

LOVE AND LIBERTY.  
BY R. TYLER, ESQ.  
In bri'ry cell, or thicket brown,  
On mountain high, in lowly vale,  
Or where the thistle sheds its down,  
And sweet-fern scents the passing gale—  
There hop the birds from bush to tree,  
Love fills their throats,  
Love swells their notes,  
Their song is Love and Liberty.  
No parent bird shall love direct;  
His fair he seeks in plumy throng,  
Caught by the piumage of her neck,  
Or kindred softness of her song.  
They sing and bill from bush to tree,  
Love fills their throats,  
Love swells their notes,  
Their song is Love and Liberty.  
Some airy songster's feather'd shape,  
O! could my love and I assume;  
The ring-dove's glossy neck she'd take,  
And I the modest turtle's plume,  
O then we'd sport from bush to tree,  
Love fill our throats,  
Love swell our notes,  
Our song is Love and Liberty!

### Congress OF THE United States of America. HOUSE OF REPRESENTATIVES.

THURSDAY, January 3.  
An engrossed bill supplementary to the act, entitled "An act to regulate the collection of duties on imports and tonnage," was read the third time and passed.

An engrossed bill for carrying into more complete effect the tenth article of the treaty of friendship, limits and navigation with Spain, was read the third time and passed.

A motion was made and seconded to add a new rule to the standing rules and orders of the house, as follows:

"A standing committee, to consist of seven members, and to be styled 'The Land Committee,' shall be appointed, whose duty it shall be to take into consideration all such matters and things touching the lands of the United States as shall be presented, or shall or may come in question, and be referred to them by the house; and to report from time to time their opinion thereon; and also to report such alterations and amendments to the laws concerning the lands of the United States as may become necessary."

On the question will the house agree to the same? It passed in the negative.

A petition of Rimoldo Johnson of the State of Maryland was read, praying a remission of the duty accruing to the United States on certain stills, owned and worked by him in the years 1798 and 1799, for the reasons therein specified.

Referred to the committee of claims.

The house went into committee of the whole, Mr. Varnum in the chair.

On the report of the committee of commerce and manufactures of the 51st ultimo, on the amendments from the senate to the bill entitled "An act concerning drawbacks on goods, wares and merchandise exported from the district of New Orleans;" and after some time spent therein, the speaker resumed the chair, and Mr. Varnum reported, that the committee had had the said report and amendments under consideration, and directed him to report to the house their disagreement to the report, and their agreement to all the amendments referred to them, which were delivered in at the clerk's table.

The house then proceeded to consider the said report and amendments of the senate. When the question was taken, will the house agree to the report of the committee of the whole house thereon, and resolved in the affirmative.

FRIDAY, January 4.

Mr. Gregg moved the order of the day on the bill from the Senate, dividing the Indiana territory into separate governments, on which the house resolved itself into a committee of the whole.

Gen. Varnum in the chair.

After some time spent thereon, the committee rose and reported the bill, which was agreed to by the house.

On motion of Dr. Leib, the house resolved itself into a committee of the whole on the bill authorizing the collector of the port of Philadelphia, to act by an additional deputy.

Mr. Gregg in the chair.

Mr. Smilie moved the committee to rise and report progress, in order to give time for an enquiry into the necessity, or propriety of the measure, nothing having been officially before the house on the subject.

Mr. Leib acquiesced in the motion, though he stated that the collector had

written to him, as he informed the house on a former day, and it was on that account he had brought the business forward.

The committee rose and reported progress, and obtained leave to sit again. On motion of Mr. G. W. Campbell, the committee appointed the 14th Nov last, for enquiring whether any, and if any, what situations are necessary in the law regulating the trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, was discharged.

On motion to appoint a new committee on the same subject, it was negatived by the house.

Afterwards on motion of gen. Varnum the house agreed to reconsider their vote for discharging the committee, and it being carried, the motion to discharge the committee recurred, and it was passed in the negative. So that the committee remain charged with the business as before.

A petition and memorial with several documents accompanying it was laid on the table, from a number of the inhabitants of Upper Louisiana, the reading being dispensed with, it was ordered to be printed.

Mr. Lattimore called for the order of the day on the bill regulating the grants of land and disposal of the same in the territory south of Tennessee. Whereupon the house resolved itself into a committee of the whole.

Gen. Varnum in the chair. After some time spent in considering the same, the committee rose and reported the bill without amendments, the house having agreed to the same. It was ordered to be engrossed for a third reading on Monday next.

A message from the Senate by Mr. Otis their Secretary was received, informing of their proceedings in the case of Samuel Chase—and that the president of the United States had approved and signed the act which originated in the Senate, for the disposal of certain copies of the laws of the United States. Adjourned.

### THURSDAY, December 13. DEBATE.

On the Bill to regulate the clearance of armed merchant vessels.

