called, was an allowable departure from the strict letter of the law in order to promote the public good.

Mr. Bacon said, if he understood the motion, it had nothing to do with the conduct of Mr. Pickering, which not only contained no particular reference to him, but avoided all personal reference to any of the officers. It applied solely to the expenditure of public money. He therefore saw no reason for bringing him, or any other person into view. When an enquiry had been made, it would be time enough to approve or condemn the conduct of public agents.

Mr. Bayard perceived no difference of opinion among gentlemen. All expected in the abstract, as well as in the present case, that the conduct of public officers should be examined, and the result laid before the House. He, however, did not think the statement made by the gentleman from Virginia perfectly correct, when he told the house that his endeavours to obtain an enquiry into the state of the Treasury had been treated by a past house with disrespect.

Mr. Bayard said his own information might be incorrect, as it was taken principally from the prints of the day; but he would say, that since he had been a member of that house, there had been no case, were an investigation was asked, in which a majority of the house had not sanctioned it without hesitation.

He recollected an investigation made at the instance of the gentleman from Virginia, into the conduct of a former Secretary of the Treasury; that the investigation did proceed; and that the very gentleman had a full opportunity of satisfying his own mind on the correctness of the conduct of that officer. If there had been a case in which a majority of that house had opposed an investigation, it was not within his knowledge.— For his own part, he never had opposed, nor ever would, the freest investigation of the measures of public agents, whatever administration had the government in its hands.

With respect to the contemplated motion announced by the gentleman from Virginia, Mr. B. did not know that he would object to it. But he would observe that it might produce the most serious inconveniences if not injuries, to the government. An imperious and irresistible necessity might force your officers to go beyond the limits of an appropriation. Appropriations that are made are usually prospective. They are necessarily, in many cases, imperfect. They may of course either exceed or fall short of the object for which they are intended; and you must, to make good the deficiency of one draw upon the excess of another. This procedure had been introduced, and had been formed, he believed, into a general practice. He did not know that any department had exceeded its aggregate appropriation; but the redundancy of one appropriation had been made use of to supply the deficiency of another, under the same department. He did not know that any detriment would flow from such procedure. The officer who made the deviation, knew that he did it on his own responsibility, and that his conduct would be strictly scrutinized. From this view of the subject he did not dread the inconvenience suggested.

Mr. Bayard said he would illustrate his ideas by stating what had come to his particular knowledge. According to one of the stipulations made between the U. States and Spain, a boundary line was to be run between the United States and the possessions of Spain, for which 60,000 dollars were appropriated. The act of running the line was in execution, unfinished, and our commissioners in the wilderness, when the appropriation run out; and this was during the recess of Congress. What was to be done? were we to disappoint a foreign government, to stop the whole business? No. There being money appropriated to the department for other purposes more than was required, the Secretary of State applied it to this purpose.

Mr. Bayard thought it proper on this occasion to state that Mr. Pickering had clearly shewn that every dollar of public money that had gone through his hands had been applied to the public service. This information he had from the most authentic source; nor should he here state it were it not entitled to the fullest confidence.

Mr. Bayard concluded by observing that, in his opinion, the resolution was too broad; it applied to all monies expended, no matter by whom; it was imperative upon the committee to make this most extensive enquiry; to obviate this difficulty, he would move, if agreeable to the mover of the original resolution, to confine it to the heads of the departments.

Mr. Bacon thought the resolution stood very well. Instances would doubtless occur under every government, that would justify a deviation from the rigid prescription of law. But he was of opinion that it would be time enough to make such remarks as had fallen from gentlemen, when such instances are satisfactorily shewn to have occurred.

Mr. Giles was happy in the calm spirit with which the session commenced, and he hoped the same spirit would attend the deliberations of the whole session. He must, however, be permitted to say, that the gentleman from Delaware had been inattentive to the course of events, or he would have been more correct in his statement of circumstances which had attended the case to which he (Mr. Giles) had alluded.

