measure that resulted from much deliberation. That it is the best which Congress could devise or adopt, is the solemn and profound conviction of the committee, on a review of the whole ground. No charge of partiality can be brought against it, as all nations are placed on an equal footing, their vessels being at liberty to enter our ports & to depart at pleasure. The embargoes laid in Europe, since the year 1793, never excepted from detention American vessels. The belligerent nations cannot raise the voice of complaint, as their injustice has made this precautionary measure an act of necessity. Should the embargo be rigidly persevered in, the advantages to be derived from its adoption, will amply repay all the sacrifices made to obtain them. New and important treasures heretofore neglected, will be brought to light, and, what is more important, into use. The United States, regenerated by their own energies, will acquire a confidence in, and a reliance on, their own resources, without which it is in vain to endeavor to give effectual and commanding protection to the rights of the citizens, and those of the republic. The embargo, by teaching foreign nations the value of American commerce and productions, will inspire them with dispositions to practise justice. They depend on this country for articles of the first necessity, and for raw materials to supply their manufactories. The embargo will have no inconsiderable influence in breaking those municipal fetters which circumscribe the motions and liberty of commerce.

The committee are persuaded, that the national legislature has endeavored sedulously to perform the duties assigned to it by the constitution, in a manner to comport with the honor and welfare of a great and free people. The stand which a deliberate and dispassionate judgment recommended and approved, has been taken. The issue is in the hands of that God, who has never ceased pre-eminently to manifest his love to these United States; and whatever may be that destiny which his all-wise and superintending Providence has allotted for them, whether it is to be their happy lot to arrive at that destiny under the guidance and auspices of peace; or whether it is decreed that they shall pierce through war to reach it—to acquiesce with dignity and firmness becomes a duty. Despair can never dwell in the bosom of liberty. That God who led the United States victorious to independence, has given strength to, and inspired them with courage, to maintain and to perpetuate it.

The committee recommend the adoption of the following resolution:

Resolved, That the prayer of the memorialists, merchants and traders of the city of Philadelphia, is unreasonable, and ought not to be granted.

SENATE OF THE U. STATES.

January, 13, 1808.

JOHN SMITH, of Ohio, offers his affidavit to the honorable Senate, and requests a reasonable time to procure the testimony therein stated, and the proper means to enable him to produce it.

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JOHN SMITH, of Ohio, makes oath on the holy evangelists of Almighty God, that he can prove by legal and competent testimony, the truth of the following facts, and that he can produce such proof before the honorable Senate of the U. S. if allowed a reasonable time, and the usual means for that purpose.

He can prove that the testimony delivered against him before the grand jury at Richmond, is utterly destitute of credit—of one of those witnesses, Elias Glover, he can prove, that the general character is such as to render him unworthy of belief, that he has been guilty of acts of the greatest baseness, has been published as a liar, and is generally considered in the country where he resides and is known as a person destitute of truth; this he can prove by the testimony of the most respectable persons in Cincinnati, by Dr. Stall, John Sellman, Stephen M'Farland, Judge Dunlavy, and many others.

Of the other witness, Peter Taylor, the obscurity of his situation, as a servant of Blannerhasset, his being a foreigner and scarcely known in the country, may have prevented a sufficient developement of character, to ascertain (from that source) whether he is worthy of belief or not—but of his statement, as also of Glovers, he can prove the falsehood, by contradicting by the most respectable witnesses, what he has alledged. And he fully expects to prove that neither of these witnessses can believed, in several material parts of their testimony, and that therefore they are unworthy of credit.

These contradictions relative to these witnesses, he can prove by capt. Gordon, Fielding Lowry, William M'Farland, Col. Chambers, Gen. Gano, Mr. —— Longworth, and several others.

He also expects to prove that the conversation related by Col. Taylor, was not correctly understood or accurately remembered by him. He believes that General Findley, (who is stated by Col. Taylor, to have been present) will remember that they were the sentiments and arguments of a writer in a public paper which he was detailing, and that he expressed no wishes or ideas of his own on the subject. And that he will be enabled by this witness to disprove the fact of his entertaining erroneous opinions, if the Senate shall think such a charge requires to be disproved.

He further expects to prove that the orders drawn on him by Aaron Burr, were not drawn in consequence of any participation in any of his projects; he can produce the strongest circumstantial evidence to account for and explain in the most satisfactory manner this transaction, he can shew that neither in this nor in any other communication with Aaron Burr, did he act secretly or attempt any concealment—that he often mentioned the circumstance of Burr's having left this money with him—of his having writ en to him, and shewed a copy of his letter, (which he took for the purpose,) and the answer thereto, and conversed freely and openly upon these subjects, shortly after they occurred and long before they became circumstances of suspicion against him. This he can prove by major Biggs, General Carbery, Jocob Burnett, General Findley, and several other characters of unquestioned respectability. He can also prove that his seeing col. Burr at Frankfort was merely accidental—that he was carried there by business, and had, during the short period of his stay there, no opportunity of confidential intercourse, had any cause or inclination for it existed. He can prove this by Mr. Hart, the president of the Bank at Lexington, Alexander Parker, John Jordon, Dr. Chambers, James Chambers, and others.

He can also prove the nature and existence of the engagements which compelled him to leave home on the last of May, and occasioned his absence at the time the bills of indictment were found against him. That he had business requiring his presence in New-Orleans; that he went thence to an estate which he holds in West Florida, and where he was then actually completing a settlement and laying out a town; and while in West Florida, received the newspaper announcing the finding of the bills of indictment against him. That he immediately prepared to surrender himself for trial, and that he did so, taking only those measures to prevent Governor Claiborne's executing his threat of sending him in irons to Richmond, which a desire of avoiding unmerited pain and mortification required and justified. These facts he can prove by A. D. Abrahams, Harris Hoe, John Murdoch, Ira C. Kneeland, David Bradford, Governor Williams, Benjamin Simmons, and many others.

