

said report as a part of this report, they recommend the adoption of the resolution offered to the Senate, by the former committee.

**IN SENATE OF THE UNITED STATES.**  
March 21, 1806.

Mr. LOGAN, from the committee to whom was referred, on the 10th January last, the memorial of the President and directors of the Chesapeake and Delaware canal company, made

**REPORT.**

That it appears that a company has been incorporated and established by concurrent acts of the legislatures of Pennsylvania, Delaware, and Maryland, for the purpose of cutting a canal across the isthmus separating the waters of the Delaware and Chesapeake bays. The capital of the company consists of two thousand six hundred shares, and two hundred dollars constitute a share. The sum, of consequence, contemplated to complete the work, is five hundred and twenty thousand dollars. Of this sum nearly four hundred thousand dollars have been subscribed by individuals, and between five and six hundred shares remain unsubscribed for.

The site of the canal has been fixed, and its embankments established at Wolch point on the Elk river, and Mendenhall's ferry on Christiana creek. It is intended to furnish a navigation to vessels drawing upwards of seven feet water. The work has been commenced, and a canal to supply the necessary water to the main canal, has been opened from the head waters of the Elk river, nearly to the line of the route of the grand canal. This canal of supply communicates with populous and productive tracts of country in the three states of Pennsylvania, Delaware, and Maryland, and is calculated for barge navigation.

The length of the main canal, as the route has been established, is twenty one miles, and the expense of cutting it is estimated at twenty five thousand dollars a mile.

The committee are of opinion, that the work designed to be accomplished by the Chesapeake and Delaware canal company, is one of great interest and importance, not only to the three states whose laws have incorporated the company, but generally to the United States. By opening the proposed communication between the two bays, the safe inland navigation of twenty one miles, supplies the place of a circuitous and exposed navigation of five hundred. The large tracts of country in Virginia, Maryland, Pennsylvania, Delaware, and New-Jersey, connected with the waters of the bays, will be furnished with a safe water communication, and will immediately feel the great benefit of the work. In the event of a war, the facility, celerity, safety, and cheapness in the transportation of troops, and ordnance, and military stores, from remote parts of the United States, present an object at once of sufficient magnitude to interest the general government in the undertaking. The importance, however, of the proposed canal, though great in itself, is not justly appreciated by considering it as a separate work; it must be viewed as the basis of a vast scheme of interior navigation, connecting the waters of the lakes with those of the most southern states, a plan certainly within the compass of industry and art; and if beyond the present means, unquestionably within the growing resources of the country.

The following statement and illustration of the plan, the committee have extracted from the memorial, furnishing a correct view of the subject, well deserving the serious consideration of the Senate.

"It is easy however to see, by examining any map of the United States, that this extent may be carried much further. To the southward, the canal through the Dismal Swamp, now in execution, will open the communication to the waters of Albemarle sound, and from thence through the inlets to South Carolina and Georgia. To the northward, a communication is nearly opened from Albany, up the Mohawk river to lake Ontario, and all the upper Hudson river to lake Champlain, it will extend the navigation to Quebec. And to the eastward, if the pass from Buzzard's to Boston bay be opened, which has been contemplated, it will in like manner extend it to Boston and all the coast of Massachusetts. Thus, with opening only a few short passes, of which the Chesapeake and Delaware canal is the great and preliminary one, a communication may be made nearly from all the dangers of the ocean, along the whole coast of the U. S."

The committee are of opinion, that it is among the great duties of a government to promote public improvements of a general nature. No works, deserving the character of public improvements more than canals. The one proposed by the memorialists is of the first magnitude and importance; it, therefore, well deserves the assistance and encouragement of the government. Considering that a large capital has been subscribed; that an expensive part of the work is nearly completed; that probably, without the acquiescence and aid of the government, the work will cease; to the loss of a number of public spirited individuals, and the destruction of a great public improvement; it is the opinion of the committee, that aid ought to be granted to the memorialists.

