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CONGRESS.

HOUSE OF REPESENTATIVES.

The following resolution was yesterday laid on the table by Mr. Jackson, of Va.—

Resolved, by the Senate and House of Representatives of the U. States of America in Congress assembled, two thirds of both Houses concurring, That the following articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, each of which, when ratified by three fourths of theosaid Legislatures, shall be valid to all intents and purposes, as part of the said Constitution:

1. Congress shall have power to lay a tax or duty not exdeeding per centum ad valorem on articles exported from any state.

2. Congress shall have power to make roads in any state.

3. Congress shall have power to make canals in any state, with the consent of the state within which the same shall be made.

4. Congress shall have power to establish a national bank, with branches thereof in any state.

THURSDAY, Jan. 6.

Mr. *Wilson*, of Massachusetts, presented a petition of Jeremiah O'Brien, Collector of the port of Machias, in the district of Maine, praying that the public may make payment for supplies purchased, and that the men employed by him in defence of that port against the enemy may also be paid by the public. Referred to the Military Committee.

Mr. *Kent*, of N. Y. presented a petition of Thomas B. Benedict, of Ogdensburg, in said state, praying payment for property which was destroyed by the British forces upon the capture of Ogdensburg aforesaid. Referred to the Committee of Claims.

Mr. *Ingersoll*, of Pa. presented the petition of Catharine Robertson, late widow of Jacob Ritter, praying compensation for his revolutionary services. Referred.

On motion of Mr. *I.* also, the petition of Jacob Clement was again referred to the committee of Ways and Means.

Mr. *Archer*, of Md. presented the petition of Samuel Frazier, which, together with the petition of William Smith and Maria Tyson (formerly before the House) was referred to the Pension committee.

Mr. *Ormsby*, of Ky. presented a petition of James Patton, praying to be relieved from the payment of a judgment obtained against him by the U. Statas, as surety on certain revenue bonds. Referred.

On motion of Mr. M'Clean, of Ohio, the petition of Chloe Strong was referred to the pension committee.

On motion of Mr. Lattimore, the petition of Benjamin Farrar was again referred to the committee of Claims.

The engrossed bill to amend the 7th section of the Direct Tax law, was read a third time and passed.

Mr. *Kilbourn*, of Ohio, presented the memorial of sundry citizens of Franklin county, in Ohio, and of two other districts, expressing their approbation of the plan devised in a bill which was last session before this House, for the more effectual and economical protection of the North Western frontier, and praying that such a bill may pass into a law. Referred to the committee having that subject under consideration.

Mr. *Ingersoll*, of Pa. from the committe to whom was referred the memorial of Oliver Evans and of others interested on the subject of patent terms in general, and Mr. Evans's improvements in milling particularly, made a report in part on the petitions of the flour manufacturers against Oliver Evans's patent, concluding with a resolution that "their petition ought *not* to be granted." This report was, on motion of Mr. Fisk, of N. Y. referred to a committee of the whole.

Mr. Ingersoll stated also, for public information, that in relation to the subject at large of the extension of patent terms generally, it was the committee's impression that it would be inexpedient generally to extend the terms of patent rights, though an extension might be due to Mr. Evans' improvement of the steam engine. A decision on this question, however, had been deferred by the committee, with a view to afford an opportunity to persons claiming like indulgence to bring their claims before Congress.

On motion of Mr. *Jennings* of Ind.

Resolved, That the committee on Military Affairs be instructed to enquire into the expediency of compensating Capt. Wm. Hargrove and the officers and privates under his command for services rendered the United States as mounted rangers of the North-western frontier.

LIEUTENANT GENERAL PROPOSED.

Mr. *Murfree* of N. D. offered for consideration the following resolution:

Resolved, That the committee on Military Affairs be instructed to enquire into the expediency of empowering by law the President of the United States, by and with the advice and consent of the Senate, to appoint one Lieutenant General to command the armies of the U. States, with such powers and emoluments as may be deemed expedient.

