fear or molestation.

At present all their cruizers are in port.

I have the honor to be, &c.

TOBIAS LEAR.

Extract of a letter from an American Vice-Consul in Spain, dated Oct. 12.

"Without any of your esteemed favors, the purpose of the present is to inform you, that a large frigate, a brig and seven smaller vessels like bombketches, all Algerines, armed in war, have appeared off this coast, a few days since, and continue cruising between Adra and the Cape. They have, as reported here, already picked up some small vessels under Portuguese, Sardinia, and Jerusalem colors, and sent them for Oran and Algiers. The frigate is the one they have taken some time ago from the Portuguese."

It gives us pleasure to state that definitive arrangements have been made for the execution of that part of the treaty with Tripoli that relates to the Ex-Bashaw. His family have been liberated, and sailed from Tripoli on the 13th of October, carrying with them their property, their slaves, and a present from the reigning to the exiled brother.

Charleston, January 29.

We are authorised to state, for the information of the citizens, that the city council have resolved to take measures for the employment and subsistence of those seamen who are in distressed circumstances in consequence of the embargo—and that that body is now occupied in finding out the best means to carry into effect their resolution on that subject.

The following article is taken from a late number of the Paris Argus, and shews the light in which the conduct of the British government is there viewed.

PARIS, NOVEMBER 10, 1807.

The London papers of the 27th Oct. repeat those ridiculous rumors which have been spread in America by their correspondents, for the purpose of relaxing in that country the national enthusiasm and the indignation generally felt against the maritime despotism of England. However, as we said in our last number, the Americans cannot be mistaken in the secret motives of these miserable devices. They are only a repetition of the political tales given out in 1799. The authors have merely changed the names of prince Adolphus and Mr. Adams. But at this day, as was the case at that time, the security of the U. States cannot be alarmed at such manœuvres any more than their policy ought to be changed by them.

The same English newspapers, having nothing satisfactory to relate respecting continental affairs, repeat with affectation the trial of an unfortunate sailor seized on board the Chesapeake, tried before a court martial at Halifax, found to be an Englishman and condemned as such to be hanged. The ministerial writers pretend to see in this trial a kind of justification for the atrocious violence exercised by the captain of the Leopard against the Chesapeake. But in the opinion of every impartial man and according to the morality of all nations, that aggression is not the less a scandalous violation of the sacred rights of the independence of the United States. Whether or not there were English deserters on board the Chesapeake; whether the captain had received them knowing or being ignorant that they were so, it by no means attenuates the grievousness of the injury done to the American flag. The question is, whether an independent power must suffer the English officers to exercise under this pretext, the right of visiting her men of war, and whether the captains of the latter have only to choose between destruction and infamy.—His Britannic Majesty always speaks of the necessity of taking their deserters wherever they are to be found; but the continental powers might alledge the same right to claim the soldiers who pass from their service to that of another. In this respect the principles are the same. When deserters fall again into the power of the state which they have quitted, they suffer the punishment due to their crime; but we do not see their government going to wrest them by force from the foreign regiment in which they have taken refuge. Their desertion is a particular accident, which their country does not revenge by so grevious an injury to the independence of a nation. Principles so evidently true upon the Continent, cannot cease to be so upon the ocean. It is of little moment to know whether the captain of the Leopard had reason to think that there were English deserters on board the Chesapeake; but it is of the greatest interest for all nations, to know whether he had a right to enforce the restitution of them by the atrocious means which he made use of. Now, this is what England will not find either in the laws of any nation or in her own maritime code, however exclusive, and however tyrannical it may be in other respects. Never was it thought that a man of war was liable to this submission. The United States enjoyed in this respect the common right. Their jurisdiction over their land and sea forces was as full and as independent as that of any other power. Were it otherwise, let us only represent to ourselves the consequences of this humiliating submission; a man of war stopped when and where it should please the captains of a miserable English sloop, obliged to lye too at the first requisition, constrained respectfully to admit foreign inspectors on board, to submit to them her muster roll and to let them muster her men! Can any thing be imagined more contrary to order, more subversive of discipline, and more degrading for the dignity of the state submitting to this inquisition? No doubt, an American captain would be very ill received if he should think proper to set up such a pretension in the road of Portsmouth, and to ask, under pretext of seeking for deserters, to search in this manner an English ship. However, his right would be the same as that of the commander of the Leopard. Between two nations, the one which suffer such a degradation is already subject to the other.

