about thirty three percent which is more than double the average duty paid on articles charged ad valorem. This conclusively proves that the addition of two and a half per cent to the latter does not render it immoderate, inasmuch as it does not create a duty equal to that laid on goods specifically taxed.

With as little justice can it be contended that the additional duty will increase smuggling or diminish the profit of the fair trader by diminishing the sale of the goods taxed. To shew this, it must first be proved that those articles on which a higher duty is at present paid are smuggled, or that their sale is diminished. This has never been said.

The fact is that these new duties are among the most equitable that have been laid. They will operate principally as a tax on luxury thereby favoring the poor, and they will serve in some measure to equalize the whole mass of duties. By the late system, some of the most important, and even necessary articles of consumption are taxed exorbitantly. For instance, brown sugar pays a duty of between forty five and fifty per cent. Spirits pay a duty of about thirty five per cent. Salt pays a duty of about sixty per cent. Wines pay a duty of thirty three per cent. And teas pay a duty of one hundred per cent. The duties on these articles average nearly fifty per cent. and amount to above 4,800,000 dollars, which exceeds by six hundred thousand dollars the whole sum derived from articles charged ad valorem.

CURTIUS.

Congress
OF THE
UNITED STATES.

House of Representatives.

Wednesday, November 14.

Dr. Mitchell presented a memorial from William Dunbar of the Mississippi territory on the subject of his claim to a certain tract of land at Natchez—referred to the committee appointed on the same subject during the present session.

Gen. *Varnum* moved that the committee be instructed to consider at large the subject relative to invalid pensioners, and the situation of all persons who were wounded or disabled in the service of our revolutionary war with Great Britain, and what further measures are necessary to render them such ample remuneration as justice may require—Ordered, that the committee be instructed accordingly.

Dr. *Leib* mentioned to the house the condition in which the public buildings (the arsenal at Philadelphia) the property of the United States were; one of the sections was raised to the first floor, and some other parts were less unfinished, indeed all the uncovered parts of the building were more or less suffering dilapidation or going to decay; he thought it would be found prudent to finish them in order to preserve them. He therefore moved that a committee be appointed to enquire into the expediency of making provision by law for the completion of the buildings belonging to the United States near Philadelphia—referred to a select committee of three members.

Mr. *Rodney* presented a petition from John Crawford, an old soldier of 1776 in the Delaware regiment, and afterwards engaged in the sea service, who was twice wounded, and three times taken prisoner, twice he was confined on board the prison ships at New York, and once at Halifax. Mr. R. wished some general regulation could be speedily made for the small remnant of this brave and meritorious, though neglected and suffering class of our fellow citizens. The petition was referred to the committee of claims.

Mr. G. W. Campbell moved to instruct the committee appointed on that part of the president's message which relates to an enlargement of the capital employed in commerce with the Indian tribes, to inquire into what alterations and amendments are necessary to the laws regulating trade and intercourse with the Indian tribes, and preserving peace on the frontiers, with leave to report by bill or otherwise. Agreed to.

Adjourned.

Thursday, November 15.

Mr. *J. Randolph* moved the order of the day on the bill making further appropriation for carrying into execution the treaty between the United States and Great Britain.

Mr. J. C. Smith in the chair.

The blank was filled with 70,000 dollars, the committee then rose and reported the bill.

The house agreed to the same as reported, and ordered to be engrossed for a third reading to morrow.

A message from the president of the United States was received, accompanied by the report of the secretary of the navy communicating the documents requested by the house relative to the affair of the Intrepid Ketch under the command of captain Decatur, who it was announced had been promoted to the rank of captain in the navy of the United States. Ordered to be printed.

Dr. *Mitchell* made a report from the committee of commerce and manufactures on the petition of the slate companies of New York and Dutchess counties, concluding that any additional duty on imported slate at this time will be inexpedient. The general principle upon which this report was bottomed, being of considerable importance, and likely to excite discussion, he moved to refer it to a committee of the whole, and that it be made the order of Tuesday next: agreed. and in the mean time ordered to be printed.

Mr. *Newton* stated a fact relative to a citizen of Georgia, who had been sued in that state; but the creditor finding the citizen was coming to Washington, dismissed his suit there, and procured his arrest here; the debtor as a stranger for want of bail must have gone to prison, but through the humanity of the marshal who accompanied him to several places in the territory in search of a friend, the debtor was fortunate enough to procure the requisite security, and thereby avoided the hardships of imprisonment. To prevent in future this species of oppression to which strangers are liable, he moved that a select committee of five be appointed to enquire whether any, and if any, what alterations are necessary to be made in the laws of the district of Columbia relative to holding persons to bail, and that they be authorised to report by bill or otherwise.

