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RETROSPECTIVE VIEW

Of the Proceedings of the House of Repreſentatives, more particularly ſtating what has been but generally, or not yet noticed.

(CONTINUED.)

FEBRUARY 1.

The Speaker laid before the Houſe, a letter from the Secretary of the Treaſury, tranſmitting a ſtatement of the quantity of fiſh exported from the United States,—the amount of bounties and allowances paid,—alſo, the tonnage of veſſels employed in the cod and whale fiſheries, and the duties accruing thereon, for the years one thouſand ſeven hundred and ninety one, to one thouſand eight hundred, incluſive.

A petition of Edmund Brooke, was preſented, praying the liquidation and ſettlement of a claim for the depreciation of pay and other emoluments due for his ſervices as a lieutenant in the firſt Virginia regiment of artillery on continental eſtabliſhment, during the revolutionary war with Great Britain.

Alſo, a petition of Jonathan Haſtings, deputy poſt-maſter of Boſton, in the ſtate of Maſſachuſetts, praying a reimburſement from the Treaſury of the United States, of the expences which he incurred in the caſe of a ſuit inſtituted againſt him in one of the inferior courts of Maſſachuſetts, by a certain William Briggs, of the diſtrict of Maine, under colour of fraud alledged to have been committed by the petitioner, in his official capacity; which ſuit, on a final hearing thereof, in the ſupreme judicial court of the ſaid ſtate, was diſcontinued by the plaintiff, immediately after opening the defence on behalf of the petitioner.

Ordered, That the ſaid petitions be referred to the Committee of Claims.

FEBRUARY 2.

Ordered, That the Committee of Claims, to whom was referred, on the eighteenth ultimo, the petition of John Skinner, of the ſtate of North Carolina, preſented the twenty-fifth of January, one thouſand eight hundred and two, be diſcharged from the conſideration thereof; and that the petitioner have leave to withdraw his ſaid petition.

FEBRUARY 3.

The remonſtrances and petitions of ſundry inhabitants of the ſtates of Pennſylvania and Virginia, weſt of the Allegheny mountain, whoſe names are thereunto ſubſcribed, were preſented, praying, that Congreſs will adopt ſuch meaſures as in their wiſdom may appear proper and effectual, to ſecure to the petitioners, and other citizens of the United States, the free navigation of the river Miſſiſſippi, of which they have been lately deprived, by the ſhutting of the port of New-Orleans, in virtue of a proclamation iſſued by the Spaniſh Intendant of the ſaid port, without having an equivalent eſtabliſhment aſſigned to them, on the ſaid river.

Referred to the committee of the whole Houſe on the ſtate of the Union.

A petition of Amey Dardin, of the county of Mecklenburg, in the ſtate of Virginia, widow and relict of David Dardin, deceaſed, was preſented, praying compenſation for the value of a ſtud horſe called Romulus, the property of the deceaſed, which was impreſſed into the ſervice of the ſouthern army under the command of Major General Greene, by order of James Gunn, a captain in a regiment of continental cavalry, ſome time in the month of July, one thouſand ſeven hundred and eighty-one.

Alſo, a petition of Richard Dale, of the city of Philadelphia, in the ſtate of Pennſylvania, ſtating that the petitioner was in the command of the ſhip Ganges bound on a voyage from the port of Philadelphia, for Bengal, in the Eaſt Indies, when the ſaid ſhip was purchaſed under an act of Congreſs, authorizing the equipment of armed veſſels for the protection of the commerce of the United States, paſſed in the month of May, one thouſand ſeven hundred and ninety-eight: that the petitioner was induced to accept of the command of the ſaid ſhip, after the purchaſe aforeſaid, in conſequence of an aſſurance from the then Secretary of the Navy, that he ſhould be at no expence, except for his uniform, and particularly at none for his ſea ſtores, which were then laid in on board the ſaid ſhip for the voyage to Bengal: That on the ſettlement of his accounts at the Navy department, the ſum of eight hundred and ſixty-two dollars and ſeventy cents, was charged to the petitioner for the ſaid ſea ſtores;—and praying that Congreſs will paſs a law to exonerate him from the payment of the ſame.

Alſo, an account of Benjamin and Andrew Mifflin, clerks in the office of Iſrael Whelen, purveyor of public ſupplies, certified by the ſaid purveyor, on the thirty-firſt of December laſt, exhibiting a claim againſt the United States, amounting to the ſum of one hundred & thirteen dollars and fifty cents, for extra expences incurred by them, in conſequence of the removal of the ſaid office from Philadelphia, to the Buck tavern, on the Lancaſter road, in the ſtate of Pennſylvania, ſome time in the year one thouſand eight hundred and two.

Ordered, That the ſaid petitions and account be referred to the Committee of Claims.

Mr. Samuel Smith, preſented a bill ſupplementary to the act, intituled "An act providing paſſports for the ſhips and veſſels of the United States."

Committed to a committee of the whole Houſe, on Saturday next.