There was no doubt that after great efforts made by him to obtain an investigation of the official conduct of the Secretary of the Treasury, an enquiry had been made; but the result of that enquiry, as submitted, was far from being satisfactory, and did not embrace many of the most material points. The gentleman was incorrect in another statement. He had not, as declared by the gentleman, yielded his assent to the correctness of conduct of the Secretary of the Treasury. The gentleman, doubtless, had the information he gave the house from certain newspapers that he and many other gentleman were in the habit of reading. But such authority did not authenticate the information. The fact was otherwise. The enquiry made had produced different convictions on his mind. From the enquiry then made, which in its review the house may deem it proper to avail itself of, it would be found that the gentleman then at the head of the Treasury, had been employed for three years in drawing money from Holland, and that on this was founded the Bank of the United States. Mr. Giles thought it barely necessary to make this explanation. He was sorry for the necessity of making it on this occasion, which he should not have done but that it was extorted from him by the incorrect remarks of the gentleman from Delaware, which rendered it necessary for him further to say, that he never had been, and never could be satisfied with the then Secretary for breaking down the great barrier of appropriations.

As to the imperious circumstances, mentioned by gentlemen, which compelled a violation of appropriations, he agreed in the necessity which might sometimes exist; but when such a violation occurred, the causes of it ought to be truly imperious, and ought to be stated immediately to Congress, who was the only judge of the propriety of the measure, and not the man who had usurped their decision.

But the deviations are not new; they appeared to be of long standing, from which, in his opinion, great mischief and no good had resulted. He, however, did not wish to enter into a discussion until a report was made. He forebore, therefore, making any further remarks.

Mr. Lowndes, hoped the enquiry would take place; but thought the terms of the resolution too comprehensive. It does not say where the examination shall begin, or where terminate. The committee may examine into the conduct of one officer, or every officer. He believed it to be the practice of all deliberative bodies to prescribe definite duties to its committees. He therefore hoped that the house would limit the report to certain points, that a definite duty may be required, and a definite report made. The task, unless defined, would be Herculean.

Mr. Claiborne was surprized at the expression of any sensibility for Mr. Pickering, or any other man, when he read that part of the constitution that directed that all monies should be expended under appropriations made by law, and heard gentlemen justify departures from this constitutional injunction, he was truly astonished. If Mr. Pickering had departed from the directions of the law, to say so was no calumny. The committee proposed to be formed, will enquire into all circumstances, and the public officers will be applauded, or virtually censured. We are accountable to the people for the expenditure of their money, and it is proper that our public officers should be accountable to us.

The *question* was then taken on Mr. Nicholson's motion, without modification, and carried without a division, and a committee of 7 members appointed, viz.

Mr. Nicholson, Mr. Griswold, Mr. Giles, Mr. Hastings, Mr. Jones, Mr. Bayard, and Mr. Elmendorf.

The Speaker laid before the house a letter from the Secretary of the Treasury, accompanying a statement of Receipts and expenditures for one year preceding Oct. 1, 1801.

Referred to Committee of Ways and Means.

On motion of gen. S. Smith, the house went into committee of the whole on the state of the Union.

Lewis R. Morris, in the chair.

The *Message of the President* under consideration.

Gen. S. Smith observed, that among other objects to which the President had attracted the attention of the House, was our commercial situation. We were informed that the United States were at peace with all nations; and that peace had taken place among the powers of Europe. It became Congress to direct its attention to consequences that might proceed from such a state of things; and particularly to the injuries that might attach to our carrying trade. It was known that under the British Treaty, Great Britain, going perhaps beyond the meaning of the treaty, had imposed heavy countervailing duties on our goods, and that certain acts of France had the same effects, whereby many of our most valuable exports would cease to be carried in our own bottoms. Early under the present government it had been deemed wise to lay discriminating duties, which had tended greatly to assist our carrying trade. Our capitals had greatly increased, and if foreign nations restricted our trade by unfair regulations, it became us to adopt counteracting measures; and this could now be done with the more safety and effect from the force of our capital.— He therefore moved:—

