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LAWS OF THE UNITED STATES.

(BY AUTHORITY.)

AN ACT

Authorising the cutting and making a canal from the River Potomac around the west end of the dam or causeway from Mason's Island, and for other purposes

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the common council of Alexandria shall have power to appoint one or more agents to lay out and superintend the cutting and making a canal from the River Potomac around the west end of the dam or causeway from Mason's Island to the western shore of the said River, into that arm of said river which passes around the western side of said Island, in the manner and under the restrictions hereinafter directed; and from the river Potomac along the west side of Alexander's peninsula into said river below the lower end of said peninsula, and thro' any other points of land between Mason's Island and Alexandria, which may improve the boat navigation of said river; and also that the said common council of Alexandria have power to levy a tax upon the real property of the said town, and upon the personal property and the occupations of the citizens thereof, for the purpose of defraying the expence of cutting and making said canals, and afterwards for continuing the same in good repair; and for constructing and keeping in repair, and attending at all times during high water, the guard gates, or lock, hereinafter directed to be constructed in the canal authorised to be cut as aforesaid around the west end of the causeway from Mason's Island, and of erecting the bridges hereinafter mentioned and for keeping the same in repair.

Sec. 2. *And be it further enacted*, That it shall and may be lawful for the said agent or agents, or a majority of them, to agree with the owners of any land through which either of the said canals is intended to pass, for the purchase thereof, and in case of disagreement, or in case the owner thereof shall be a feme covert, under age, non compos, or out of the district, on application to one of the judges of the circuit court of the District of Columbia, the said judge shall issue his warrant directed to the marshal of the district, to summon and empannel twelve able and discreet freeholders of the vicinage no ways related to either party, to meet on some certain place on the ground thro' which the said canal is proposed to be conducted, and on a certain day to be expressed in the warrant, of which reasonable notice shall be given by the marshal to the proprietors or tenants of said ground, and the marshal upon receiving the said warrant shall forthwith summon the said jury, and when met shall administer an oath or affirmation to every juryman, that he will faithfully, justly and impartially value the land not exceeding the width of thirty feet, and all damages the owner thereof will sustain by cutting the canal through such land, according to the best of his skill and judgment, and the inquisition thereupon taken shall be signed by the marshal and the jurymen present, and returned by the marshal to the clerk of the court of the county of Alexandria to be by him recorded, and upon every such valuation, the jury is hereby directed to describe and ascertain the bounds of the land by them valued, and their valuation shall be conclusive on all persons, and shall be paid by the agent or agents to the owner of the land, or his or her legal representatives, and, on payment thereof, said canal may be cut and made through said lands, and said described land and canal shall become an open highway forever: *Provided*, They nor the waters of the said canals or either of them shall not be used for any other purpose than navigation, but by the consent of the owner of the lands through which said canal may pass.

Sec. 3. *And be it further enacted*, That the canal authorised to be cut as aforesaid around the west end of the causeway, and not nearer than one hundred feet to the land end of the lower side of the wharf, formerly used as a ferry wharf, from Mason's Island, shall commence at some point on the western shore of the Potomac river, above a high rock situated about thirty yards above the said causeway, thence to proceed, leaving the said high rock between said canal and the river, and passing at a distance of at least twenty feet from the original wall of said causeway, shall enter said river at the distance of at least twenty and not exceeding one hundred yards below said causeway; that said canal shall not be narrower than twelve feet, nor wider than twenty feet at the bottom, and shall not contain less than two feet nor more than four feet water in depth at common low-tide, and shall be substantially walled with stone on both sides throughout, and if on excavating the scite for the said canal at the proper depth, it does not prove to be a bottom of solid rock, then the same shall be securely paved at bottom, with heavy flat stone well laid for the whole or such part as may not be a bottom of natural rock. And the said canal shall be further secured by wing walls and puddle on the river side to prevent the water from undermining the causeway walls. There shall also be erected in said canal for the protection of said causeway, during the times of high freshes, two substantial guard gates, as high as the parapet wall of said causeway, one at least twenty feet above said causeway, and the other at a suitable distance below said causeway, which gates shall be connected by wails with said parapet wall, and of equal height, so as to form a complete lock, to be firmly secured at bottom, and with the usual apparatus for opening and shutting the same, to facilitate the passage of boats, and it shall be the duty of the said common council of Alexandria to provide, that always during the times of high freshes aforesaid, a careful person shall attend said gates to keep them shut, at which times they shall never be opened except for the passage of boats, and forever to keep the said lock and the said canal, in all its walls, wings, pavements, gates and other parts in complete repair; and if the said causeway should at any time be injured in consequence of the said common council having failed to take the precautionary measures aforesaid, and to keep every part of the work done by them in good repair, the said common council shall be liable to the corporation of Georgetown for all damages said corporation may sustain by such injury, to be assessed by a jury in an action on the case, to be brought by said corporation against said common council, and it shall also be the duty of the said common council of Alexandria to erect over said canal, where it shall cross the turnpike road, which leads from said causeway to Alexandria, a substantial stone bridge, at least twenty feet wide, and to keep the same always in repair.