Mr. *Murfree* said in his opinion the result of the last campaign had disappointed the expectations of every one. That opinion had been decidedly expressed by this House in its recent vote for enquiry into the causes which led to the failure of our arms. However general might be the opinion in this house, it was still more so in the nation. He hoped and trusted the enquiry embraced in the resolution just alluded to would be so prosecuted as to shew where the blame really rests; that, if misconduct has taken place, it may be laid at the door of the person by whom it was committed—for as the matter now stands, no two persons in the House would agree on the causes whence this unexpected result has proceeded. But the enquiry, desirable as it is, though it may point out the cause of recent failures, cannot operate any beneficial effect on the next campaign.—The time, Mr. M. said, was fast approaching when that campaign ought to commence, and, so far as he had seen, no measure, the tendency of which was to render the ensuing campaign more successful than the last, had been adopted. In every age, and under every government it had been found necessary to have some officer appointed who should be responsible for the conduct of the army, so that it should not require an investigation of two or three years to ascertain who was to blame for any particular error or misconduct. Previous to the war with France in 1798, it was thought necessary to have a person of that character. At that period Mr. M. said, there were a great many more of the officers of our revolutionary army living than there are now—many of whom held seats in Congress. He should be justified in saying there was at least as much military talent in the nation at that time as there is now: And if it was at that day expedient, on a mere prospect of war, to appoint a Lieutenant General, he could not for his own part conceive that the same step was not equally necessary at this day, when war actually exists. It must indeed be admitted on all hands, to be more necessary now than it was then. It was a fact, he said, of which no gentlemen in the House could be ignorant, that the Secretary of War had been absent from the seat of government for some months, for the purpose, as report said, of giving effect to the operations of the campaign.—If such was his object, what was that but assuming upon himself the office of Commander in Chief? If it was necessary such an office should exist, he conceived it highly proper that another officer should be appointed to execute its duties, and that they should not devolve on the Secretary of War, in addition to the important duties prescribed for him to perform.—It was true, Mr. M. said, that he himself had no pretensions to military knowledge: but, without making any pretension to it, he might be permitted to presume that the same men and measures would in the next campaign produce the same result as in the last; and he offered the above resolution under the hope that some benefit would result from any change whatever.

Mr. *Wright*, of Md. said he did not rise to oppose the refference of this subject to the military committee; but he rose to put the gentleman right as to the feeling of the house and of the nation, which he appeared so much to have misunderstood. *Have* the arms of the U. S. failed in the campaign? have we not on the contrary been marvellously successful? We have gained a province taken from us. Is that nothing? Lake Erie, a great inland sea, occupied by the enemy at the commencement of the campaign, and all its shores, are ours. We conquered and took the enemy in that quarter; we reduced all the Indian tribes under the yoke of the U. S. and compelled them to beg for subsistance for their wives and children from us. Here there is a whole country emancipated from the British sway. Yes, sir, we regained a province we had lost, and conquered all Canada to the East end of Lake Ontario. Under a Pike did we not succeed in taking York?——did we not entirely succeed in every thing previous to the close of the campaign? On Lake Ontario the great Yeo, who was to conquer us with so much facility, was driven into port, and we were in possession of all the waters of the Lake with the exception of the water in the vacinity of the harbor of Kingston. Three weeks' storm and rain washed our troops into general sickness and debility; and yet they proceeded on and are now lying at the key of Canada and ready to descend to Montreal the moment the season permits.—True it is, said Mr W. that public expectation was raised to a high pitch. What man could do we could achieve; but it was impossible to war against the elements, or we should long ere now been in possession of Montreal. For his part Mr. W. said he attached no blame to any one; and it was cruel, on such a subject as this, to anticipate judgement before the evidence necessary to enable them to decide was submitted to the House. It was a calumny to say our arms had failed. We had never directed a blow that had not its due effect. But it was said the Secretary of War assumed the command. If a Lieutenant General be appointed, Mr. C. said he would be as much subordinate to the Secratary of War, as the present officers of the army were.—When the last session of congress ended, and he could without disadvantage leave the seat of government, the Secretary of War had left his ease here, and voluntarily encountered all the toil and fatigue of a camp life, to contribute his best efforts to the success of our arms—and was there any man in the nation who would disapprove his conduct? We do injustice, said Mr. W. to the characters we thus censure and not much credit to ourselves. The man who undertakes to give an opinion without evidence, is not qualified to decide on it when he has it before him—for he must be too prejudiced to judge correctly. Mr. W. observed he had objected to the resolution passed the other day because there had been no failure in our arms. No officer had deserved condemnation until evidence appeared against him; and there was no evidence against the courage or conduct of our army, which had displayed, not Roman but American valor—so conspicuous indeed had been the courage displayed by both our army and navy, that he hoped the man who should hereafter speak of Roman valor, on this floor would be considered as speaking of the second degree and not the first.