Resolved, That so much of the several acts imposing duties on the tonnage of ships and vessels, and on goods, wares and merchandise, imported into the United States, as imposes a discriminating duty of tonnage between foreign vessels and vessels of the United States, and between goods imported into the United States in foreign vessels and vessels of the United States, ought to be repealed; such repeal to take effect whenever the President shall be informed that the discriminating duties of foreign nations, so far as they operate to the disadvantage of the commerce of the United States, shall have been abolished.

Ordered to lie on the table.

Mr. Giles. Among the various topics of the Message is that in relation to the Census. It is important that Congress should be early occupied in deciding the ratio of Representation, as many of the state legislatures are now in session, and will be specially convened, if they rise before Congress shall pass a law on the subject. He therefore moved:

Resolved, That the apportionment of Representatives amongst the several states, according to the second enumeration of the people, ought to be in a ratio of one representative for every thirty-three thousand persons in each state.

On which the question was taken, and the motion carried without a division.

Gen. S. Smith said, another important member of the President's Message respected our situation with the Barbary powers. It became Congress immediately to come to a decision that would enable the President more efficiently to protect our trade. He therefore moved:

Resolved, That it is expedient that the President be authorised by law, further and more effectually to protect the commerce of the United States against the Barbary powers.

Mr. Nicholson said, he did not like the resolution; as it had a reference to a point with which we were unacquainted. The President had informed us that he had sent a squadron into the Mediterranean. It may have been a wise act; but he did not wish the house to commit itself until fully informed.— He moved, with this view, to strike out the words "further and more effectually."

M. Giles proposed that the motion lie on the table until the documents on this subject were printed, which was agreed to.

Dr. Mitchell alluded to his having presented two petitions from aliens in New-York, and then moved:

Resolved, That the laws respecting naturalisation ought to be revised.

Mr. Giles thought the motion ought to be so drawn as to bring the principle before the house, for which purpose he moved to add "or amended."

Agreed to.

So amended the motion was carried.

The committee then rose, and reported the two resolutions agreed to.

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Tuesday, December 15, 1801.

The house took up the report of the committee of the whole on the state of the union.

The two resolutions referred to yesterday in committee were read.

1. That which apportioned one representative to every 33,000 persons in the United States.

On the motion of Mr. Davis, this resolution was postponed till tomorrow.

2. That for altering and amending the naturalization Laws.

Agreed to without division, and a committee of 7 appointed to bring in a bill.

The House then went into a committee of the whole on the state of the union. Mr. Morris in the chair.

The following resolution under consideration.

Resolved, That it is expedient that the President be authorised by law, further and more effectually to protect the commerce of the United States against the Barbary powers.

Mr. Nicholson moved to strike out the words "further and."

After a debate, which shall be given in our next, the amendment was disagreed to, and the original resolution passed.

The committee then took into consideration the motion made by gen. Smith yesterday on discriminating duties.

A Debate of considerable interest ensued between Mr. S. Smith, Mr. Griswold, and Mr. Giles, which will be given in our next; when on motion of Mr. Randolph, the committee rose and reported progress.

The House then took up the resolution respecting the Barbary Powers agreed to in committee, and concurred therein, and a committee of 5 appointed.

To ANDREW STERETT.

Lieutenant and Commander of the United States schooner Enterprise,

Washington, Dec. 1, 1801.