If it be inconvenient, at this moment, to spare money from the treasury, the United States have it in their power to contribute the assistance prayed for, by a grant of land. The grant may be either gratuitous, or the company enjoined to dispose of it and to credit the United States with shares of their stock, equal to the proceed of the land, at the established rate of two hundred dollars for each share.

The committee, therefore, submit the following resolution.

**Resolved,** That acres of land be granted to the Chesapeake and Delaware canal company, upon their giving bond, conditioned to transfer to the United States, a number of the shares of the capital stock of said company, at the rate of two hundred dollars a share, equal to the proceeds of the sales of the land granted to them; and conditioned to sell the said land within years, and to furnish to the secretary of the treasury a true account of the sales.

**American,**  
**AND**  
**Commercial Daily Advertiser.**

THURSDAY, JANUARY 29, 1807.

**Erratum.**—In the advertisement of the Baltimore and Reister's Town Turnpike Road Company, inserted in yesterday and to-day's papers, for "Monday the 2d of July," read Monday, the 2d of February.

From the glance of the National Intelligencer on the subject, we are induced to believe that the rumour of Burr's being at the "mouth of Cumberland river with 1700 men," as mentioned in an evening paper, is not correct. If an express had arrived at Washington on Monday evening, the Intelligencer would certainly have mentioned something of it.

Married on Tuesday last, by the R. v. Dr. Ratbone, Mr. JAMES DISCOE, merchant, to Miss ANN FARNANDIS, both of this city.

The following strictures, taken from the Virginia Argus, furnish an excellent reply to the recent animalizations of the opposition papers relative to Mr. Dana's resolution, with respect to the common law:

It will be seen from the proceedings of Congress that Mr. Dana has introduced a resolution for the purpose of appointing a committee of the House of Representatives, to enquire and report, whether the courts of the United States have cognizance of prosecutions at common law for libels against the government of the United States.

This measure of Mr. Dana is entirely of a party nature, and the object of it is palpable. Our readers may recollect, that in the state of Connecticut, where Mr. D. resides, the federalists have not ceased to persecute their opponents by fine and imprisonment. Availing themselves of a local ascendancy in the courts of the state, they have made opposition as destructive to the republicans as in the worst times of federal misrule.

The Republican Party wishing to make their opponents also feel the weight of adverse power, instituted prosecutions in the federal court, against some of the most clamorous and scurrilous of the federal party, who were also fined and imprisoned.

We consider this act as incorrect in principle, because we conceive the jurisdiction of the federal courts as confined to cases expressly mentioned in the constitution, or to such as are expressly provided for by some act of congress. At the same time there was nothing, practically unjust in its application. It is certainly as criminal to libel the government of the United States as that of the state of Connecticut, nor is the unfortunate Seleck Osborne less a subject of sympathy, than the factious bigots who persecute him.

Mr. Dana's resolution further proposes, that if the committee should report in favor of the jurisdiction of the federal courts, that they next consider whether it would not be just to provide by law, that the prisoner in such cases be permitted to prove the truth of the words charged, in his justification. Now the policy of Mr. Dana will be to impress a belief that prosecutions for libels at common law, will lie in the federal courts, and from thence to infer that the sedition law of '98, permitting the person indicted to give the truth in evidence (a privilege not permitted at common law) it was really intended to mitigate the rigour of the common law, and for the relief of the prisoner.

Should these points be established, it will follow, that the press is now in a more shackled condition, than during the existence of the sedition law. Both principles and facts are opposed to such a position. Yet such ground (if we mistake not) was taken on the floor of congress. Certain it is, the writer once heard a member of congress advocate it in a public harangue.

No opinion can be more absurd than that the courts of the United States have cognizance of prosecutions at common law, of a criminal nature, be the offence what it may. This position had been so ably and incontrovertibly proved, in the report attributed to Mr. Madison, that it would be presumptuous to add any thing further. The same principle has been judicially decided by Judge Chase, in the case of the U. g. against States Worthall, who was indicted for attempting to bribe one of the clerks in the public offices. The Judge determined that no indictment could be sustained in the courts of the United States for an act which

was merely an offence at common law, and on which congress had never legislated.