Sec. 4. *And be it further enacted*, That if any other of the said canals shall be cut across any public highway, that a good and sufficient bridge shall in such place be made over the canal at least twenty feet wide, and kept in constant repair by the said common council of Alexandria.

Sec. 5. *And be it further enacted*, That the aforesaid canal around the west end of the causeway aforesaid, shall be commenced within two years, and shall be completed in the manner herein before provided, within five years from this time, otherwise the authority herein given to cut said canal shall cease and determine.

Sec 6. *And be it further enacted*, That in case of the death, removal, or refusal to act, of any agent, the common council of Alexandria shall appoint another, and shall, from time to time, supply vacancies that may occur, and that in all cases a majority of the agents shall be sufficient to act.

Sec. 7. *And be it further enacted*, That it shall not be lawful for any boat or boats to pass the said canal around the western end of the said causeway, until the commissioners, or a majority of them hereinafter named shall have certified under their hands, that according to the best of their skill and judgments, the said canal is located and cut, and the walls, wings, lock and gates are erected and the pavement laid, and the whole work executed and completed, in every respect conformably to the directions, true intent and meaning of this act, and until the certificate signed as aforesaid shall be returned and filed in the office of the court of the country of Alexandria.

Sec. 8. *And be it further enacted*, That so soon as the common council of Alexandria shall notify the President of the United States that the said canal round the western end of the causeway aforesaid is completed, and ready for the view and inspection of the commissioners then it shall and may be lawful for the President of the United States, and he is hereby required to appoint without delay three disinterested and skilful persons as commissioners, to go upon, view and inspect the canal and premises last aforesaid, and thereupon, if in their judgments, and not otherwise, the said canal be in all respects executed and completed as herein directed, to certify the same and cause their certificate to be returned and filed in manner aforesaid. And that the said commissioners for so doing shall be entitled to a reasonable compensation, to be paid by the common council of Alexandria.

Sec. 9. *And be it further enacted*, That the earth or other materials taken from the bed of the said canal, shall not be deposited to the injury of the owners of the lands through which the said canal may pass.

H. CLAY,
Speaker of the House of Representatives.
WM. H. CRAWFORD,
President of the Senate pro tempore.
June 17, 1812.
Approved, JAMES MADISON.

AN ACT

For the relief of Clement B. Penrose.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the proper officers of the Treasury be, and they are hereby authorised and required, to allow and pay unto Clement B. Penrose, one of the commissioners for ascertaining the rights of persons claiming lands in the territory of Louisiana, the sum of five hundred dollars, as a full compensation for having brought to the seat of government the report of the said commissioners.

H. CLAY,
Speaker of the House of Representatives.
WM. H. CRAWFORD,
President of the Senate, pro tempore.
June 17, 1812.
Approved, JAMES MADISON.

AN ACT

Authorising the remission of forfeited recognizances in the district of Columbia.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States shall have the power to grant remission of the forfeitures on recognizances acknowledged and taken, or to be acknowledged or taken, before any court, judge, justice of the peace, or other magistrate within the district of Columbia, either in the course of any criminal prosecution, or for surety of the peace.