Sir,

The secretary of the navy, the regular organ for the present communication, being absent from the seat of government, for causes which may detain him for some time, I do myself the pleasure, without further delay, of expressing to you on behalf of your country, the high satisfaction inspired by your conduct in the late engagement with the Tripolitan cruiser, captured by you. Too long, for the honor of nations, have those barbarians been suffered to trample on the sacred faith of treaties, on the rights and laws of human nature. You have shewn to your countrymen that that enemy cannot meet bravery and skill united. In proving to them that our past condescensions were from a love of peace, not a dread of them, you have deserved well of your country, and have merited the high esteem and consideration of which I have now the pleasure of assuring you.

TH. JEFFERSON.

Baltimore, Dec. 3, 1801.

Sir,

I do myself the honor to acknowledge the receipt of your excellency's letter of the first instant.

It has been my greatest ambition to discharge my duty as an officer of the American navy, at all times, with promptness and fidelity; and to have received my country's and your excellency's approbation of the late conquest over a faithless and barbarian enemy, achieved by the valour and good conduct of the officers and crew I had the honor to command, is a reward which I estimate beyond my merits; but of which I shall ever cherish a grateful recollection, particularly for the very flattering manner in which your excellency has been pleased to convey it.

I have the honor to be
with profound respect
your excellency's
obliged humble servant,
ANDREW STERETT,
Lieut. and commander of the United States Schooner Enterprize.

The "*Mammoth Cheese*" from Cheshire, arrived in town yesterday, and may be seen on board a sloop at the Albany Bason, North-River. It is said it weighs 1500lb. The Rev. Mr. Leland, who is now in town, we are told is to go on to the City of Washington, to present it to President Jefferson. *N. Y. Pap.*

Died—On the 25th ult. General William Darke, of Berkely county, (Virg.) in the 69th year of his age.

TO LET,
Two Brick Dwellings,

ON the Pennsylvania Avenue west of the President's square four doors, inclosed within the white palings; each house contains two parlors and a passage, four lodgings, kitchen and cellar, all new and in compleat order. They will be rented low, either by the year, or during the session of Congress.

For particulars enquire of Thomas Herty, conveyancer, or on the premises of

O. ROBERTS.

Dec. 11, 1801. ep4t

NOTICE.

ALL persons having claims against the estate of JASPER DE CARNAP, late of the City of Washington, deceased; are desired to exhibit their accounts for settlement, and those who are indebted are earnestly requested to discharge the same without delay.

ELIZABETH DE CARNAP, Administratrix.
HENRY INGLE, Administrator.

Dec. 11, 1801. ep8w

LAST NOTICE.

NOTICE to the creditors of Charles Love, is hereby given, That on the 26th day of December next, between the hours of ten o'clock in the morning, and five o'clock in the evening of said day, at the office of Uriah Forrest, clerk of the circuit court, for the county of Washington in the district of Columbia, a certificate of discharge will be given the said bankrupt, unless cause, then and there be shewn to the contrary, by his creditors, or some of them, for which purpose they may attend at the said time and place if they think proper.

By order of the hon. William Cranch, Esquire, assistant judge of the Circuit Court of the District of Columbia, this 8th day of December 1801.

URIAH FORREST,
Clerk of the circuit court for the county of Washington, in the District of Columbia.

Dec. 14, 1801. ep4t

Dr. TONGUE,

Informs the inhabitants of the City of Washington, by means of the public prints (according to the custom here) that he practices physick and particularly surgery.

Dr. Tongue has been a private pupil of Dr. Rush, from whom very satisfactory information can be given of his qualifications as a physician. He resides on the Pennsylvania Avenue near the War Office.

Washington City Dec. 11. ep6t

A Young Man

LATELY from Europe, who was bred an attorney, would engage on moderate terms as clerk with any gentleman professing the Law.—Apply to Mr. Duane Pennsylvania Avenue.

Dec. 16, 1801. ep3t

For Sale,

Or to To Let, on Ground Rent for ever,

FIFTY LOTS,

SITUATE between the President's House and Capitol.—The titles to which is indisputable.

ISAAC POLOCK.

Dec. 16. eptf

FOR SALE,

At the Subscriber's Store near the Capitol.