A committee of five was appointed accordingly.

On motion of general *Stanton*, the petition of a number of inhabitants of Westerly, in the county of Washington, R. Island, praying that a light house may be erected on Watch hill point; and another from Stoningtou, in connection for a similar purport, was referred to the committee of commerce and manufactures, with leave to report by bill or otherwise. Adjourned.

Friday, November 16.

The engrossed bill making farther appropriation for carrying into effect the treaty of amity commerce and navigation between the United States and Great Britain was read a third time and passed.

Mr. *R. Griswold* moved for the appointment of a committee to enquire what further provision ought to be made by law for the encouragement of the fisheries of the United States; the motion was carried; and the report on this subject made at the last session was referred to the same.

Mr. *Jackson* moved for the appointment of a committee to consider of the making provision for the application of the money heretofore appropriated for laying out and making certain public roads. A committee of five was appointed.

Mr. Kennedy presented a petition from a number of the inhabitants of Roanoke, &c. in North Carolina, praying a port of entry may be established in the town of Plymouth, refered to the committee already appointed on that subject.

Mr. Findley from the committee of Elections reported that the members who had been returned in the place of those who had resigned or deceased were entitled to take their seats.

Mr. Bryan reported from the committte on the official letter of Mr. Thomas Claxton, door-keeper of the House of Representatives, respecting the admission of chaplains to preach in the chamber of Congress; that in the case stated by him, he had acted with propriety, and they recommended a resolution to the following effect. That no peron shall be authorised to preach in this chamber unless by consent of the Speaker or being introduced by one of the chaplains.

Ordered to lie on the table. Adjourned.

Message of the president of the United States to congress, relative to the destruction of the frigate Philadelphia.

To the House of Representatives of the United States:

Agreably to your resolution of the 9th inst. I now lay before you a statement of the circumstances attending the destruction of the frigate Philadelphia, with the names of the officers and the number of men employed on the occasion: to which I have to add that lieutenant Decatur was thereupon advanced to be a captain in the navy of the United States.

TH: JEFFERSON.

November 15, 1804.

Navy Department, Nov. 13, 1804.

SIR,

Agreeably to your letter of the 10th instant, and the resolution of the house of representatives of the 9th instant therewith sent to me, I have the honor to inclose a statement of the circumstances attending the destruction of the frigate Philadelphia, with the names of the officers and the number of men employed on the occasion.

I have the honor to be,
With great respect, Sir,
Your most obedient servant,
ROBERT SMITH.

President of the United States.

Statement of the circumstances attending the destruction of the frigate Philadelphia, with the names of the officers, and the number of men employed on the occasion, as laid before the president by the secretary of the navy, Nov. 13, 1803.

On the 31st January, 1804, commodore Preble lying with his squadron in the harbour of Syracuse, gave orders to lieutenant Charles Stewart, commanding the brig Syren of 16 guns, and to lieut. Stephen Decatur, jun. commanding the Ketch Intrepid of 4 guns, and 75 men, to proceed to Tripoli, and to destroy the frigate Philadelphia of 44 guns, then lying in the harbor of Tripoli. Lieut. Decatur had orders to enter the harbour in the night, board and set fire to the Philadelphia, and lieut. Stewart was ordered to take the best possible position without the harbor to cover the retreat.

Under these orders they proceeded immediately to the coast of Tripoli, but owing to very heavy gales of wind, that usually prevail there in the winter season, the enterprize could not be undertaken until the 16th February, when lieut. Stewart having taken the best possible position to effect the object of his instructions, lieut. Decatur at 7 o'clock in the night, entered the harbour of Tripoli, boarded and took possession of the Philadelphia.

The frigate at the time she was boarded had all her guns mounted and charged, and lying within half gun shot of the Bashaw's castle and of his principal battery. Two Tripolitan cruisers were lying within two cables' length on the starboard quarter, and several gun boats within half gun shot of the starboard bow—and all the batteries on shore were opened upon the assailants; about twenty men of the Philadelphia were killed, a large boat got off, and one man was made prisoner.

After having gained possession of the frigate, lieutenant Decatur set fire to her store rooms, gun room, cockpit and birth deck, and with a firmness highly honorable to him, his officers and men, they remained on board until the flames had issued from the ports of the gun deck and the hatchways of the spar deck, and they continued in the Ketch along side the frigate until the fire had communicated to her rigging and tops.

Lieutenant Decatur did not lose a man and had but one slightly wounded.

The following is a list of the officers, and the number of men, employed in the destruction of the Philadelphia.

Lieutenant Stephen Decatur, jun.

Lieutenants—James Lawrence, Joseph Bainbridge, Jonathan Thorn.