Let us next see how far the new accompanying the enactment of the sedition law will authorize the federal party to lay claim to the spirit of having intended merely to mitigate the rigour of the common law. The bill which was first introduced, was not only destitute of any such clause as the above, but was in other respects more penal, than the one which was finally adopted. The penalties of the bill in its original state extended to speaking as well as writing. The clause which provided for the admission of evidence of the truth of the words charged, was introduced as an amendment, by a republican member, and carried with great difficulty; meeting with a general opposition from the federal party. It is a subject of astonishment that men should effect a forgetfulness of transactions, in which they themselves have borne a conspicuous part. We are sorry that we have not access to the journals of congress, in order to ascertain whether Mr. Dana was not in the minority, on all the amendments to the sedition bill.

Should Mr. Dana succeed in having a law enacted to enable defendants in cases of libel, to justify themselves by proving the truth of their assertions, it would only have efficacy in the courts of the U. S. It could have no influence upon the proceedings of the state tribunals. The republican printers of Connecticut still remain exposed to the relentless persecution which the local laws of the state may justify. But we are averse to criminal prosecutions for libel, before any tribunal. If the people have not sufficient virtue and intelligence to detect falsehood and detect scurrility, they are unfit for the enjoyment of that freedom, of which they are not competent guardians. It is dangerous to invest government with the control and regulation of that engine, which constitutes the principal check upon their own misconduct.

There are two cases of criminal prosecution which immediately interest, the passions of sovereignty; the one for libel the other for treason. The first is an indirect, and the last a direct attack upon its existence. It is for this reason that the federal constitution has defined explicitly what alone shall constitute the crime of treason; and prohibited congress from imposing any restraint upon the freedom of the press. When the words, "no law abridging the freedom of the press," cease to receive this construction, all respect for the precision of language, must be destroyed.

It should always be remembered that although the jurisprudence of England, is in other respects, without a stain, yet in these two cases, the influence of the crown is generally exerted with effect. In his description of Paris, Mr. Kotz-bue bestows the highest encomiums upon the moderation and impartiality which prevail in the criminal jurisprudence of France. And yet it is not probable, that a printer who should censure the French government, would find justice mercy, or forbearance.

In addition to the letter from Commodore BARNEY, published in the Gazette last evening, we are surprised to state that general TURBEAU has received no other knowledge of the pretended correspondence, than what has reached him through the medium of the newspapers.—*Fed. Gaz.*

**Marine Intelligence.**

**From the Merchants' Coffee House Books.**

January 28.  
The schooner Superior, Forbes, from St. Thomas, and Fame, Wernon, from Havanna, have arrived at Annapolis.  
The ship Sally, Drew, hence to Cork, founded in the Gulf—the crew were picked up by some vessel, and arrived at St. Thomas.

Portland, January 17.  
Arrived, brig Mary, captain William McLellan, 26 days from Point Petre, (Guad.)—Left there, ship's William Henry, Patch, of Newburyport; ship's Beaver, Disney, for do. in 2 days; brig Relief, Williams, for do. in 10 days; brig Adir, Cook, for do. in 6 days; brig Liberty, Pillsbury, for Boston, in 2 days; brig Thomas Jefferson, Farnard, for Kennebec; brig's Fox, Horton; Nancy, Sanborn; Albers, Freeman, and Mary, McIntosh, for Portland; time of sailing uncertain.—December 28, lat. 27, long. 70, spoke brig Horatio, Lockhart, 12 days from New-York, bound to Jamaica.  
Captain McLellan informs that the schooner *Mineola*, captain Bay, from St. Pierre's, for Baltimore, was captured on the 15th December, by the Ethiopian frigate, and sent into St. Kitts.

Boston, January 19.  
Arrived, sloop Friendship, (of Guilford,) captain Griffing, St. Martins, 23 days. Spoke December 31, lat. 25, long. 67, brig Liberty, Pillsbury, 9 days from Point Petre for Boston, January 10, lat. 35, 58, long. 72, 34, brig Little John, Barrett, 19 days from Port Royal for Boston, January 11, lat. 37, 19, long. 73, brig Washington, of Saco, 19 days from St. Vincentis for Boston.