H. CLAY,
Speaker of the House of Representatives.
WM. H. CRAWFORD,
President of the Senate, pro tempore.
July 17, 1812.
Approved, JAMES MADISON.

RESOLUTION requesting the state of Georgia to assent to the formation or two states in the Mississippi territory.

RESOLVED, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of the state of Georgia be, and they are hereby requested, to give their assent by law, to the formation of two states of the Mississippi territory; *Provided*, in the opinion of Congress a division of said territory for that purpose should hereafter be expedient.

H. CLAY,
Speaker of the House of Representatives.
WM. H. CRAWFORD,
President of the Senate pro tempore.
June 17, 1812.
Approved, JAMES MADISON.

AN ACT

For the relief of John N. Stout.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the accounting officers of the Treasury Department be, and they are hereby directed to adjust and settle the account of John N. Stout, of Kentucky, and allow him the sum of eighty seven dollars fifteen cents, for his fees and compensation as a jailor, for committing, subsisting and releasing, Archibald Hamilton, a prisoner of the United States.

H. CLAY,
Speaker of the House of Representatives.
WM. H. CRAWFORD,
President of the Senate, pro tempore.
May 20, 1812.
Approved, JAMES MADISON.

AN ACT

For the relief of Thomas and William Streshly.

BE it enacted by the Senate & House of Representatives of the United States of America, in Congress assembled, That the accounting officers of the Treasury Department be, and they are hereby authorised and directed, to settle the accounts of Thomas Streshly, and William Streshly respectively, late collectors of the internal revenue in the district of Ohio, by allowing to said Thomas such further credits for all accounts of uncollected revenue as he shall satisfactorily prove to have been delivered over by him to other collectors, and such sum as he shall appear to be entitled to for his attendance as a witness in behalf of the United States; carrying the balance, if any, which may appear due to said Thomas, to the credit of said William, in his account with the United States.

H. CLAY,
Speaker of the House of Representatives.
WM. H. CRAWFORD.
President of the Senate, pro tempore.
May 22, 1812.
Approved, JAMES MADISON.

AN ACT

For the relief Lieutenant Colonel William D. Beall.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the accounting officers of the department of War, in the settlement of the account of lieutenant colonel William D. Beall, allow him the pay and emoluments of adjutant and inspector of the army, at and near New Orleans, from the seventeenth of June, until the twenty-fourth of November, in the year one thousand eight hundred and nine, to be paid out of any money in the treasury not otherwise appropriated.

H. CLAY,
Speaker of the House of Representatives.
WM H. CRAWFORD,
President of the Senate pro tempore.
June 24, 1812.
Approved, JAMES MADISON.

From the Murfreesborough (N. C.) HORNETS NEST.

MADISON & CLINTON.

In the NEST of last week, we promised, the public our opinion on the ensuing election for President and Vice President of the United States. In conformity with that promise, we advance it with candor; & though it may be at variance with the ideas entertained by some of our respectable friends, yet we trust, that a consciousness of the fallibility of human judgment will induce them to lay prejudice, aside, and with us enter into a thorough investigation of this all-important subject. If our opinion is founded in truth, reason and justice, we have nothing to boast—we have only done our duty. If it is not, we shall never have reason to lament the want of integrity of intention; but; but can with sincerity aver, that our only object was the public good. Duty pointed out the course, and conscious rectitude impelled us to pursue it.

"*Who shall be our next President?*"—This question can only be decided by the voice of a free people—a people who ought to exercise the right of suffrage, unbiassed by the clamors of faction, uninfluenced by the sycophantick juggling of aspiring demagogues, and unrestrained either by threats or promises of tory editors, whose papers are devoted to a cause from which every genuine republican will shrink with horror. In the exercise of this right, at the present important crisis, it should be the pride of every freeman to support those men and those measures, which will tend most to harmonize the public mind and give vigour and effect to the arm of national government It should be their inquiry, *who are the candidates?* What are their qualifications?—What are the services they have performed? Will the *warm friends* and *firm advocates* of our *enemy* support them?—Will those who vilify and curse us—who dispise and ridicule us, promote their election? If they will, depend upon it all is not right. A party who would support the *Prince of darkness* himself, if opposed to our present virtuous and beloved chief magistrate—a party, who would "*vote for any thing or nothing provided it was not republican.*" ought not to be listened to—ought not to be trusted.