Surgeon—Lewis German.

Midshipmen—Ralph Izard, John Bowie, Charles Morris, Alexander Laws, John Davis, Thomas M'Donough, Thomas Oakley Anderson.

Pilot—Mr. ——— Salvador.

Sixty two men.

Lieutenant Decatur has stated, that all his officers and men, behaved with the greatness coolness and intrepidity; and commodore Preble has informed me, that lieutenant Stewart's conduct was judicious and meritorious.

Respectfully submitted,
R. SMITH.

Legislature of Maryland.

SKETCH OF PROCEEDINGS.

HOUSE OF DELEGATES.

Thursday, Nov. 15.

The house met. Present as on yesterday. The proceedings of yesterday were read.

Mr. Claggett appeared in the house. Mr. Covington has leave of absence for a few days.

The speaker laid before the house a letter from the treasurer of the Eastern Shore, enclosing an account of the receipts and expenditures of the Eastern Shore treasurer, a list of balances up to the first instant, and the account current of the state with the treasurer; which were read and referred to the committee of claims.

Mr. Waters delivers a bill, entitled, An act to lay out and open a road thro' Frederick and Montgomery counties, which was read.

Mr. Linthicum delivers a bill, entitled, An act for the relief of John D. Coffee, of Montgomery county; which was read.

Mr. Somervell delivers a bill, entitled, An act to authorise and empower the levy court of Calvert county to assess and levy a sum of money for the purpose therein mentioned; which was read.

Leave given to bring in a bill respecting the religious sect of people called Jews.

Petitions from John Simmons, of Talbot county, John Forbes, of the city of Baltimore, and John Huston, of Frederick county, praying acts of insolvency, were read and referred.

The speaker laid before the house a letter from the printer to the state, soliciting an advance of money; which was read and referred.

Mr. R. Mackall appeared in the house.

The report of the committee appointed to inquire into the measures taken to carry into effect a resolution of the last session, was read the second time, and the question put, That the house concur therewith? Resolved in the affirmative, yeas 35, nays 21.

The house adjourns till to-morrow morning.

Friday, Nov. 16.

The house met. Present as on yesterday, except Mr. Covington. The proceedings of yesterday were read.

Mr. Bond delivers a bill, entitled, An act to lay out and make a public road therein mentioned in Harford county; which was read.

A petition from sundry inhabitants of the city of Baltimore, was read and referred.

Mr. Shaaff, from the committee appointed on the petition of Thomas Hawkins, delivers a report, favourable to the petitioner; which was read.

Leave given to bring in a further additional supplement to the act, entitled, An act to direct descents.

A petition from David Willson, of the city of Baltimore, was read and referred.

Mr. Veazey has leave of absence for a few days.

A petition from William Patterson, and others, of the city of Baltimore, was read and referred.

The bill for the relief of John R. Bromwell, of Talbot county, the bill to authorise and empower the levy court of Baltimore county to assess and levy a sum of money for the purposes therein mentioned, the bill to lay out and make a public road therein mentioned in Harford county, and the bill to lay out and streighten a certain road in Baltimore county, were severally read the second time and passed.

Leave given to bring in an additional supplement to an act, entitled, An act to extend the powers of the levy court of Allegany county relative to roads in said county.

Leave given to bring in an additional supplement to the act respecting the settlers on the reserved lands westward of Fort Cumberland, and for other purposes.

A petition from Joseph G. Dorsin, of Dorchester county, praying an act of insolvency, was read and referred.

The house adjourns till to-morrow morning.

Saturday, Nov. 17.

The house met. Present as on yesterday, except Mr. Veazey. The proceedings of yesterday were read. Mr. Ringgold and Mr. Holbrook appeared in the house.

The bill to authorise the levy court of St. Mary's county, to assess and levy a sum of money for the support and maintenance of John Fuel, was read the second time and passed.

A petition from the stockholders of the Union Insurance Company, and a petition from Richard Watts, of St. Mary's county, were read and referred.

The bill to authorise the levy court of Calvert county to assess and levy a sum of money for the purpose therein mentioned, was read the second time and passed.

A petition from Joseph Tilghman, of Worcester county, was read and referred.

The report on the petition of Thomas Hawkins was read the second time, and the resolution therein contained assented to.

Mr. Bayard delivers a bill, entitled, An additional supplement to the act, entitled, An act respecting the settlers on the reserved lands westward of Fort Cumberland; which was read.

Mr. Hebb delivers a report on the petition of Richard Watts, in favour of the petitioner; which was read.

The bill for the benefit of William Henry Lansdale and Thomas Reeder Lansdale, children of Mary Lansdale, of St. Mary's county, was read the second time and passed.