However, the declaration of his Britannic Majesty, of the 18th October last, appears to resolve in a peremptory manner the question relative to the visiting of men of war. It authentically disavows the conduct of the captain of the Leopard. But it will be observed that it says nothing of the right which the English have arrogated to themselves for some years past, of visiting of merchant ships; a right which is not less derogatory to the dignity of sovereigns, and which is perhaps more detrimental to the prosperity of their subjects. The English government doubtless relinquished the former only to yield to the necessity of the moment. But it still keeps the latter ostensibly proclaimed since it has availed itself of the disputes of the continent to work the destruction of all other navies. If it is a right of superiority, all nations ought to unite in order to put an end to this odious vassalage: if it is a right of justice and of public utility, then it must be reciprocal between the parties. But then also the English navy will suffer more than any other from the exercise of this right. There are scarcely a thousand Englishmen who serve on board American ships; whereas the English navy has encreased by all the sailors whom it has inveigled or carried off from France, Holland, Spain, and from all the nations of the North & the South, whom it keeps with the most unrelenting rigor, and who wait only for a favorable moment to escape from their captivity. If England admits the reciprocity of the right of visiting, she may expect to see her crews diminish. If she requires it exclusively, she has no other right to invoke than that of force; but soon the common force of nations may at last triumph over her and wrest from her what she would not yield to justice.

FRIDAY, FEB. 13.

Mr. Bacon presented the following memorial.

To the honorable the House of Representatives of the United States of America.

Respectfully represents the undersigned, a citizen of the state of Massachusetts, that he has been duly appointed the agent of the New-England Mississippi company for the purpose of supporting their claims before the Congress of the United States and finally liquidating and adjusting the same, and he most respectfully prays that he may be admitted to a hearing at the bar of the House of Representatives in behalf of said company to state their rights and explain their claims—and as in duty bound will ever pray, &c.

JOSEPH STORY.

Feb. 10, 1808.

Which being read *Mr. Bacon* offered the following resolution:

Resolved, That the prayer of the petition of Joseph Story as agent of the New-England Mississippi company, praying that he may be admitted to a hearing at the bar of this House in behalf of the said company to state their rights and explain their claims which are now pending before Congress be granted; and that the House will proceed to hear said agent, accordingly at this bar, on Monday 22d Feb. inst.

The House agreed to consider the resolution 45 to 43.

A short debate took place on the resolution (which shall appear in our next, not having room for it in this paper) when the resolution was negatived, yeas 28, nays 76.

The House went into committee of the whole, 56 to 33, *Mr. Basset* in the chair, on the bill making appropriations for carrying into effect certain Indian treaties. The bill being gone through the committee rose and reported it & it was ordered to a third reading on Monday.

On motion of *Mr. Rarke*,

Resolved, That the committee on public lands be instructed to enquire into the expedency of allowing further time to the Board of Commissioners for the Kaskaskia district, in the Indiana territory, to complete the investigation of claims to land in the said district; and that they have leave to report by bill or otherwise.

Mr. Boyle from the committee of Public Lands, reported a bill authorizing the sale of the lands of the U.S. and for other purposes; which was read twice and referred to a commitee of the whole.

A bill from the Senate for the relief of Joseph Chase, Jared Gardner, and others, was read twice & referred to a committee of the whole.

Adjourned to Monday.

AN ACT

Authorising the erection of a bridge over the river Potomac, within the district of Columbia.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the following persons, viz. Robert Brent, Daniel Carroll, of Duddington, Thomas Munroe, James D. Barry, Frederick May, Samuel Harrison Smith, Jonah Thompson, Jonathan Swift, Thomas Powell, Cuthbert Powell, Elisha Janney and Charles Alexander, or any seven of them, be, and they are hereby constituted a board of commissioners, with full power and authority to open, or cause to be opened, books for receiving and entering subscriptions for raising a capital stock, not exceeding two hundred thousand dollars, in shares of one hundred dollars each, for the purpose of erecting a bridge over the river Potomac, between the city of Washington and Alexander's island, and making such other incidental works, and defraying such other incidental expenses, as shall be required by this act, or deemed necessary or expedient, by the company hereinafter named; the time, place, and manner, of receiving and entering such subscriptions, to be ascertained by the said board of commissioners, and duly advertised in such Gazettes, as they may deem expedient: *Provided*, That the time to be fixed upon by the said board of commissioners, for opening books for receiving the said subscriptions, shall be on or before the first Monday in July next, and that no subscription shall be received, unless the sum of ten dollars be first paid into the hands of the person authorized to receive the same, on each share subscribed for.