January 20.  
Arrived, brig Sir John Wentworth, Tucker, from Halifax, 12 days.

January 21.  
Arrived, schooner Brothers, Kimball, 30 days from Newfoundland.  
Cleared, Caroline, Partridge, Charleston; William, Barnes, Baltimore; Priscilla, Hardin; Alexander, Montezuma, Liverpool, Baltimore.  
Ship Rozana, Phillips, Antwerp, and a market—brig Washington, Smith, 11c of France.

New-York, January 26.

**ARRIVED.**  
The ship's Matilda, 33 days from Cayenne.—Left St. Louis, of Providence; schooner Stone, of an eastern port; and an American brig just arrived. January 7, lat. 30, 41, long. 68, 34, spoke a brig from Providence for Havanna. 13th, in lat. 36, 37, long. 69, spoke ship's Hope, 19 days from St. Croix, for Philadelphia. The Matilda has on board a Delaware pilot.

The schooner Resolution, Darling, 33 days from St. Pierre's, Martinique. January 8, lat. 34, 26, long. 71, spoke ship Friendship, of Guilford, from the W. Indies.

The schooner Safe Guard, Robins, 25 days from Curacao. Left, brig St. Brides, Mary, of New York, to sail in 2 weeks; Amazon; Brown; and Patty, Ingraham, just arrived from New York; schooner Mary Ann, of do.; ship's *Linnet*, of Baltimore. The schooner Concord, sailed for Baltimore December 27. January 7, lat. 20, 15, long. 68, 47, spoke schooner *Estee*, of Baltimore, for St. Croix. January 12, was boarded by the Guinea ship *Warter*, of Liverpool, with 260 slaves for Charleston. The report of Curacao having been taken in without foundation—no British vessel had been of that port.

The ship's Rising Sun, Burgess, from Richmond and 3 days from the Roads.  
Last night, the British brig Thorn, Tait, 40 days from Kingston, Jam.

The schooner *Financier*, Crowell, 5 days from Baltimore. And a schooner from Washington.

Sixteen sail of square rigged vessels sailed yesterday, amongst which were the Governor Gilman, Hardware, Swift, Susan, Louisiana, Aurora, &c. The wind was very fresh and fair. As many more are ready for sea, but sailors are not to be had even at 26 dollars a month. Our harbor is entirely free of ice, and the bustle of Commerce was never greater than at this moment.

In the Sound the brig Luna, Starr, from Savannah, ashore this side Hell Gate—and two new ships.

Cleared, ships Orb, Boyer, Amsterdam; Swift, Price, Liverpool; brig's Jane, Johnson, Martinique; Clarissa, Lee, Barbadoes; Reuben and Eliza, Tripp, Cadiz; Olive Branch, Lunster, New Haven; Georgia, Jocelin, Savannah; barque Nixon, Living, Martinique; schooner Eliza, Auger, New Haven; Unity, Hanison, do.; Manchester, Cropsey, Norfolk; Richmond, Seaman, Norfolk and Richmond; Remittance, Treat, Elizabeth City; Prudence, Shaw, Richmond; sloop Industry, Morgan, Boston.

**Sale by Auction—Postponed.**

The Dry Goods and Groceries advertised for sale this day, is unavoidably postponed.  
THOMAS CHASE, Auct'r.  
January 29

**Sale by Auction.**

**THIS MORNING,**  
The 20th inst. at 10 o'clock, at our auction room, head of Frederick-street wharf, will be sold, for account of the undersigners, for cash, 3 casks damaged HARDWARE.  
VAN WYCK & DORSEY, Auct'rs.  
January 29