Leave given to bring in a further supplement to the act relating to negroes, and to repeal the acts of assembly therein mentioned.

Mr. Shaaff delivers a report on the letter of the printer to the state, in his favour; which was read the first and second time, and the resolution therein contained assented to.

Mr. Chapman delivers a report on the petition of Henry Gassaway, in his favour, which was read.

Mr. B. Tomlinson delivers a bill, entitled, A supplement to the act, entitled, An act to extend the powers of the levy court of Allegany county; which was read.

Petitions from Henry Steenhuis and John Edwards, of Baltimore county, and Benjamin Dutton, of the city of Baltimore, praying acts of insolvency, were read and referred.

The bill for the benefit of Benjamin Willson, of Caroline county, was read the second time and passed.

The house adjourns till Monday morning.

Monday, Nov. 19.

The house met. Present as on Saturday. The proceedings of Saturday were read. Mr. Lloyd appeared in the house.

A petition from the Chesapeake insurance company, a petition from John M'Kim, and others, of the city of Baltimore, and a petition from John Norris, of John, of Harford county, were read and referred.

Leave given to bring in a supplement to the act to establish and regulate a market at Bridge-town, in Kent county, and for other purposes therein mentioned.

Ordered, That Mr. Chapman, and Mr. Parnham be added to the committee appointed to bring in a further supplement to the act relating to negroes, and to repeal the acts of assembly therein mentioned.

Mr. Luke W. Barber, a delegate from St. Mary's county, appeared, qualified, and took his seat.

Leave given to bring in a bill authorising a lottery to raise a sum of money for the purpose of improving the navigation of Corsica creek, in Queen-Ann's county.

A petition from Jacob Schnebely, late sheriff and collector of Washington county, was read and referred.

Leave given to bring in a bill to establish a bank, and incorporate a company under the name of The Farmer's Bank of Maryland, and for other purposes.

Mr. Bond, from the committee on the petition of John Norris, delivers a report, in his favour; which was read.

Mr. Ringgold delivers a bill, entitled, An act authorising Jacob Schnebely, late sheriff and collector of Washington county, to complete his collection; which was read.

Petitions from Wm Stevens, of Talbot county, and Jonathan Bready, of Q. Ann's county, praying acts of insolvency, were read and referred.

The house adjourned till to-morrow morning.

Tuesday, November 20.

The house met. Present as on yesterday. The proceedings of yesterday were read. Mr. Daniel Sheredine, a delegate from Cæcil county, appeared, qualified, and took his seat.

Petitions from Jacob Fowble, Fordon Pease, Francis W. Bolgiano, Samuel Walker and Michael Baroux, of the city of Baltimore, and James Chappalear, of St. Mary's county, praying acts of insolvency, were read and referred.

A petition from Lemuel Ennis, of Worcester county, and a petition from John Sterrett, and others, of Cæcil county, were read and referred.

The report on the petition of John Norris, of John, was read the second time, and the resolution therein assented to.

The following message was received from the senate.

The senate having formed a house, are ready to proceed in the business of the session. They propose, with the concurrence of your house, to go into the choice of a governor immediately, and have appointed Mr. Johnson and Mr. Houston to join the members to be named by your house in the examination of the ballots.—Robert Bowie, esq. is put in nomination by this house.

Which was read, and the following message sent to the senate.

Your message of this morning we have received. We are ready to proceed to the choice of the governor immediately, and have appointed Mr. Montgomery and Mr Shaaff to join the members named by your house for the examination of the ballots. No other person is put in nomination by this house than the gentleman named in your message.

The house having qualified, proceeded to the choice of a governor, and upon examining the ballots it appeared, that the honorable Robert Bowie had a majority of votes, and was accordingly declared to be governor of Maryland.

The following message was sent to the senate.

The honourable Robert Bowie having been elected governor of the state of Maryland, we have appointed Mr. Scott and Mr. Clarke, jointly with such gentlemen as shall be named by your house, to wait upon the governor, and request his attendance in the senate room to qualify according to the constitution and form of government.

The bill to settle and ascertain the salary of the members of the council for the ensuing year, was sent to the senate.

The clerk of the senate delivers the following message.

We have appointed Mr. Houston and Mr. Partridge, in conjunction with the gentlemen named by you, to wait on the governor elect, for the purpose of requesting his attendance in the senate room to qualify agreeably to the constitution and form of government of this state.

Which was read.

Mr. Johnson and Mr. Hayward from the senate, acquaint the speaker, that the governor elect was attending in the senate room, and that the senate requests his attendance with the members of the house of delegates in the senate room to see the governor qualified.

The speaker, with the members, went to the senate room, and saw his excellency qualify as directed by the constitution and form of government.