Mr. Fisk of New-York said, before the questien was taken on the resolve, he should prefer to see the House engaged in raising an army calculated to require the command of an officer of so high a grade. For, that after all that had been said, and all the enquiry that could be had, it would be found to be owing to the want of soldiers more than the want of officers, that our army had not accomplished all that was expected of them during the last campaign. With a desire that Congress should first organize a force large enough for the command, before they instituted an office of this grade, Mr. F. moved that this resolution lie on the table.

Mr. *Fisk* of Vt. said he had hoped, and in so saying he believed he expressed the sense of the whole delegation from the state of Vermont, that these resolutions would not have made their appearance. He believed that very few people in Vermont approved of that proclamation. He was certain there were none of the delegation from that state who approved it. The act was unjustifiable—but it was the act of the Governor of a state. The resolution was objectionable in several points of view, of which he would briefly notice only one or two. If Gov. Chittenden had committed an offence against the laws he was liable to the proper tribunal.—It was not proper that the House of Representatives should turn informers. The courts of justice should be as clear from any improper influence as possiole. If the resolution should be adopted—and the weight of the opinion of the House of Representatives were such as it ought to be, it would be conclusive against the individual concerned—if, however, they failed in convicting him, and merely excited public sympathy in his favor by their accusation, it would place this body in an unpleasant if not ridiculous point of view. In such case the House had no constitutional power; and all resolutions on the subject must be improper—as well as for another reason: these resolutions declare the Governor to have violated the law. Now, said, Mr. F. our resolutions neither make or strengthen laws, and therefore can be of no use. Viewing the resolutions as objectionable in every point of view, he moved that they lie on the table

Mr. *Sharp* said, as the delegation from Vermont appeared to object to the form or principle of these resolves, he had no objection to let them lie for consideration.

Mr. *Grosvenor* of New York, said, if, without expressing any opinion on the part of this House, the resolution merely directed the Attorney General to institute a prosecution against Governor Chittenden, he, for his own part would not object to them. He had no objection to let the Judiciary, under the constitution and law, decide the question at once, whether the Governors who had acted with Governor Chittenden, had or had not acted constitutionally. Without knowing what was the opinion of others, if that part was expunged which threw the opinion of this House in the scale against the gentleman implicated, he should not object to a resolution which should place the question properly before a judicial tribunal, where alone it could be correctly decided.

Mr. *Wright* of Md. said, he was of the same opinion with the gentleman last up, but for a different reason. He did not wish the crime in question to be considered as the mere breach of a penal law. He held in his hand the constitution of the United States which defined the crime of treason to be levying war, &c. and affording aid and comfort to the enemy. He had no idea of confining the offence of Gov. C. either expressly or by inference to the mere pecadillo of violating a law, when he appeared to have violated so much more important and authoritative an instrument.

Mr. *Findley*, of Penn. said he had no objection to the resolutions lying on the table; but he was totally opposed to this House giving its opinion on the law or directing the prosecution of any one. He was opposed to the whole resolutions, because he believed no good could come of them, though he should for the present, vote for their lying on the table.