SEC. 2. *And be it further enacted*, That whenever nineteen hundred of the said shares shall be subscribed for, all persons who may then be, or thereafter may become, the actual holders or proprietors of shares in the said capital stock, either as subscribers for the same, or as the legal representatives, successors, or assignees of such subscribers, shall be, and they are hereby made and created a body politic and corporate, by the name and style of "The Washington Bridge Company," and by that name may sue, and be sued, implead, and be impleaded, and do and suffer all acts, matters, and things, which a body politic and corporate may lawfully do and suffer; and may have a common seal, and the same may break and alter at pleasure, and may make all bye-laws, rules, regulations and ordinances for the good government and well being of the said company, and for carrying into effect the objects of their institution, so that such bye-laws, rules, regulations, or ordinances, be not repugnant to the laws of the United States, in force within the district of Columbia.

SEC. 3. *And be it further enacted*, That when nineteen hundred of the said shares shall be subscribed for, as aforesaid, or as soon after as may be, the said board of commissioners, shall call a meeting of the company, at the city of Washington, by public advertisement, in one or more Gazettes published in Washington, Alexandria, or Georgetown, appointing a fit and convenient time and place of meeting, for the purpose of electing five directors, a clerk, and a treasurer, and such other officers, agents and servants, as the said company may think fit to appoint, and for transacting any other business, in pursuance of this act, and appertaining to the nature and objects of the institution of the said company; and the said board of commissioners shall, if necessary, adjourn the said meeting, from time to time, until a quorum shall be formed; and a majority of the said company, or the proprietors of two thirds of the number of shares actually subscribed for, their legal representatives, successors, or proxies, shall be a quorum to do business; and the said board of commissioners, before opening the said subscription books, shall ascertain and publish, in their said advertisement, a fit and convenient mode of authenticating all powers of attorney authorising subscriptions to be made in the name of any person or persons; and before calling a meeting of the said company, shall ascertain and publish, in their advertisement, a fit and convenient mode of authenticating all instruments of writing authorizing any person or persons, to act and vote at such meeting, as the proxy or proxies of any member of the said company; all which powers of attorney and instruments of writing shall be filed with the clerk of the said company, and by him be safely kept among the records and documents appertaining to his office; and as soon as a quorum of the said company, and a board of directors shall be formed, as aforesaid, all the powers, authority, and duties whatsoever, by this act vested in the said board of commissioners, shall cease and determine, and thenceforward become vested in the directors, for the time being, of the said company, under such limitations and restrictions, as the said company may think fit to prescribe; and the said board of commissioners shall account to the said company, at the first meeting of the same, for all monies received by them or their agents, on account of such subscriptions, and shall immediately pay over the same to the treasurer of the said company, or to such other person or persons, as the said company may direct and appoint: the said company, nevertheless, to allow all just credits for monies actually and necessarily expended by the said board of commissioners, in the execution of their said trust and duties.

SEC. 4. *And be it further enacted*, That there shall be annually holden, on the first Monday in January, a meeting of the said company, for the purpose of electing five directors, a clerk, and a treasurer: and the said company shall have power, at any meeting, legally called and constituted, in pursuance of this act, to displace any of their directors or officers, and to supply, by a new election or appointment, all vacancies that may happen among the directors or officers of the company; and the said company shall have power to prescribe and regulate the powers and duties of the said directors, and of all other officers of the company; and a majority of the said directors may, from time to time, elect one of their body as a president, and may provisionally supply, by their own election, any vacancies that may happen among the number of directors, or among any of the officers of the company, and the persons so elected by the said directors, may continue in office till the next legal meeting of the company; and the directors of the said company, to be elected, in pursuance of this act, shall, unless sooner displaced by the said company, continue in office until the first Monday in January next, succeeding their election, and from that time until a new election shall be made by the said company.

SEC. 5. *And be it further enacted*, That a meeting of the said company may, at any time, be called by a majority of the directors of the company, for the time being, and by one third of the members of the said company, or by the proprietors of one third of the shares actually subscribed for, or the legal representatives or successors of such members or proprietors: *Provided however*, That no meeting of the said company shall be legal or valid, unless a quorum shall be formed, consisting of the majority of the members of the said company, or of the proprietors of at least two thirds of the number of shares actually subscribed for, their legal representatives, successors or proxies, nor unless the place (being within the city of Washington,) and the time of such meeting be previously advertised, for three weeks successively, in one or more Gazettes, in the city of Washington, Alexandria, or Georgetown.

SEC. 6. *And be it further enacted*, That the said shares shall be negotiable and transferable from one to another by assignments in writing, executed before two witnesses at the least, and authenticated and registered, as the said company may prescribe and direct in their bye-laws & regulations.