**St. Paul's Parish Lottery.**

The drawing of this Lottery commenced on Monday at 3 o'clock, p. m. at Mr. Peck's Hotel, No. 172, Market-street: two hundred tickets were drawn, of which No. 1943, the first drawn ticket, was, according to the scheme, entitled to 500 dollars: of the other tickets, the following drew prizes:  
Prize of \$50 No. 11334.  
Prizes of \$20 Nos. 4570 5305 9750 13087  
Prizes of \$10 Nos. 5780 7847 16552 18680.  
Prizes of \$5 Nos. 51 129 152 182 476 522  
549 555 639 687 895 1092 1165 1453 2191  
2531 4061 4188 4522 4592 5399 5645 5790  
5852 6261 6605 6955 7014 7518 8692 8468  
8807 8920 9033 10139 10159 10595 11016  
11580 11769 12660 13377 13771 14086 15592  
15966 16406 16425 17179 17799.

The farther drawing of the Lottery was postponed to the 10th February next, when it will be certainly resumed, at the same place and hour: it will be continued with all possible regularity and dispatch. The postponement is made, that farther time may be allowed, for the transmission of tickets not yet returned from abroad, and that farther opportunity may be afforded for the purchase of tickets still on hand. They may be had of the several managers, and of Mr. Stewart, at the bar of the Indian Queen; Messrs. Cole and I. Bonsal, No. 1744, Market-street; Mr. Samuel Vincent, No. 44, North Gay-street; Mr. John Cole, St. Paul's Lane; Messrs. Warner and Hanna, Market-street; and Messrs. Dobbin and Murphy, No. 12, Market-street; and Mr. Thomas Shepperd, Fell's-Point, at the original price of 5 dollars, till farther notice. The managers expect to sell the remaining tickets, shortly after the next drawing, when the purchasers thereof intend to raise the price.

By order of the managers,  
SAMUEL VINCENT, } Clerks to the  
SAMUEL COLE, } Managers.  
January 29 2awt.

**ROBERT BUCHANAN,**

**late of the House of Buchanan & Hestib,**  
RETURNS his sincere thanks to his friends and the public in general, for the liberal encouragement he has received of them, during the time he carried on business; he respectfully informs them: he has re-commenced his former business of BOOT MAKING, at No. 158, Market-street, two doors above the Bank of Baltimore, where he manufactures the best and most fashionable BOOTS. He keeps on hand a general assortment of ready made BOOTS, which he pledges himself to be equal in quality to those measured for. Country merchants and travellers will find it to their advantage by giving him a call. Boots for exportation made at short notice, and on the most reasonable terms.  
January 29 d6t-co

**NOTICE.**

THE subscriber having obtained letters of administration on the personal estate of Archibald Ridgely, late of Anne Arundel county, deceased. All persons having claims against the said Archibald Ridgely, are hereby warned to exhibit them to the subscriber, duly authenticated, according to law, on or before the 1st day of June next, otherwise they will be excluded from all benefit of said estate: And all persons indebted to said estate, are hereby requested to make payment to the subscriber, on or before said day, as I am determined to close said estate without delay.  
SARAH RIDGELY, Exec'x.  
January 29 1awt.

**Nathaniel F. Williams,**  
No. 15, Bowly's wharf,  
**HAS FOR SALE,**  
8 pipes real Cogniac Brandy,  
25 do Bordeaux do.  
200 barrels for Mackerel.  
150 do Fish, No 1 and 2 Boston Bees,  
50 do Prime Pork,  
10 do Salmon,  
200 boxes Co. Gin,  
50 kgs Raisins,  
75 boxes Sperm-ceti Candles,  
70 do Mould Tallow do.  
260 do Brown Soap,  
3000 wt. Cheese, of an excellent quality,  
10 bags Pimento.  
January 29 e64\*

**Franklin Hotel.**

THE subscriber respectfully informs his friends and the public in general, that he intends opening a HOTEL, on Thursday, the 11th instant, in Baltimore street, No. 17, nearly opposite the Union Bank of Maryland, where he is determined no exertions shall be wanting to merit public patronage.  
He has good stables, and is about to make them more extensive,  
HEIL PECK.  
N. B. Boarders taken by the week, month, or year.  
January 29 e66t