But to return, *who are the candidates?*—JAMES MADISON, present President of the United States, and DE WITT CLINTON, Mayor of the City of New York.

What are their qualifications?—With respect to Mr. Madison, public documents speak for themselves. His duties, in the various important stations he has filled since the commencement of our revolutionary contest to the present day, have drawn from his pen the most important and interesting state papers that have ever been produced by an individual. All his writings speak him the consummate politician, the correct statesman and the accomplished scholar. If he is accused of "*want of energy*," let it also be remembered, that he has been accused by the supporters of Mr Clinton, who "blow hot and cold" with the same breath, of possessing *too much*. He has been told by the same gentlemen that he "could not be kicked into a war." Consequently they must be abominable hypocrites if they think he cannot be persuaded to make peace when the interests of our country demand it. Further, Mr. Madison possesses the most unblemished moral character; nor have his vile calumniators dared to hazard the attempt of attacking him on this point, which with the *supporters* of the "*bulwark of our most holy religion*," is generally a consideration of the first importance.

Mr. Clinton's qualifications, if we may judge from the opinions advanced by his most violent advocates, consist principally in his being a *nephew* of the late venerable George Clinton, a *mayor* of the City of New York, and a citizen of that State. In his charges to the Grand Jury of the City over which he presides, a tolerable knowledge of the law has been exhibited, and the style is evidently that of a man of letters. While a Member of Congress, no uncommon lustre attached itself to his character as a politician: nor did "the started vaults of Congress-Hall ever ring with his eloquence." And as he has never stood unrivalled even in the Legislature of his own State, it is more than probable, that hundreds of equal merit, equal talents and equal consistency might be found in the United States. That he possesses an uncommon share of intrigue & duplicity, may be proved by his success in dividing the republican party and securing in his favor the federalists, who have heretofore branded him with every epithet their happy invention could devise. He has lately been appointed a major general of militia; but whether this will be considered an additional qualification, or whether he possesses the necessary talents for the office, time alone can discover.

What are the services they have performed?—The firm consistency and mild, but engaging eloquence of Mr. Madison, were prominent remarks of his devotedness to the cause of American Liberty during that dark and gloomy period which tried men's souls." In the early part of our revolution he became one of those patriotic Legislators, who directed the destinies of our country, and whose lives would have been sacrificed on the altar of British justice had not the "God of Battles" crowned our arms with success.——The name of Madison stands conspicuous among those worthies who dared to sign the Declaration of Independence. He also voted for the adoption of the Constitution of the United States: and he has never yet violated it.—He never recommended a dissolution of the Union; and we can proudly assert, that all who encourage such an idea are his most inveterate enemies—— are the supporters of Mr. Clinton. The *energy* of Madison was such that he did not wave hold his opinion even when the avowal endangered his life; while Clinton's *energy* forbade the expression of his opinion on the incorporation of the Bank of America, which would have only endangered his popularity. To pass over the services he performed as Secretary of State, from May 2d, 1801, to March 3d, 1809, suffice it to say, that his conduct gave universal satisfaction to the republican party, and in many instances drew, even from his political enemies, the meed of merited applause.—All his diplomatic labors evinced judgment, discretion, and an extensive and correct knowledge of national and commercial law. As President of the U. States, he was received on his election in 1809, as a ministering angel even by the federalists themselves: but when that factious party, discovered that he was not to be swayed from the path of duty by their detestable flattery, they immediately gave the lie to their former assertions, and declared him as politically base as they had before represented him politically good. Determined to reak their vengeance on the man of integrity & honor no charges were considered too glaringly false: but among others, that of "French Influence," (than which a more dastardly and unfounded never was alledged,) was the principal. Reason—common sense, denies this charge And even ask those republicans who have pledged themselves to support Mr Clinton, they will deny it also.

