

Conclusion of a report made by the Commissioners appointed to lay out a road from Cumberland to the state of Ohio.

The point which this route locates at the west foot of Laurel hill, having cleared the whole of the Allegheny mountain, is so situated as to extend the advantages of an easy way through the great barrier with more equal justice to the best part of the country between Laurel hill and the Ohio. Lines from this point to Pittsburg & Morgantown, diverging nearly at the same angle, open upon equal terms to all parts of the western country that can make use of this passage; and which may include the settlements from Pittsburg, up Big Beaver, to the Connecticut reserve, on Lake Erie, as well as those on the southern borders of the Ohio river, and all the intermediate country.

Brownsville is nearly equidistant from Big Beaver and Fishing creek, and equally convenient to all the crossing places on the Ohio between these extremes. As a port it is equal at least to any on the Monongahela, within the limits, and holds superior advantages in furnishing supplies to emigrants, traders and other travellers by land or water.

Not unmindful of the claims of towns & their capacity in reciprocating advantages on public roads, the commissioners were not insensible of the disadvantage which Uniontown must feel from the want of that accommodation which a more southwardly direction of the route would have afforded; but as that could not take place, without relinquishment of the shortest passages, considerations of public benefit could not yield to feelings of minor interest. Uniontown being the seat of justice for Fayette county, Pennsylvania, is not without a share of public benefits, and may partake of the advantages of this passage upon equal terms with the advantage of respectable water-works adjoining in the manufacture of flour and iron.

After reaching the nearest navigation on the western waters, at a point best calculated to diffuse the benefits of a great highway, in the greatest possible latitude east of the Ohio, it was considered that to fulfill the objects of the law, it remained for the commissioners to give such a direction to the roads, as would best secure a certainty of navigation on the Ohio at all seasons, combining as far as possible, the inland accommodation of remote points westwardly.

It was found that the obstructions in the Ohio, within the limits between Steubenville and Grave creek, lay principally above the town and mouth of Wheelen; a circumstance ascertained by the commissioners, in their examination of the channels, as well as by common usage, which has long given a decided preference to Wheelen, as a place of embarkation, and port of departure in dry seasons. It was also seen that Wheelen lay in a line from Brownsville to the centre of the state of Ohio & past Vincennes. These circumstances, favoring and corresponding with the chief objects in view of this last direction of the route, and the ground from Wheelen westwardly, being known of equal fitness with any other way, out from the river; it was thought most proper, under these several considerations, to locate the point mentioned below the mouth of Wheelen, public benefit and convenience was consulted, inasmuch as the present crossing place over the Ohio, from the town, is so contrived and equipped as to subject passengers to extraordinary forings & delay, by entering and clearing a ferry boat on each side of Wheelen island, which lies before the town, and precludes the opportunity of fording, when the river is crossed in that way, above and below the island. From the point located, a safe crossing is afforded at the lower part of the island, by a ferry in high and a good ford in low water.

The face of the country within the limits prescribed, is generally very uneven, and in many places broken by a succession of high mountains and deep hollows, too formidable to be reduced within five degrees of the horizon; but by crossing them obliquely, a mode which although it imposes a heavy task of hill-side digging, obviates generally the necessity of reducing hills and filling hollows, which on these grounds would be an attempt truly Quixotic. This inequality of the surface is not confined to the Allegheny mountain. The country between the Monongahela and Ohio rivers, altho' less elevated, is not better adapted for the bed of a road, being filled with impediments of hills and hollows, which present considerable difficulties, and wants that superabundance & convenience of stone which is found in the mountain.

The indirect course of the road now travelled, and the frequent elevations and depressions which occur, that exceed the limits of the law, preclude the possibility of occupying it in any extent, without great sacrifice of distance, and forbids the use of it in any one part for more than half a mile, or more than two or three miles in the whole. The expense of rendering the road now in contemplation passable, may therefore amount to a larger sum than may have been supposed necessary, under an idea of embracing in it a considerable part of the old road; but it is believed that the contrary will be found most correct, and that a sum sufficient to open the new, could not be expended on the same distance of the old road with equal benefit.

The sum required for the road in contemplation, will depend on the stile and manner of making it: as a common road cannot remove the difficulties which always exist on deep grounds and particularly in wet seasons, and as nothing short of a firm, substantial, well-formed, stone-capped road, can remove the causes which led to the measure of the improvement, or render the institution as commodious as a great and growing intercourse appears to require, the expense of such a road, next becomes the subject of inquiry.