**10,000 wt. Sheathing Paper,**

1,000 reams Vellum Letter ditto,  
200 ditto No 1 Foolscap ditto, and  
50,000 QUILLS, assorted.  
For sale by  
ANDERSON & JEFFERIS,  
Stationers, 66, Market-street.  
On hand,  
A large assortment of WHIPS, CANES & SPECTACLES, to suit every sight.  
ALSO,  
A large and elegant assortment of POCKET-BOOKS.  
January 22 e68t

**Forensic Society.**

*Baltimore, Jan. 24, 1807.*  
THE Society met, agreeably to appointment at the *Parlour*, and discussed the libel in a learned, facetious and interesting manner, honoured with the presence of a number of respectable ladies & gentlemen:—on deciding the question—*Output Libelors to be taxed?* in the negative—they adjourned to meet in the same place on Saturday evening next, at half past five o'clock, in order to discuss the following question:—*Is self Love the motive of all human actions?* The debate to commence at 7 o'clock.  
Tickets 12 1/2 cents each—to be had at the door.  
N. B. Should the Money received at the door exceed the necessary expenses, the surplus will be appropriated to a charitable purpose.  
January 26 MIFKSA

**NOTICE.**

IN consequence of the ill health of Mr. Thomas Cochran, the partnership of Jenkins and Cochran was dissolved by mutual consent and arrangement, on the 15th March last—The affairs of the concern will be closed by the subscribers; who continue the DRY GOODS BUSINESS, as formerly.  
WALTER JENKINS.  
January 24 e6t

**New York Lottery Tickets.**

TICKETS in the New York State Lottery now drawing, registered and examined at the Bookstore of  
**WARNER & HANNA,**  
Corner of South Gay & Market-streets, where a correct Che. & Book is kept, and the earliest information daily received. Also Check Books of the St. Paul's Parish and the German Evangelical Reformed Church Lotteries, now drawing.  
N. B. Cash advanced for Prizes at a moderate discount.  
January 27 d4t

**Ten Dollars Reward.**

**LOOK OUT!**  
RAN away from the office of the American, yesterday morning, after neglecting to serve a great number of subscribers to this paper in his usual round, JOHN BROWN, carrier of the American for Old-Town. He is nearly 16 years of age; about four feet ten inches high; has flaxen hair, a fair complexion, and red and full cheeks: His face is rather round than long; he does not speak fast, but somewhat plausibly.—He was seen yesterday morning in Old-Town. It is believed that he has made the best of his way to Fredericktown, being the son of George Brown, miller, in the vicinity of that place.—He had on a pair of Bennet's cord pantaloons; striped (the stripes running cross-wise) waistcoat waistcoat and brown cloth sailor jacket; a new hat, good shoes and stockings. Whoever will apprehend the said boy and bring him to the Printing-Office of the American, or secure him in any jail so that his master gets him again, shall have, if taken in the city of Baltimore, five dollars; and if out of the county the above reward.

N. B. Those who harbor John Brown, be they relatives, friends or strangers to him, may depend upon being prosecuted with the utmost rigor that the law will justify.  
Jan 27 d

**Schooner Mary.**

Burthen about 650 barrels,  
Richard Urean, master.  
Will take freight for Europe,  
to the West-Indies or N. Orleans,  
if ordered immediately. Apply to  
WILLIAM CHILD,  
No. 88, Bowly's wharf.  
Who offers for sale  
48 bbls. No. 1 Boston Bees,  
48 do. No. 2 do.  
4 hbls. Zap. Currants,  
18 half pipes Alougu Wine,  
19 boxes Hall Bismarck.  
Bottling Brandy, Imperial, Hyson and  
Suchong-Tee.

**3000 lbs. BEES WAX,**

30 kegs PIMENTO,  
Just received and for sale by  
TALBOT JONES,  
Howard-street.  
January 20 e6t

**Charles C. Egerton,**

**HAS FOR SALE,**  
70 hbls. Mustardine BUCAR,  
1500 lbs. Carrara's COCOA,  
1117 boxes CLARET,  
35 hbls. Maryland TOBACCO.  
January 7 d6t-co