Mr. Samuel Smith made a report on the petition of Eliphalet Ladd, of the ſtate of New Hampſhire, which was read and conſidered: Whereupon,

Reſolved, That the petitioner have leave to withdraw his ſaid petition.

A petition of James Miller, and others, whoſe names are thereunto ſubſcribed, inhabitants and ſettlers on Mad river, in the ſtate of Ohio, was preſented, praying that Congreſs will grant a right to the petitioners to purchaſe ſmall portions of land, the property of the United States, in the ſaid ſtate of Ohio, on ſuch terms and conditions as may be deemed reaſonable and proper.

Referred to Mr. Nicholſon, Mr. Hoge, and Mr. Davis.

FEBRUARY 4.

Mr. John Cotton Smith, from the Committee of Claims, to whom was referred, on the eleventh of December laſt, the petition of Eliſha Frizell, of the ſtate of Maſſachuſetts, made a report thereon, which was read and conſidered: Whereupon,

Reſolved, That the prayer of the ſaid petition ought not to be granted.

Mr. John Cotton Smith, from the ſame committee, to whom was referred, on the twenty-ſixth ultimo, the remonſtrance of Joſeph Darlington, and others, legal repreſentatives of George Wilſon, deceaſed, made a report thereon, which was read, and conſidered: Whereupon,

Reſolved, That the prayer of the ſaid remonſtrance cannot be granted.

A petition of John Whitney, of the ſtate of Maſſachuſetts, a refugee from the Britiſh province of Nova-Scotia, was preſented, praying relief, in conſideration of the loſs of property which he has ſuſtained by adhering to the American cauſe during the revolutionary war with Great Britain.

Alſo, a petition of William Benſon, praying the liquidation and ſettlement of a claim for the balance of pay, and the depreciation thereon, for his ſervices as a ſoldier in the firſt Virginia regiment of light dragoons, on continental eſtabliſhment, from the month of June, one thouſand ſeven hundred and ſeventy-eight, until the month of January, one thouſand ſeven hundred and ſeventy-nine.

AT EASY PAYMENTS.

The ſubſcriber offers for ſale

a tract of land on Acquia creek, in the county of Stafford, containing about 500 acres, two fifths of which is woodland, lying chiefly on the water. This tract poſſeſſes the following improvements and advantages—A two ſtory frame dwelling houſe, and the uſual outhouſes; orchards of apples, peaches, pears cherries, &c. a falling garden neatly laid out ſeveral ſprings of excellent water, and a well at the door. The dwelling houſe is ſituated on an eminence commanding a moſt delightful and extenſive proſpect of the Potomac (from whence it is diſtant about two miles) for thirty or forty miles; and of the Acquia from its confluence with that river to the head of tide-water at Acquia. The tract abounds with valuable quarries of free ſtone of every quality. Some of them contiguous to deep water, and nearer the Potomac than any that are now in operation on ſaid creek. There are alſo two valuable marſhes, ſeveral fiſhing ſhores for rock, ſhad and herring, and plenty of wild fowl in ſeaſon. It is believed by good judges that the timber on the land, and fire wood, if cut ready for market, would command a greater ſum than is aſked for the whole premiſes. Wood may be conveyed to the city of Waſhington with a fair wind in two tides, the diſtance being not more than 40 or 45 miles.

Apply to the ſubſcriber near Acquia.

V. PEYTON.

Jan. 24. 1803. 1awt—

MESSAGE

FROM THE

PRESIDENT

OF THE

UNITED STATES,

Tranſmitting ſundry documents relative to the affairs of the City of Waſhington, in the diſtrict of Columbia.

Gentlemen of the Senate, and of the Houſe of Repreſentatives,

I TRANSMIT a report by the ſuperintendant of the city of Waſhington, on the affairs of the city, committed to his care. By this you will perceive that the re-ſales of lots preſcribed by an act of the laſt ſeſſion of Congreſs, did not produce a ſufficiency to pay the debt to Maryland, to which they were appropriated: And as it was evident that the ſums neceſſary for the intereſt and inſtalments due to that ſtate could not be produced by a ſale of the other public lots, without an unwarrantable ſacrifice of the property, the deficiencies were of neceſſity drawn from the treaſury of the United States.

The office of ſurveyor for the city, created during the former eſtabliſhment, being of indiſpenſable neceſſity, it has been continued: and to that of the ſuperintendant, ſubſtituted inſtead of the board of commiſſioners, at the laſt ſeſſion of Congreſs, no ſalary was annexed by law. Theſe offices being permanent, I have ſuppoſed it more agreeable to principle that their ſalaries ſhould be fixed by the legiſlature, and therefore have aſſigned them none. Their ſervices to be compenſated are from the 1ſt day of June laſt.

The marſhal of the diſtrict of Columbia, has, as directed by law, cauſed a jail to be built in the city of Waſhington. I incloſe his ſtatements of the expences already incurred, and of what remains to be finiſhed. The portion actually completed has rendered the ſituation of the perſons confined much more comfortable and ſecure, than it has been heretofore.