In this inquiry the commissioners can only find an estimate by recurring to the experience of Pennsylvania and Maryland, in the business of artificial roads. Upon this data, and a comparison of the grounds, and proximity of the materials for covering, there are reasons for belief that on the route reported, a complete road may be made at an expense not exceeding six thousand dollars per mile, exclusive of bridges over the principal streams on the way. The average expense of the Lancaster, as well as Baltimore and Frederick turnpike is considerably higher, but it is believed that the conventional supply of stone which the mountain af-

ords, will on those grounds reduce the expense to the rate here stated.

As to the policy of incurring this expense it is not the province of the commissioners to declare, but they cannot, however, withhold assurances of a firm belief, that the purse of the nation cannot be more seasonably opened or more happily applied, than in promoting the speedy and effectual establishment of a great and easy road, on the way contemplated.

In the discharge of all these duties the commissioners have been actuated by an ardent desire to render the institution as useful and commodious as possible, and impressed with a strong sense of the necessity which urges the speedy establishment of the road, they have to regret the circumstance which delays the completion of the part assigned them. They however in some measure content themselves with the reflection that it will not retard the progress of the work, as the opening of the road cannot commence before Spring, and may then begin with the marking the way.

The extra expense incident to the service from the necessity (and propriety as relates to public economy) of employing men not provided for by law, will, it is hoped, be recognized and provision made for the payment of that and all similar expenses, when in future it may be indispensably incurred.

The commissioners having engaged in a service in which their zeal did not permit them to calculate the difference between their pay and the expense to which the service subjected them, cannot suppose it the wish or intention of the government to accept of their services for a mere indemnification of their expense of subsistence, which will be very much the case under the present allowance. They therefore allow themselves to hope and expect that measures will be taken to provide such further compensation as may under all circumstances be thought neither profuse nor parsimonious.

The painful anxiety manifested by the inhabitants of the district explored, and their general desire to know the route determined on, suggested the measure of promulgation, which after some deliberation was agreed on by way of circular letter, which has been forwarded to those persons to whom precaution was useful, and afterwards sent to one of the presses in that quarter for publication, in the form of the document, No. 3, which accompanies this report.

All which is with due deference submitted, this 30th day of December, 1806.

(Signed)

ELI WILLIAMS,
THOMAS MOORE,
JOSEPH KERR.

AN ACT

Supplementary to the act intitled "An act making provision for the redemption of the whole of the public debt of the United States."

WHEREAS it is desirable to adapt the nature of the provision for the redemption of the public debt to the present circumstances of the United States, which can only be done by a voluntary subscription on the part of the creditors—

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That a subscription to the full amount of the old six per cent. deferred and three per cent. stock, be, and the same is hereby proposed; for which purpose books shall be opened at the treasury of the United States, and by the several commissioners of loans, on the first day of July next, to continue open until the seventeenth day of March next following, inclusively, the fourteen last days of each quarter excepted, for such part of the above-mentioned descriptions of stock, as shall, on the day of subscription, stand on the books of the treasury, and of the several commissioners of loans, respectively: which subscription shall be effected by a transfer to the United States, in the manner provided for by law for such transfers of the credit or credits standing on the said books, and by a surrender of the certificates of the stock subscribed.

Sec. 2. And be it further enacted, That for the whole or any part of any sum which shall thus be subscribed, in old six per cent. or deferred stock, credits shall be entered to the respective subscribers, and the subscriber or subscribers shall be entitled to a certificate or certificates, purporting that the United States owe to the holder or holders thereof, his, her or their assigns, a sum to be expressed therein, equal to the amount of principal of the stock thus subscribed, which shall remain unredeemed on the day of such subscription, bearing an interest of six per centum per annum, payable quarterly, from the first day of the quarter, during which such subscription shall have been made, transferable in the same manner as is provided by law for the transfers of the stock subscribed, and subject to redemption at the pleasure of the United States: Provided, That no single certificate shall be issued for an amount greater than ten thousand dollars: And provided further, That no reimbursement shall be made except for the whole amount of any such new certificate, nor till after at least six months previous public notice of such intended reimbursement.