SEC. 7. *And be it further enacted*, That in suits at law against the said company, the first process shall be a summons, to be served on the president, or any one or more of the directors of the said company; upon the service and return of which summons, if no appearance shall be entered for the said company, at the return term, the court may order the general issue to be entered on the record, and may proceed to trial and judgment, in like manner as if an appearance had been entered, and the issue made up by the said company; and if judgment shall be recovered against the said company, the court may order the usual process of execution, or a special writ to attach the money, goods, chattels, debts, choses in action, and tolls in the hands of any officer of the said company, or of any other person; and such attachment shall operate on the tolls thereafter to be received, which may [be] collected by a person, specially appointed by the court, for the use of the plaintiff recovering such judgment, until such judgment shall be satisfied; and the court may make such further or other order for enforcing the payment of such judgment as may be consistent with the practice and powers of such court, as a court of law or equity; and that the shares in said company shall be deemed personal, and not real property, and transferable in such manner as the company shall direct; and that the shares held by any individual shall be liable to be attached, or taken by fieri facias, to satisfy the debts due from such individual in like manner as other personal property may be.

SEC. 8. *And be it further enacted*, That the amount of each share shall be paid by instalments of ten dollars at such time as the said company shall direct; and in case any instalment or instalments shall not be paid at the time appointed by the said company, or within ten days thereafter, the same may be recovered, in the name of the said company, by warrant from a justice of the peace, if the amount due shall not exceed twenty dollars, and if the sum so due shall exceed twenty dollars the same may be recovered by motion, in the name of the said company, on ten day's notice, in any court of record in the county or district, where the debtor shall be found; and in all such warrants and motions, the certificate of the clerk of the said company, authenticated by the president, under the common seal of the said company, shall be conclusive evidence of the defendant's being a member of the company, and prima facie evidence of the amount due on the shares held by such defendant And if such instalment or instalments be not paid within sixty days, after the time limited for the payment of the same, and advertised for four weeks successively, in one or more gazettes, published in Washington, Alexandria or Georgetown, the president and directors of the said company may proceed to forfeit, for the use of the company, the share or shares of the person or persons so failing to pay.

SEC. 9. *And be it further enacted*, That the said company be, and they are hereby authorized and empowered to erect and build, or to cause to be erected and built, over the river Potomac, between the termination of Maryland avenue and Alexander's island a good and sufficient bridge, at least thirty six feet wide, of sound and suitable materials, and in all respects adequate for the passage of travellers, horses, cattle and carriages with a secure railing on each side at least four feet high; of which width six feet on one side shall be appropriated to the purpose of a way for foot passengers, and shall be separated from the carriage way by a good and sufficient railing at least four feet high.

SEC. 10. *And be it further enacted*, That the said company shall cause to be built and kept and maintained in good repair, a convenient and sufficient draw or passage way, at least thirty-five feet wide, in the said bridge, over the main channel of the river, for the passing and repassing of vessels, by day and by night; and shall also cause to be built, and to be kept and maintained in good repair, a well constructed and substantial wharf, erected on piles on each side of the said bridge, and adjoining or near to the said draw, in every respect sufficient for ships and other vessels to lie at securely; and all ships, waiting for a passage through the said draw, may lie at such wharves, free of charge, until a suitable opportunity offers of passing through the said draw; and the said company shall, at their own cost, and without toll, cause the said draw or passage way, to be hoisted or removed, without delay, for the passage of all ships and vessels with masts, that are unable to pass under the same; and if through the unskilfulness or negligence of the person or persons employed by the said company, to hoist or remove the said draw, any ship or vessel shall be unjustly or unreasonably hindered or delayed, or shall be damaged in her hull, spars or rigging, in passing the said draw, the said company shall be liable to the master or the owner or owners of such ship or vessel, for damages at the rate of six cents per ton of such ship or vessel, for each and every hour such ship or vessel shall be hindered or delayed, and for all damages in her hull, spars and rigging, as aforesaid, to be ascertained and recovered in a special action on the case, in any court of competent jurisdiction; and the said company shall constantly keep the said bridge furnished with twenty good lamps, to be well supplied with oil, and lighted in due season, four of which lamps shall be kept at the said draw, and be kept burning through the night, and the others shall be kept burning till the hour of twelve at night, under the penalty of five dollars for each offence, to be recovered by warrant before any justice of the peace having jurisdiction, by such person or persons as shall sue for the same. And it shall be lawful for the said company, to cause each leaf of the said draw to be made of the width of twenty feet instead of thirty-six feet, the width of the said bridge; and if at any time hereafter the channel under the said principal draw of thirty five feet shall change and shift to and under any other part of said bridge, then it shall be the duty of said company at all times to remove the former and keep a good and sufficient draw of thirty five feet in width over the main and principal channel wherever the same shall pass under the said bridge; provided that the same shall appear necessary on a survey to be made by three commissioners to be appointed for that purpose by the President of the United States.