The resolutions were then ordered to lie on the table.

This motion was agreed to without a division; and the resolution lies over for further consideration.

GOVERNOR CHITTENDEN.

Mr. *Sharp of Ky.* after a number of introductory remarks, explanatory of the laws relating to the militia, which subject them, when in actual service, to the rules & articles of war, and place them, during such time, in all respects on the footing of regular troops; adverted to the recent ppoclamation of gov. Chittenden, of Vermont, calling the militia of that state from the position assigned them by military orders. This act, he said, was in direct violation of the statute which makes it penal to entice the soldiers in the service of the U. States to desert. This act was done too at a critical time, and by a person standing in so conspicuous a station as to require particularly the punishment due to his offence. Mr. S. adverted to the peculiar state of the militia thus ordered home, on a frontier requiring their presence for its protection; and whence he said, from their character, they might indeed have been expected, being the descendants of the Green Mountain Boys who so much distinguished themselves during the Reevolution under the illustrious Allens, to have voluntarily aided in the invasion of the territory of the enemy. Under these circumstances, & when their services were most needed, they were invited by Gov. Chittenden to desert their position. His conduct in this respect must meet the decided reprehension, not only of every member of this House, but of every good citizen in the nation. It ought then to receive legal scrutiny. His offence ought to be punished, lest our laws should be subject to the remark which was applied to Solon's—that they were like cobwebs which entangled the weak, but which the strong could break through. To bring this subject directly before this House, he offered the following resolutions:

Resolved, That the Militia of any of these U. States or the territories thereof, wheu lawfully employed in the service of the U. S. are subject to the same rules and articles as the troops of the U. States.

Resolved, That every person not subject to the rules and articies of war, who shall procure or entice a soldier in the service of the U. S. to desert is guilty of an infraction of the laws of the U. S. and subject to punishment.

Resolved, That his excellency Martin Chittenden, Governor of the state of Vermont by issuing his proclamation, dated at Montpelier, on the 10th day of Nov. in the year of our Lord 1813, did entice soldiers in the service of the U. S. to desert—Therefore,

Resolved, That the President of the U. S. be and he is hereby requested to instruct the Attorney General of the U. S. to institute a prosecution against the said Martin Chittenden.

The house resumed the consideration of the report of the committee of the whole on Mr. Pickens' motion; which was debated for some time by Mr. Grosvenor, in opposition, and Mr. Gaston and Mr. Pickering in favor of the proposed amendment to the constitution.—Mr. Murfree also spoke at length in favor of an uniform choice of electors, not by districts as proposed, but by state legislatures, After some time the message was received from the President which will be found in another part of the paper.

The business on hand was postponed and that message was read and referred to the committee of Foreign Relations.

A message was also received from the President, transmitting the annual report of the Director of the Mint,

And the House adjourned.

WASHINGTON, Jan. 7.

FROM BRITAIN.

The following highly important message and documents were on yesterday transmitted by the President of the U. States to both Houses of Congress:

To the Senate and House of Representatives of the United States in Congress Assembled.

I transmit for the information of Congress copies of a letter from the British Secratary of State for Foreign Affairs to the Secretary of State, with the answer of the latter.

In appreciating the accepted proposal of the government of Great Britain for instituting negociations for peace, Congress will not fail to keep in mind that vigorous preparations for carrying on the war can in no respect impede the progress to a favorable result, whilst a relaxation of such preparations, should the wishes of the United States for a speedy resortation of the blessings of peace be disappointed, would necessarily have the most injurious consequences.

JAMES MADISON.

January 6, 1814.

Lord Castlereagh to the Secretary of State.

Foreign Office, Nov. 4, 1813.