He confidently expects that he can thus disprove and expose the testimony exhibited against him, and that he can thus explain satisfactorily these and all other circumstances which may have excited suspicions against him.

He also hopes and believes that he will be enabled to shew the origin and progress of a scheme, from which all the accusations against him have proceeded. He expects to disclose a confederacy between the witness, Elias Glover, with others of his enemies, particularly with Matthew Nimmo, a man, (if possible) more infamous than himself, and the base means which their malevolence suggested to injure him; that the identical deposition of Glover now produced against him, was the effect of this combination; that it was procured at the instigation of Nimmo, and forwarded by him, in a letter of accusation against him to the President of the U. States, some time in February last, and that this Glover, in consequence of this his voluntary deposition, was (as he no doubt expected to be) subpoenaed to attend at Richmond, and indulged with an opportunity of gratifying his malice, and completing the purpose for which his calumny was intended.

He further states that it has been wholly and evidently out of his power to procure the testimony herein stated, so as to produce it at this moment. That he did not know till very recently what would be exhibited against him, and of course could not know what would be material and necessary for him to prove. That he expects and believes he can establish the truth of every thing herein stated, if indulged with reasonable time and the means of enforcing the attendance of his witnesses.

On this 13th of January, 1808, the within named John Smith, made oath, that the facts herein stated are true as stated, to the best of his knowledge and belief.

Sworn to before me,
ALLEN B. DUCKETT.

HOUSE OF REPRESENTATIVES.

Thursday, Jan. 14.

Mr. Van Horn, from the committee to whom the subject had been referred, reported a bill to incorporate a company for opening a canal in the city of Washington.—Read twice and referred to a committee of the whole.

Mr. Poindexter from the committee to whom the subject was referred, reported a bill for the relief of Alexander Bailly.—Read twice and referred.

Mr. Morrow said he had been instructed by the legislature of the state of Ohio to make application to the general government for the objects included in the following resolutions; as he meant to move for their reference to a committee of the whole, it was unnecessary now to offer any argument on them.

Resolved, That the President of the United States be authorized to loan to the state of Ohio for the term of seven years, seven thousand stand of arms, for the purpose of arming in part the militia of the said state, under such restrictions and regulations as to safe keeping and re-delivery as the President may prescribe.

Resolved, That the President of the United States be authorized to loan to the state of Ohio for the term of seven years twenty pieces of field artillery with carriages complete, for the use of the artillery companies of militia in the said state under such regulations and restrictions as to safe keeping and re-delivery as the President may prescribe.

The resolutions were referred to a committee of the whole on Monday next.

Mr. M. Clay gave notice that on Monday next he should call up for consideration the bill for arming and organizing the militia.

The House went into committee of the whole on the general appropriation bill, Mr. PITKIN in the chair, after the bill was gone through and the blank severally filled up, the bill was ordered to a third reading on Monday next.

The House went into committee of the whole, Mr. CUTTS in the chair, on the bill for continuing the mint at Philadelphia;

Mr. Alston said having been the chairman who reported the bill, although hostile to the mint establishment altogether, he moved to fill the blank for its continuance with 5 years.

Mr. Dawson suggested that the present law continued the mint till 4th March, 1809, and wished the committee to rise, that they might be refused leave to sit again.

After some conversation on the construction of the former law, and a motion being made to fill up the blank with a specific time from which the continuance for five years should take date.

After considerable and desultory conversation on a motion for the committee to rise and ask leave to sit again, it was carried—46 to 40.

Mr. Stanford offered the following resolution, which was agreed to.

Resolved, That the committee of Ways and Means, be instructed to prepare and report a bill to this House fixing and allowing to each clerk in the several departments, and in the general Post-Office adequate and suitable salaries according to their services respectively.

Mr. *Dawson* moved for the order of the day on the report of the committee to whom was referred so much of the message of the President of the U. S. on our military and naval establishments.—Negatived 39 to 34.

New-Haven, Dec. 22.

REMARKABLE PHENOMENON.—On Monday the 14th inst. at about the break of day or a little after, the weather being moderate, calm and the atmosphere somewhat cloudy and foggy, a meteor or fire ball, passing from a northern point, exploded over the western part of this state, with a tremendous report. At the same time several pieces of stony substance, fell to the earth in Fairfield county. One mass was driven against a rock and dashed into small pieces, a piece of which remained on the spot. About three miles distant, in the town of Weston, another large piece fell upon the earth, of which a mass of about 30 pounds weight remains entire—and was exhibited the same day at town meeting. A mass has been sent to Yale College, and examined by a number of gentlemen. It was immediately perceived by professor Silliman to contain a metal—and on presenting it to a magnet, a powerful attraction proved it to be iron.

This is, we believe, the first instance in the U. States, in which the substance of this species of meteor has been found on the earth, though it has been often done in Europe. Fortunately the facts respecting this wonderful phenomenon, are capable of being ascertained and verified with precision, and an investigation will, we understand, be immediately commenced for the purpose.

BOARDING HOUSE.

GENTEEL BOARDING may be had in a Private Family, next door west of the OLD BANK Georgetown—a very good Livery Stable handy.

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A likely NEGRO GIRL for sale, between 12 and 13 years of age.

December 14 - law