Sec. 3. And be it further enacted, That for the whole or any part of any sum which shall thus be subscribed in three per cent. stock, credits shall likewise be entered to the respective subscribers; and the subscriber or subscribers, shall be intitled to a certificate, purporting that the United States owe to the holder or holders thereof, his, her or their assigns, a sum to be expressed therein, equal to sixty-five per centum of the amount of principal of the stock thus subscribed, bearing an interest of six per centum per annum, payable quarterly, from the first day of the quarter, during which such subscription shall have been made, and transferable and subject to redemption in the same manner, and under the same regulations and restrictions as the stock created by the preceding section of this act: Provided, That no part of the

stock thus created shall be reimbursable without the assent of the holder or holders of such stock until after the whole of the eight per cent. and four and a half per cent. stocks, as well as all the six per cent. stock which may be created by virtue of the preceding section, shall have been redeemed.

Sec. 4. And be it further enacted, That the commissioners of the sinking fund shall be, and they are hereby authorized to appoint an agent in London, and another in Amsterdam, whose duty it shall be to receive subscriptions and transfers, and to issue new certificates in the manner and at the times above mentioned, and as the officers of the treasury department, or the commissioners of loans might do; that is to say, the agent in London, in favor of such stockholders residing in the dominions of Great-Britain in Europe, and the agent in Amsterdam, in favor of such stockholders, residing in any other parts of Europe, as may respectively become subscribers: Provided, that the certificates issued by the said agent shall bear interest only from the first day of the quarter next succeeding that on which the subscription shall have taken place, and that in relation to subscriptions made on old six per cent. or deferred stocks, the sums expressed in such new certificates shall be equal to the amount of the principal of the old six per cent. or deferred stocks thus subscribed, which shall remain unredeemed after payment of the dividend payable on such stock, on the day from which the interest on the new certificates shall commence.

The foreign stockholders thus subscribing with either of the said agents, shall be intitled to receive the dividend in the old six per cent. deferred or three per cent. stock subscribed by them respectively which shall be payable on that day, from which the interest and the new certificates shall commence. And it shall be the duty of the said agents, respectively to transmit, before the end of each quarter, to the register of the treasury, and to the several commissioners of loans respectively, triplicate abstracts of the certificates of stock subscribed, and of the new certificates issued by them during such quarter, in order that the proper credits may be entered on the books of the treasury, and of the commissioners of loans as the case may be to the holders of such new certificates. And the said agents before they enter upon the execution of their several offices, shall respectively take an oath or affirmation of their diligent and faithful execution of their trust, and shall also become bound with one or more sureties to the satisfaction of the commissioners of the sinking fund, or of the secretary of the treasury, in the penal sum of twenty thousand dollars, with condition for their good behavior in their said offices.

Sec. 5. And be it further enacted, That the holders of old six per cent. deferred, or three per cent. stocks, who may become subscribers, as aforesaid, either in the United States or in Europe, and who, on the first day of July next, and also on the day of the subscription, shall be resident in Europe, may, at their option, which must be made at the time of subscribing, receive the interest accruing on the stock created by virtue of the preceding sections of this act, either in the United States, as other creditors, or at London, or Amsterdam, that is to say the stockholders residing, at the time above mentioned, in the dominions of G. Britain in Europe, at London, and at the rate of four shillings and six pence, sterling, for each dollar; and the stockholders residing, at the times above mentioned, in any other part of Europe, at Amsterdam, and at the rate of two guilders and a half guilder, current money of Holland, for each dollar; in which last mentioned option the condition shall be expressed in the new certificates to be issued, and the credit or credits, to be given to the proprietors thereof shall be entered, and shall hereafter be transferable only on the books of the treasury: Provided however, that the interest thus payable in London and Amsterdam shall not be payable until the expiration of six calendar months from the day on which the same would be payable in the United States, and shall be subject to a deduction of one half of one per cent. on the amount payable, for commission to the bankers paying the same: And provided also, That every proprietor of such stock may, on surrendering his certificate receive another to the same amount, the interest whereof shall be payable quarterly in the United States, in the same manner as that accruing on the stock held by persons residing in the United States.

Sec. 6. And be it further enacted, That the same funds which heretofore have been, and now are pledged by law, for the payment of the interest, and for the redemption or reimbursement of the stock which may be subscribed by virtue of the provisions of this act, shall remain pledged for the payment of interest accruing on the stock created by reason of such subscription, and for the redemption or reimbursement of the principal of the same. It shall be the duty of the commissioners of the sinking fund to cause to be applied, and paid out of the said fund yearly, and every year, such sum and sums as may be annually wanted to discharge the annual interest and charges accruing on the stock which may be created by virtue of this act. The said commissioners are hereby authorized to apply, from time to time, such sum and sums, out of the said fund, as they may think proper, towards redeeming, by purchase or by reimbursement, in conformity with the provisions of this act, the principal of the said stock. And the annual sum of eight millions of dollars, vested by law in the said commissioners, shall be, and continue

appropriated to the payment of interest and redemption of the public debt, until the whole of the stock which may be created by the preceding sections of the act, shall have been redeemed or reimbursed.