Continued from our last.

Mr. Clark thought while we were imposing penalties on our own citizens it would be equally proper to restrain foreigners; he therefore moved an amendment to insert after "any person or person resident within the United States," This would restrain aliens from reaping the profits so frequently mentioned—agree to.

Mr. Crowninshield moved to add the following: "Provided, that the regulations herein contained shall not be construed to extend to vessels bound to any country situated to the southward of the equator."

Mr. J. Clay said that would not restrain vessels from clearing out for the coast of Africa and returning to the West Indies.

Mr. Smilie asked if the words were not the same as had been stricken out; if so, the motion was out of order.

Mr. Crowninshield said the words were varied; the former proviso extended to the Mediterranean, and beyond the Cape of Good Hope; here not a word is said of the Mediterranean, but the language is confined exclusively to the southward of the equator.

Only fifteen members voting in favor of Mr. Crowninshield's proviso, of course it was lost.

Mr. Eppes suggested the propriety of amending the second section in such manner, as to make the captain and crew liable to punishment, if they should commit any violence or unlawful assault upon any vessel or territory of a nation in amity with the United States, or should make any other unlawful use of their arms. If the offence amounted to murder or felony they should suffer the punishment of murderers or felons; or if the offence should be of less degree they should be punished accordingly.—He said it was well known that the privilege they were now about to bestow was not a right derived from the law of nature or of nations. If then it was no natural right, the legislature have the right to dictate the conditions upon which they are willing to grant it. The bill section provides a security against the improper use of arms, or as it were for their good behavior. His amendment would go to provide a suitable corporeal punishment for any offence they might commit after they had arms in their hands. It appeared to him that they were about to change the whole system of commerce. Instead of selling its success on the skill, enterprise and industry of our mariners, we are about to give them force by which they may find their way to market. Your vessels are to be light swift sailing runners, capable of combat or flight. We shall hear no more of vessels of burthen being employed in the West India trade.—Upon the whole he submitted to the house whether the public safety did not absolutely require this additional security. He had not however thrown this idea into form, but if it met the approbation of gentlemen he would endeavor to reduce it to writing.

Mr. J. Clay would make a motion, which would supersede the necessity of the amendment suggested by the gentleman

man from Virginia.—(Mr. Eppes) that was to strike out a whole of the second section.

Mr. Eppes said if Mr. J. C. meant to propose a substitute?

Mr. J. Clay replied that he did not, as he believed it bill would be effectual for its purpose without any thing more than the first section as it now stood amended.

On the question to strike out, there were 55 in favor of the motion, and 44 against it. The section was struck out accordingly.

Mr. J. Clay next moved to strike out the third section, which was carried without debate by 58 against 22.

Mr. Eastis moved to amend the fourth section, so as to read, That if an armed vessel as aforesaid shall proceed to sea without a clearance, such vessel, &c. shall be forfeited to be used of the United States.—Agreed to.

Mr. Eppes moved a new section in conformity to the idea he had expressed when the second section was under consideration.

It was nearly as follows: That if any armed merchant vessel shall make or commit any depredation, outrage, unlawful assault, or violence, against any vessel or territory of a nation in amity with the United States, or against any of the citizens or subjects of such nation, or make any other unlawful use of the arms on board such vessel; if such depredation &c. shall be made or committed, as if made or committed in any place under the exclusive jurisdiction of the United States, the same shall be murder, felony, or misdemeanor, as the case shall be; and the principals and accessories concerned therein shall be punished as they would respectively be in other cases of murder, felony or misdemeanor, by the laws of the United States.

Mr. J. Clay said he should be glad to hear the reason on which this amendment was founded.

Mr. Eppes had stated when he was up before, the reason for which he was induced to make this motion. The right of making war was in all cases lodged in the hands of the government; when men entered into civil society they abandoned whatever natural right they had to employ force against others and vested their defence in those who were qualified to exercise the whole strength of the community. In our government the constitution has delegated this power exclusively to Congress. Our merchant vessels have no natural right to arm nor does the law of nations warrant it. If then Congress extend this privilege to merchantmen Congress have a right to prescribe the conditions. He had also stated that he did not consider the bond entered into at the custom-house an adequate security for preserving the peace of the nation, or preventing an improper use of cannon and ball entrusted to the citizens ranging the ocean in pursuit of wealth. Indeed he thought the power conferred to captains of vessels under this bill was too dangerous, and therefore Congress could not be too cautious in guarding against its abuse by every means in their power. It is true, the penalties imposed by the new section is a severe penalty; but it does not affect any one unless he commits one of those improper acts it is intended to restrain; and if he willingly and wickedly does commit a crime, he incurs the penalty and deserves the punishment; and let him receive it, in order to check a similar licentiousness in others. He confessed some degree of surprise that gentlemen should ask for the reasons of the amendment, when they would not deign to offer any argument against it.