Port wine of superior quality from the Oporto Company, in pipes and quarter casks.

Madeira wine in pipes, fit for immediate use.

London Porter,
Parmasan Cheese,

J. D. BARRY.

Dec. 16. ep3t

CHARLES VARDEN,

Merchant Taylor, from Philadelphia,

GRATEFULLY acknowledges the favors conferred on him by the gentlemen of this City, and flatters himself that the general satisfaction he has already given will merit a continuation of the same. He has also received a handsome assortment of goods from Philadelphia, consisting of,

Best superfine cloths, Cassimeres, Swansdown, Teylenetts, Velveretts, Fancy Cords, Coatings, Flannels, &c.

N. B. Regimentals, Naval Uniforms, and Ladies' Habits, made in the neatest and most fashionable manner, and at the shortest notice.—Washington City, New-Jersey Avenue, next to Mr. Rapine's book store.

Dec. 16, 1801. eptf

Burnett & Rigden,

Jewellers & Watchmakers,

Have just received and for sale, a handsome assortment of

PLATED WARE,

And have on hand a variety of the most fashionable

Silver Plate,
An elegant assortment of Jewelry,
Gold and silver Watches,
Gold, gilt and steel chains, seals and keys,
Spring and common 8 day clocks,
Ladies' and gentlemen's pocket books,
A collection of elegant Prints, superbly framed and glazed, with a variety of Fancy articles.

George-Town Dec. 16. eptf

N. B. Miniatures set in the neatest manner, watches and clocks of every description carefully cleaned and repaired.

Elegant Stoves,

At D. Crawley's No. 28, Nassau-street, one door from Maiden Lane.

A FEW Pyramidal Stoves, shaped nearly as follows: Standing 6 feet 6 inches high, with lion's feet, the bust of gen. Washington on the top—the arms of the United States on each side—with regulating doors; the whole moulded ornamented, and finished in a masterly stile; forming an elegant stove for coal or wood, appropriated for Churches, Public Offices, Halls, or large Stores.

A few small handsome coal stoves, somewhat on the same principle; and a few compleat ironing stoves.

A variety of Pantheon and Bath grates—Wire fenders with brass tops, of various sizes and descriptions.

Kitchens modernis'd for cooking to save time, save trouble, save fuel, consequently much money, by baking, boiling, roasting and broiling, by one small fire of wood or coal.—A model of the same may be seen at the above place, a few sets capital double blocktin dish covers.

N. B. Iron pans made to receive the ashes from coal fires in grates, with the greatest accuracy and neatness.

New York, Dec. 16. ep3t

Public Sale.

The House and Lot occupied by captain Tingey, near the Navy Yard, will be sold at Rhodes's city tavern, on Monday the 21st inst. at 12 o'clock at noon.

This beautiful situation having been for some time described in this paper, any thing farther on the subject is deemed unnecessary, especially as it is presumed those inclined to purchase will view the premises, which may be done at any time prior to the day of sale.

The dimensions of the lot, and the terms will be made known at the time and place of sale, or by application, to the subscriber previous thereto. Possession may be had on or before the 16th of April next.

JOHN TRAVERS, Auct'r.

Dec. 11, 1801. epts

Accommodations
FOR GENTLEMEN.

TWO Gentlemen can have a handsome room with breakfast and supper; or board and lodging, at J Gardiner's Pennsylvania Avenue, fourth house west of the President's.

At same place an ENGLISH BREWER wants a situation as manager of a Brewery in any healthy part of America—or a clerkship.

Dec. 11, 1801. ep3t

Boarding and Lodging.

THE subscriber having taken that large three story brick building near the Treasury department, containing seventeen rooms, will accommodate twelve or fifteen of the members of Congress, from 7 to 8 and 9 dollars per week. And will be ready to take them in on Saturday next.

CHARLES ROGERS.

Dec. 11, 1801. ep3t