When Mr. Madison beheld his country groaning under the enormous and accumulating injuries heaped on us by the belligerents, but more particularly by Great Britain, what did he do?—Did he recommend *submission?* No—Did he *foolishly* recommend a Declaration of War against both belligerents at the same time, as some of the Clintonians, and still more *sagacious* federalists, insist he ought to have done? No—But he recommended such an increase of our army, additional fortifications and arrangement of our little marine, as would be commensurate to the exigencies required by the operations contemplated against the enemy which had inflicted on us the most "essential injuries." He conceived that the *first* and *greatest* aggressor should be *first* punished: Then, if the *other* refused us satisfaction for the immense spoilations committed on our property, his voice directed our arms against her also.—Because Mr. Madison wanted *energy* to *madly* combat with all the powers of the earth at one and the same time, he is unjustly blamed by Mr. Clinton's strenuous and *energetic* supporters.

The disasters of the first Canadian campaign are also charged on Mr. Madison by some of Clinton's sophistical advocates. They contend that it was impolitic to send so small a force as that which Hull recommended. But recollect, fellow citizens, that these very men were opposed to raising any force at all; & are now vilifying Mr. Madison for a want of *energy* which was only wanting in themselves.

The people of the United States, tho' generally correct in the event, are some times wanting in candor. They, too often, by judging precipitately, attach blame where dispassionate reflection would convince them applause was justly due.—It is now the pretended opinion of some, that war should have been postponed until the 1st November ensuing, and in the mean time every preparation should have been made for carrying it on with vigor. But did not these men endeavor to undermine the popularity of the present men in office, because they delayed even for a moment? Disposed to find fault, nothing could have pleased them. Determined to sacrifice the present administration to the mad ambition of the Clinton faction, they cared not by what means it was accomplished. The total ruin of their country would have been no obstacle in the way of their mercenary and unprincipled views. But Mr. Madison, regardless of their extraordinary speculations and unfathomable projects, pursued undevistingly his course—a course, which matured judgment and a knowledge of the resources and bravery as well as perfidy of the enemy, convinced him was correct. He foresaw the difficulty, in a free country, of raising and disciplining a large army in time of peace, and that a blow must be struck before even those who were convinced of the justice of the conflict, would lend that assistance requisite to make any serious impression on the enemy. Recruits would have been obtained with difficulty; the Federalists and Tories, and even some not six months escaped from the military despotism of England, would have cried out against the danger of standing armies; and the Clintonians would have continued harping on their favorite theme of "delay and want of energy." Nor is this all. The exertions of the enemy would have been equal to ours.——Britain would have poured her legions into the provinces of Canada; and instead of crying "peace, peace, when there was no peace," our whole western and northern frontier would have been overrun by the British and Indians, who would have brought desolation even to the heart of our country. It does not yet appear that a larger force than that under Gen. Hull was requisite to perform the duties which were required of it. Five hundred of the Canadian militia sought the protection of the general. Volunteer companies of Canadians were marching to join him at the very moment he abandoned the British territory. The English and Indians were inferior in point of numbers; and had he made his advances with the same alacrity he conducted his retreat, and fought with as much *energy* as he evinced in capitulating in direct opposition to the wishes of every brave officer and man under his command, no blame would have fallen either on him or the executive If the treachery, cowardice or mismanagement of every public officer is chargeable on the President, his office is surely one of high and *awful responsibility*. The filth which is found floating at the mouth of a river can rarely be traced to its source; and we believe in this instance, the executive cannot be blamed for the defection of a military commander who appears not to have done what his means or his duty required of him.—That these are facts cannot be denied; And if not, where is Mr. Madison in the wrong? Has he not done all that a President of the United States could unless clothed with unlimited power? Has he refused his assent to any bill which could have given more effect to the present war?—Has he withheld any advice which his duty required him to communicate? Has he refused to listen to any propositions for peace? He certainly has not.—Why then discard him? Why prefer another candidate?