Sec. 7. And be it further enacted, That there shall be allowed to each of the agents to be appointed by virtue of this act, in addition to the necessary expenses incurred by them for printing, stationary and postage, a sum of three thousand dollars, as a full compensation for their services. The said agents, and the commissioners of loans, shall also be allowed such additional sum as may be actually and necessarily expended for the clerk-hire requisite for carrying this act into effect. And for defraying the said compensations and allowances, and such other contingent charges, as may be incurred for carrying this act into effect, a sum not exceeding sixteen thousand dollars, to be paid out of any monies in the treasury, not otherwise appropriated, is hereby appropriated.

Sec. 8. And be it further enacted, That whensoever notice of reimbursement shall be given, as prescribed by the second and third sections of this act, the certificates intended to be reimbursed, shall be designated therein. In every reimbursement the preference shall be given to such holders of certificates as previously to the said notice, shall have notified in writing to the treasury department their wish to be reimbursed. If there should not be applications to the treasury sufficient to require the payment of the whole sum to be applied to that purpose, the secretary of the treasury, after paying off all sums for the payment of which application shall have been made, shall determine by lot what other certificates shall be reimbursed so as to make up the whole amount to be discharged—and in case the applications shall exceed the amount to be discharged the secretary of the treasury shall proceed to determine by lot what applications shall be entitled to priority of payment.

Sec. 9. And be it further enacted, That the agents appointed by virtue of this act, and the several commissioners of loans, shall observe and perform such directions and regulations as shall be prescribed to them by the secretary of the treasury, touching the execution of this act.

Sec. 10. And be it further enacted, That nothing in this act, contained, shall be construed, in any wise, to alter, abridge, or impair, the rights of those creditors of the United States who shall not subscribe to the loan created by virtue of this act.

NATHANIEL MACON,
Speaker of the house of representatives.
GEORGE CLINTON,
Vice-president of the United States and president of the senate.
February 11, 1807.
APPROVED, TH. JEFFERSON.

NOTE.
Addressed by his excellency the minister of France, to the senate of Hamburg, on the 24th of November, 1806.

The undersigned, minister plenipotentiary of the emperor of the French and king of Italy, near the states of Lower Saxony, has received the order of his sovereign, to make known to the senate of the city of Hamburg, that

"England, not admitting the law of nations, as practised by every civilized people: making prisoners of war of individuals who do not belong to the military; taking and confiscating private property; blockading places which lawfully cannot be blockaded, as well as commercial towns not fortified, bays and the mouths of rivers; declaring in a state of blockade places that are not so, & that nature itself has rendered it impossible to blockade.

"France has been placed under the necessity of taking against the British islands, the subjects of England, their property of every kind, that may be found in the territories, cities, and harbors, which are, or shall be occupied by the French armies; against the vessels that may come from the British islands or colonies, and that may enter these harbors, as well as against those that may attempt to leave the said harbors to repair to those of Great-Britain, the same measures which England has sanctioned by her maritime code.

"That, in consequence thereof, his majesty the emperor and king, has declared the British Islands in a state of blockade; and with regard to English subjects, their property, and the vessels that may come from the British Islands or possessions, or that may attempt to repair thither, has ordained measures to be taken, that are justified by the right of a natural defence.

"His majesty the emperor and king not having been induced to this step by the interest of France only, but having also the intention, and considering it his duty, to preserve the continent from the misfortune with which it is menaced, as the violence practised by England, are evidently designed to destroy the intercourse of nations, and to establish her industry and her commerce on the ruins of the industry and commerce of the continent; whence it results, that every person who trades on the continent in English merchandize, second the views of England, and ought to be considered as her accomplice.

"A great portion of the inhabitants of the city of Hamburg, being in this predicament, and notoriously attached to England, his majesty the emperor and king, with regret, sees himself compelled to cause possession to be taken of this city, and to ordain the execution of measures required by the principles above recited; measures that the undersigned is directed to notify in the following manner.

"Art. I. All English merchandizes that may be found in the city, in the harbor, or on the territory of Hamburg, no matter to whom they may belong, (n'importe a qui eles appartiennent) shall be confiscated.

"II. All the English, or English subjects that may be found in the city, the harbor, or on the said territory, shall be prisoners of war.