Mr. J. Clay asked if it was meant to attach these penalties on a commander who shall, in resisting an illegal search, happen to kill or wound some of his adversary's crew—that right he thought was secured by the law of nations. If a vessel shall be attacked by pirates, may she not resist and beat them off; this is the natural right of self defence. He believed the provision of the first section was sufficient to prevent all voluntary transgressions; but shall a man who involuntarily kills another by firing a cannon at sea for any of the usual purposes, be hanged? If he is, not this then new and unusual punishment for such an offence, and such is forbidden by our constitution? Will any man say that this is a punishment proportioned to the crime.

Mr. Eppes requested the clerk to read the amendment again, for the information of the gentleman from Pennsylvania, as it was very evident to him that he had misunderstood the object of the section.

This being done,

Mr. E. proceeded. The words "new and unusual" certainly might have been spared by the gentleman; for the punishment is exactly the same as what has been usual in every place under the exclusive jurisdiction of Congress. It subjects them for a similar crime committed at sea, to the same punishment as if the offence had been committed in this territory of Columbia. The arms, it is said, are only given to them for their defence; well, will you not then take sufficient security that they shall not be used for offence; or shall they be permitted to trespass upon the vessels or territories of these in amity with the U. States. He could not distinguish why murder committed on the high seas should be less murder than if perpetrated

on shore. In both situations the offence was the same, and the punishment directed by the amendment was precisely the same—unless this was a lawable, he did not see how Congress could annex even an old punishment to a new crime. If however the offence and the punishment were the same as heretofore, he could see no impropriety in passing the section he had offered.

Mr. Lucas could not discover how his colleague had inferred that the right of arming merchant vessels was a natural right, or a right under the law of nations. He supposed a neutral may resist illegal search, or defend himself against a pirate. On these points he need not add any thing, as they had been fully exemplified by the gentleman who moved the amendment. As to its inflicting new and unusual punishments, he could not make that discovery either; the punishment was the same for the offence when committed at sea as if committed in the body of a county; the only difference was as to the place where. In short he thought the amendment a very proper one, and hoped it would be agreed to. He thought the object of the bill was not so much to preclude the continuation of the trade to St. Domingo, as to give a kind of half way satisfaction to France in excuse for the iniquity of that trade as it had for some time past been carried on.—From what had been stated by the gentleman from Maryland (Mr. McCree) he supposed that the contracts for certain supplies to be furnished by the contractors in Maryland, and particularly in Baltimore, to the agents of the French government while at St. Domingo, had not yet been fully completed; but the shipments continued to be made, and the supplies destined for the service of the French actually were delivered at the ports as stipulated, although those ports were in the possession of the Brigands. Under the intended regulation, armed vessels will defend themselves to get in, which may produce a clashing of power between the contractors and the persons now lawfully commissioned by France to intercept the commerce between neutral nations, and the Brigands of St. Domingo. He admitted it was difficult to draw a line as to how far an armed vessel should be retained in the exercise of her force. He knew there would necessarily be some latitude of construction; but he thought the best security which could be obtained was to punish an abuse of the power conferred upon them, by making all the parties principals or accessories, and punishing the offences in the same way as they would be punished, if committed within the territory over which Congress have the power of exercising exclusive jurisdiction.

Mr. Sloan, hoped he should always be careful how he undertook to speak on matters he did not understand. He had therefore remained silent on the bill so far as it had proceeded. He did not fully understand the commercial relations between the United States and other nations; but he had a full feeling and high estimation for the preservation of the peace and happiness of this country, and on this point he meant to express an idea which had occurred to him. He observed that it was but a very few years since Merchant vessels were permitted to arm in any other case than that of actual and declared war. He supposed he had still believed, it was a dangerous experiment. He believed now that it was equally dangerous. When then it was politically wise to pursue the St. Domingo trade at such a moment as he would not say; as he had not as yet learned to calculate commercial profits, when set against the peace and happiness of his country; he should not decide for those who understood this kind of political economy. But to his mind it resulted from the arguments he had heard that it would be better to refrain arming altogether. Yet as a majority of the house had decided the contrary he should not oppose their will, but he hoped they would endeavour to secure this power from abuse as to prevent to the utmost every possible evil which might otherwise arise to the unexampled prosperity of the Union.