The services which Mr. Clinton has rendered his country, have been mostly confined within the limits of his mayoralty. With the duties of this office he is perhaps as well acquainted as any mayor in the United States, and he has doubtless performed them as faithfully. We do not at present recollect that he has been turned out of that office more than once; & then by his *good friends* the federalists, in order to make room for Mr. Willet, of their own party, whom they tho't a man of more *energy* and consistency: But as they have again taken him into favor, we *charitably* presume their conduct must have been the result of erroneous speculation.

In the electioneering campaign which preceded the election of Governor Tompkins, who is also of the Clinton family, a gentleman of unblemished reputation, and in every respect worthy of the high honors of the State, Mr. Clinton took a decided and active part. Money was lavished in profusion. Every press which could be, was engaged in the cause. Handbills were circulated in every direction throughout the state, and every possible means were taken to divide and distract the re-election of His Excellency Morgan Lewis, a staunch and genuine republican.

The next *important service* which claims our attention, and for which he justly merits the exclusive support of federalists, was an attempt to create a division in the republican party, in order to secure the election of his Uncle, in opposition to Mr. Madison, in 1809. This was barely an *attempt*; and although it failed, Mr. Clinton is not the less deserving of notice for such magnanimous and praise worthy conduct. But what he has done, bears no comparison with what his advocates declare he will do? It is asserted, as a proof of his *energy and consistency*, that he will *either* make *war* or *peace*, just as the people choose; and as he calculates upon the support of both the war and "peace parties," he will probably attempt to steer a middle course, leading to a deep and miry *slough*, vulgarly called *submission*.

We might mention many other equally important services rendered by Mr. Clinton; but we presume that these will be sufficient to convince every rational mind that the republican party are under *vast* obligations to him, and we hope will have some influence on their future decisions, with respect to his claims to the presidency. For our own part, we think it best entirely to dispense with his services, and not trouble a gentleman who has already done so much, with the perplexing duties of public office. But if he must needs be employed in some capacity, let his friends first determine whether they are for *war* or *peace*; and if for an *energetic war*, let the *energetic* Mr. Clinton be appointed to the command of an army for the invasion of Canada, and let him overrun both provinces at once; if for peace let him be sent immediately as *minister plenipotentiary* to the court of St. James' and put an immediate stop to the effusion of human blood. Here is excellent employment for him, & of that kind too which his friends think him best qualified to perform.

The further investigation of this subject will be resumed in our next.

COMMUNICATION.

In an elegant description of the Federal party, Mr Clinton, in the Senate of the N. York Legislature, a few years past, concluded by a happy quotation from Milton in his Paradise Lost—

"Better to reign in Hell
"Than serve in Heaven."

If then such were the views of the leaders of federalism, that in the figurative quotation he selected from the immortal English bard, they would rather reign in an oligarchy than support the equal rights of each individual in a republican form of government, how comes it to pass that he can now consent to be supported for office by such a set of characters as he has described federalists to be, since it is well known that the concentrated force of his mental powers has hitherto been directed to the demolition of federal principles, and to the political destruction of such democrats as suffered themselves to be placed in a situation similar to that in which he now stands. "All things unto all men," saith St. Paul, yet we cannot perceive that the apostle's advice has either been neglected or forgotten by the immediate friends of Mr. C. Many men of republican principles and correct deportment are his advocates now as soon as the *burying is gone by* will return to the fold; but certain it is that some stray sheep who have gone out, will not like the prodigal son, return clothed with repentance—Such is the opinion of THOUSANDS.

[*Baltimore Sun.*

ORDERS IN COUNCIL, 11th August 1812.

Goods on board American vessels laden in British ports or consigned to British ports to be delivered to laders, or consignees on affidavit made in court of admiralty that such goods are not American property and on bail being given to pay freight into court and to answer any proceedings which may be commenced in court within three months.

American vessels destined to any port of this country and brought into any other British port to be removed to the destined port at the request of consignees of cargo and to deliver their cargoes as above.

No American property in litigation to be restored—no proceeds of property already restored shall be paid to claimant, but shall be paid into court until further orders.

All freights due to Americans to be paid into Court except when bail is given as above.