SIR,

I have the honor to enclose to you for the information of the President of the United States, copy of a note which his Britannic Majesty's Ambassador at the Court of St. Petersburg was directed to present to the Russian Government, as soon as his Royal Highness the Prince Regent was informed that Plenipotentiaries had been nominated on the part of the American government for the purpose of negociating for peace with Great Britain under the mediation of His Imperial Majesty.

His Lordship having by the last Courier from the Imperial Head Quarters, acquainted me that the American Commissioners now at St. Petersburg have intimated, in reply to this overture, that they had no objection to a negociation at London, and were equally desirous, as the British government had declared itself to be, that this business should not be mixed with the affairs of the continent of Europe, but that their powers were limited to negotiate under the mediation of Russia:

Under these circumstances, and in order to avoid an unnecessary continuance of the calamities of war, the Prince Regent commands me to transmit, by a flag of truce, to the American port nearest to the seat of government, the official note above mentioned, in order that the President, if he should feel disposed to enter upon a direct negociation for the restoration of peace between the two states, may give his directions accordingly.

In making this communication, I can assure you that the British government is willing to enter into discussion with the government of America for the conciliatory adjustment of the differences subsisting between the two states, with an earnest desire on their part to bring them to a favorable issue, upon principles of perfect reciprocity not inconsistent with the established maxims of public law, and with the maritime rights of the British empire.

The Admiral commanding the British squadron on the American station will be directed to give the necessary protection to any persons proceeding to Europe, on the part of the government of the United States, in furtherance of this overture; or should the American government have occasion to forward orders to their commission at St. Petersburg, to give the requisite facilities by cartel or otherwise, to the transmission of the same.

I have the honor to be, with the highest consideration, sir, your most obedient servant,

(Signed) CASTLEREAGH.

(Enclosure alluded to above.)

Translation of a note from Lord Cathcart, to the Count de Nesselrode, dated

TOPLITZ, 1st Sept. 1813.

The undersigned ambassador of his Britannic majesty to the Emperor of all the Russias, desiring to avail himself of the first occasion to renew the subject respecting America, which was brought into discussion in a conference at the moment of departure from Reichenbach, has the honor to address this note to his Excellency the Count de Nesselrode.

Although the Prince Regent, for reasons which have been already made known, has not found himself in a situation to accept the mediation of His Imperial Majesty for terminating the discussions with the United States of America, His Royal Highness desires, nevertheless to give effect to the beneficent wishes which His Imperial Majesty has expressed of seeing the war between Great Britain and America soon terminated, to the mutual satisfiction of the two governments

With this view, His Royal Highness having learned that the Envoys Plenipotentiary of the United States for negociating a peace with Great Britain under the mediation of His Imperial Majesty, have arrived in Russia, notwithstanding that he finds himself under the necessity of not accepting the interposition of any friendly power in the question which forms the principal object in dispute between the two states he is nevertheless ready to nominate plenipotentiaries to treat directly with the American plenipotentiaries.

His Royal Highness sincerely wishes that the conferences of these plenipotentiaries may result in re-establishing, between the two nations, the blessing and the reciprocal advantages of peace.

If through the good offices of His Imperial Majesty, this proposition should be accepted, the Prince Regent would prefer that the conferences should be held at London, on account of the facilities which it would give to the discussions.

But if this choice should meet with insuperable obstacles, His Royal Highness would consent to substitute Gottenburg as the place nearest to England.

The undersigned, &c.

(Signed) CATHCART.

The Secretary of State to Lord Castlereagh.

Departmet of State, Jan. 1814.

MY LORD—I have had the honor to receive by a flag of truce your Lordship's letter of the 4th Nov. last, and a copy of a note which his Britannic Majesty's ambassador at the court of St. Petersburg presented to the Russian government on the first of September preceding.

By this communication it appears, that his royal highness the Prince Regent rejected the mediation offered by his Imperial Majesty to promote peace between the United States and Great Britain, but proposed to treat directly with the United States at Gottenburgh or London, and that he had requested the interposition of the good offices of the Emperor in favor of such an arrangement.