Mr. Crowninshield said he regretted the necessity of again troubling the committee on this subject. The bill under consideration was highly interesting to the merchants of the United States.—He had repeatedly stated his objections to the bill as it was first reported, and as it was subsequently amended, and had moved an amendment, which had been finally agreed to. This was to strike out the cargo, so that bonds should be exacted only for double the value of the vessel, without reference to her loading, and he had the satisfaction to find that a majority had been founded in favour of the proposal. Without repeating what he had observed formerly when this subject was before the House, he would call the attention of gentlemen to the great value of some of the cargoes shipped from this country. He was convinced that the East India trade from the United States could not be carried on to advantage, if the merchants were compelled to give bonds in a sum equal to the full amount of vessels and cargo.—This commerce was extremely valuable, and he hoped no embarrassments would be thrown in its way. If he wished to refrain the trade to a particular Island in armed vessels, for his part he thought it might be done without touching the whole commerce of the United States, but he saw no reason why that trade was to be wholly interdicted. It might be well to

oblige those who carried it on to enter into bonds to double the value of the vessel, tackle and furniture, conditioned that no aggression should be committed on the vessel of a friendly nation, and he should not oppose this regulation; but in doing this, he could see no necessity of extending these conditions to all other vessels. He said that he was certain, if the bonds were to be exacted for the cargoes of the East India vessels, it would fall extremely hard on the merchants of the eastern and middle States, who carried on a great and increasing trade to India. Some cargoes might amount to three, or even four hundred thousand dollars, and in such cases bondsmen could not be procured. In general, the cargoes were not near so valuable; but we employed upwards of one hundred and fifty vessels in the India and China trade, and he hoped no restraints would be imposed on that commerce. The ships engaged in voyages beyond the Cape of Good Hope were generally provided with arms, merely to defend themselves against pirates, who were sometimes found in those distant seas, and he knew of no instance where they had committed an aggression, or where they had made any unlawful use of their arms, and he presumed none would occur in future. Why then should we compel the owners of these vessels to give such heavy bonds? Why embarrass commerce unnecessarily? Commerce will be always most flourishing when left most free to individual enterprise. In some cases these bonds would operate to the injury of our European trade. It was well known that a vessel of two hundred and fifty or three hundred tons, loaded with sugar and coffee would be worth nearly one hundred thousand dollars. Would any gentleman in this House be willing to ligature bonds for his neighbour for this amount? They would not, it might be presumed. Is it probable then, that one merchant will stand surety for another at the custom house for these enormous sums? If the bill should unfortunately pass with a condition to include the value of the cargo in the estimate of the bonds, he ventured to predict that the revenue would be sensibly diminished for the next year. He would not be much surprised, if a vessel worth nearly a million of dollars, it would be impossible to procure the usual security bondsmen, in all cases, and the merchants will give up their voyages to the East Indies in armed vessels, and if they disarmed, they exposed their property to almost certain loss. If the bill was properly amended, Mr. Crowninshield said he believed he should vote for it, though he did not like all its provisions; but he supposed something must be done, and he would willingly consent to regulate the particular commerce, so he consented to the bill in its present form.

(To be continued.)

### CHARLESTON, December 17.

Extract of a letter from Curacao, dated, the 2d of November.

"Against this island is in a starving condition; corn is selling at three dollars per bushel, flour at eighteen dollars per barrel, rice at 14 dollars per hundred, and other articles in demand. On the 20th of this month it is expected that the English will make a landing on this island to try to take it, which I suppose they will do; but there will be some blood shed first, for the governor is preparing to give them a warm reception."

Doctor Jervey, Mr. Archibald Lord, late mate of the brig Aurora of this port, and Mr. John Ford, came passengers in the Cores from Baltimore. These gentlemen landed in the brig Aurora, Banks, of and for this port from Curacao, September 21st with a cargo of rum and salt—and on the 7th of October, between 11 and 12 at night, were wrecked on Plate Wreck. The captain and passengers were compelled from her bilging, and the leaking gaining one foot per hour, to depart the next day about 12 o'clock; and at 1 law her go down.

Taking to the boats they reached Porto Plata, after being exposed for three days, where they remained four weeks; from thence they departed again in open boats. The captain and five hands in one; Dr. Jervey, Messrs. Lords, and two others, in the other boat, for Turks Island, where they arrived the 10th of November; and from thence took passage in the brig Sufanna, captain Weckham, who treated them with the greatest humanity and politeness, offering them their passages, and by his conduct proved that it was intended. The boat in which the captain & four seamen were, was separated from the boat in which Dr. Jervey and Messrs. Lords were, in a heavy gale, and they did not afterwards learn any thing of the fate of those on board of her.

While in Porto Plata the common necessities of life could not be obtained, from communications existing between the inhabitants and the brigands.

### Robt. R. Richardson,

INFORMS his friends and the public generally, that he has obtained a licence to use and execute the office and employment of BROKER—and has opened his office at the corner of Liberty and Fayette streets. Any negotiation entrusted to his care shall be punctually and diligently attended to; and, if required, the most inviolable secrecy observed.

N. B. He will also undertake the settlement of accounts and collection of debts.

Cash procured at a reasonable interest for good notes.

Wanted to purchase United Bank of Maryland Stock.

June 22