"III. All moveable, or fixed property,

belonging to the English, or English subjects in the city of Hamburg, its harbor, or territory, shall be confiscated.

"IV. No vessel coming from England or that may have touched there can enter the said port or approach the said city.

"V. Any vessel that by means of a false declaration, shall attempt to leave the said harbor and city to repair to England, shall be confiscated.

"VI. No English courier, nor mail of English letters shall be received in the city, harbor or territory of Hamburg, nor even permitted to pass.

"The undersigned has the honor to renew to the senate, the assurances of his high consideration.

"BOURRIENNE."

[A similar note has been sent to the senate of the cities of Bremen and Lubbeck.]

POSEN, December 6.

His majesty the emperor of the French attended on Sunday last, the mass which was celebrated in the parochial church, at which the bishop of Gnesen, assisted by the suffragan bishop of Gnesen and Posen, officiated.

The senator Radzinski, Vaivode of Posen, has addressed an energetic proclamation to the inhabitants of the left bank of the Vistula, in which he calls them to arms— "If my advanced age," says he in it, "allowed me, you should see me march at your head; but, bent down under the weight of years, I am not happy enough to fight with you; I appoint, therefore, my lieutenant-general his excellency general Dombrowski, whose virtues, courage and military talents, have caused him to be distinguished by the invincible Napoleon.

COPENHAGEN, December 7.

The English envoy has demanded of our government whether the merchantmen of his nation would be permitted, as heretofore, to enter the harbors of Husum and Tonningen. We are ignorant of the answer made by the Danish ministry; but it is certain that the captains and masters of the English merchantmen now lying at our road, have received orders to hold themselves in readiness to put to sea on the first notice, under the apprehension that an embargo will take place.

FRANKFORT, December 13.

The sentences pronounced against several Austrian generals and officers for their conduct in the campaign of 1805, have been published in a very incomplete manner.—More authentic intelligence has just been received from Vienna, whence it results that general Mack has been condemned to be shot—but this sentence not having yet been executed, it is added, that the punishment has been commuted by the emperor into perpetual imprisonment. Prince Auersperg was condemned to confinement for the rest of his days, and to the confiscation of all his property. The emperor has also modified this sentence, by ordering that this prince should be deprived of all his dignities, and be confined in a fortress for four years only. The chief of the staff of prince Auersperg, M. de Theis, is broken and forever declared incapable of serving. Col. Geringer, of the regiment of Szeckler Hussars, who commanded the advanced posts at the bridge of Tabor, near Vienna, when the French crossed it on the 18th November, is put under arrest for two months only.—Prince Auersperg had received formal orders not to burn this bridge, which orders were not executed. The marquis Ghisilieri, for having delivered up Cattaro to the Russians, is condemned to pass some years in a fortress in Transylvania, and to lose all his places and dignities.

The 18,000 French troops who formed part of the army of Holland, under the orders of his majesty the king of Holland, are on their march for Poland.

HAMBURG, November 25.

His excellency marshal Mortier, has caused the following proclamation to be published here:

"His excellency the marshal of the empire Mortier, having remarked in the account which has been delivered to him, that the declarations hitherto made of the possession of English merchandize, offer a very unsatisfactory result; considering that those merchants & tradesmen to whom they belong may have acted with too great haste, and have given in the aforesaid declaration, without having bestowed on them all the attention and reflection they require; considering also, that the numerous occupations of the business entrusted to him of keeping the register of inspection, enjoins every individual, having in his possession merchandize belonging to English, or coming from English manufactories, to appear in forty-eight hours from the 24th November before the muster-master, *ad interim* of the 8th corps of the grand army, where they must make a declaration and inscription on a register opened for that purpose, numbered & signed by the general in chief of the staff, of all the merchandize in their possession, belonging as already stated, to the English, or coming from English manufactories.

"The period of 48 hours being expired, domiciliary visit shall be made, and all offenders against the present order shall be punished in a military manner.

"Every merchant or tradesman, having already made a declaration, shall be bound to appear anew and to repeat his inscription before the aforesaid muster-master, Censur-ger-Strasse.

"Hamburg, 23d Nov. 1806."

LONDON, December 4.

Yesterday his majesty held a privy council; but it is untrue that it was for the purpose of signing an order to hinder the transfer of foreign capitals. The fact is that ministers never had the intention to have recourse to so violent and useless a measure. It would be useless since the three per cent. consuls are shut, and will not open before the 7th January.

5th.—The funds got up a little yesterday,