Having laid your Lordship's communication before the President, I am instructed to state, for the information of his Royal Hignesss the Prince Regent, that the President has seen with regret this new obstacle to the commencement of a negotiation for the accommodation of differences between the United States and Great Britain. As the Emperor of Russia was distinguished for his rectitude and impartiality, and was moreover engaged in a war, as an ally of England, whereby it was his interest to promote peace between the United States and Great Britain, the President could not doubt that his Royal Highness the Prince Regent would accept the mediation which his Imperial Majesty had offered to them. It was the confidence with which the high character of the Emperor inspired the President, that induced him, disregarding considerations, which a more cautious policy might have suggested, to accept the overture with promptitude, and to send ministers to St. Petersburg, to take advantage of it. It would have been very satisfactory to the President, if his Royal Highness the Prince Regent had found it compatible with the views of Great Britain to adopt a similar measure, as much delay might have been avoided, in accomplishing an object, which, it is admitted, is of high importance to both nations.

The course proposed as a substitute for negociations at St. Petersburg, under the auspices of the Emperor of Russia, could not, I must remark to your Lordship, have been required for the purpose of keeping the United States unconnected against Britain, with any affairs of the Continent. There was nothing in the proposed mediation tending to such a result.—The terms of the overture indicated the contrary. In offering to bring the parties together, not as umpire, but as a common friend, to discuss and settle their differences and respective claims, in a manner satisfactory to themselves, His Imperial Majesty shewed the interest which he took in the welfare of both parties.

Wherever the United States may treat, they will treat with the sincere desire they have repeatedly manifested, of terminating the present contest with Great Britain on conditions of reciprocity consistent with the rights of both parties, as sovereign and independent nations, and calculated not only to establish present harmony, but to provide, as far as possible, against future collisions which might interrupt it.

Before giving an answer to the proposition communicated by your Lordship, to treat with the United States independently of the Russian Mediation, it would have been agreeable to the President to have heard from the Plenipotentiaries of the United States sent to St. Petersburg. The offer of a Mediation by one power, and the acceptance of it by another, forms a relation between them, the delicacy of which cannot but be felt. From the known character however of the Emperor, and the benevolent views with which his mediation was offered, the President cannot doubt that he will see with satisfaction a concurrence of the United States, in an alternative, which, under existing circumstances, affords the best prospect of obtaining speedily what was the object of his interposition. I am accordingly instructed to make known to your Lordship, for the information of His Royal Highness the Prince Regent, that the President accedes to his proposition, and will take the measures depending on him for carrying it into effect at Gottenburg, with as little delay as possible; it being presumed, that his Majesty the King of Sweden, as the friend of both parties, will readily acquisce in the choice of a place for their pacific negotiations, within his dominions.

The President is duly sensible of the attention of His Royal Highness the Prince Regent, in giving the orders to the Admiral commanding the British squadron on this coast, which your Lordship has communicated.

I have the honor to be, &c.

JAMES MONROE.

ALBANY, Decmber 31.

Extract of a letter, dated Batavia, December 23, 1813, to a gentleman in this city.

I hasten to give you a correct statement of the movements of the enemy on the Niagara frontier, received here by expresses and by people that have removed to this place in consequence of their homes having been destroyed by the enemy. The first express arrived here on Sunday evening—he left Lewiston in the morning, at which time the British were crossing at the five mile meadows; their force was estimated at 700 regulars and the same number of Indians. They immediately marched for Lewiston, which was commanded by Major Bennet; the force under his command is stated to have been forty Tuscarora Indians. The Major, after having given the enemy a few shots, set fire to the buildings that contained the public property, and retreated, leaving them in full possession of Lewiston; after having burned the village, and as it is supposed, murdered a great number of families who could not make their escape, they proceeded 8 miles into the country, plundering and burning every house. It is stated that many women and children were inhumanly murdered by the Indians. After those outrages, they proceeded to attack Niagara Fort; the various reports relative to the circumstances of this attack, render it almost impossible to ob-