TH: JEFFERSON.

January 24, 1803.

SUPERINTENDANT'S OFFICE,
Waſhington, 20th Dec. 1803.

SIR,

Purſuant to the ſixth ſection of the act of Congreſs, of laſt ſeſſion, intituled "An act to aboliſh the board of commiſſioners in the city of Waſhington, and for other purpoſes," and under your direction of the 16th June laſt, I proceeded with all poſſible diligence to prepare a ſtatement of all the lots of the deſcription, in the ſaid ſection mentioned; and on the 19th of that month, advertiſed the ſame for ſale, on the 30th day of Auguſt, then next enſuing; which advertiſement was publiſhed according to law, and on the day appointed, the ſaid ſale commenced, and was continued by adjournment, until the 29th day of October laſt, during which time the whole of the ſaid lots were ſold, and produced the ſum of dollars 26,848 10 cents, of which I paid away agreeably to the fourth ſection of the above recited act of Congreſs, the ſum of dollars 2,249 03, (together with dollars 2,563 85, which aroſe out of other funds of the city) for debts which had been contracted by the late commiſſioners, in their capacity as ſuch, the payment whereof was not ſpecially provided for, by the aforeſaid act of congreſs; and the balance, to wit, dollars 24,599 07, was applied as directed, by the ſaid act of congreſs, towards the payment of the loan of dollars 50,000 by the ſtate of Maryland.

It may not be improper, here, to mention, that very few, if any, of theſe lots produced by the reſale thereof, the amount of the original purchaſe money due thereon—that the deficiency is very conſiderable, and that it is not probable the debtors will be able to pay more than about 10,000 dollars thereof. Some, however, who are deemed able to pay, contend that they cannot be compelled to make payment, becauſe they ſay the act of the Maryland legiſlature of 1793, chap. 58, which authorizes a reſale, in caſe of default in payment, does not admit of reſelling more than once; and that if the power of reſale be exerciſed, the original purchaſer is not bound for any deficiency, as the public or city agent had a choice of two remedies, to wit, a ſuit or releaſe; and having elected to reſell, they have not a right to uſe both remedies, and to reſort to a ſuit for the deficiency. This doctrine is particularly inſiſted on, in the caſe of an endorſer of the note of a deceaſed purchaſer, at a reſale, in which caſe a ſecond reſale has been made, and a conſiderable deficiency has in conſequence happened. The endorſer now ſays, he is ready and willing to pay the amount due on the lots, as purchaſed by his principal, upon the ſame being conveyed for his indemnity. Before I adopt any compulſory meaſure on this ſubject, I have ſuppoſed it to be proper to ſubmit the circumſtances, for the conſideration and opinion of the proper law officer, and to pray the inſtructions of the Preſident in the premiſes.

The number of lots which were thrown into the market at the public ſale, directed by the act of congreſs before recited, being much greater than the demand, and the poſitive and unconditional obligation, impoſed by that act of congreſs, to ſell the whole of them, within a limited time, not only ſubjected thoſe lots to great ſacrifices and diſadvantages in the ſale thereof, but has alſo materially injured the private ſales of all the other public lots, in the ſale of which, the Preſident might exerciſe his diſcretion—of this deſcription of lots, however, I have ſold five, which have produced dollars 1,531 45, caſh.

In my accounts from 1ſt June laſt, to the 1ſt ultimo, prepared for the treaſury department, it appears that in addition to the receipts and expenditures, herein before ſtated, I have received,

From the late board of commiſſioners, being the balance which remained in their hands when the commiſſion ceaſed, 1ſt June laſt,	*Dolls.* 110	59
For lots purchaſed prior to 6th May 1796, voluntarily paid by the purchaſers before the public ſale, on 30th Auguſt laſt, -	1,274	28
For balance of purchaſe money for lots ſold by the commiſſioners, ſince 6th May, 1796, -	109	93

And from ſundry perſons, for ſmall balances which were due to the city on accounts, other than for lots ſold, dollars 320 73, making dollars 1,815 53, which has been expended as follows, viz. dollars 374 60 for expences attending the aforeſaid public ſale of lots, and dollars 408 51 for other expences neceſſarily incurred in the execution of the duties of the office of ſuperintendant, the balance, to wit, dollars 1,032 42, is included in the ſum of dollars 2,563 85, herein before ſtated to have been paid for debts contracted by the commiſſioners.

The receipts and expenditures ſince 1ſt ult. amount to dollars 36 80 only.

The debts now due to the city, and conſidered as good, excluſive of the deficiencies on the lots, re-ſold for default of payment, amount to upwards of 13,000 dollars. Of theſe deficiencies, it is thought (as is before ſtated) the debtors will be able to pay about, dollars 10,000. The property of the city, (beſides the debts,) as ſtated in the repreſentations of the late commiſſioners, to the Preſident, on 28th January, 1801, and 4th December, 1801, eſtimating the lots at the average prices of thoſe previouſly ſold under the condition of improvement, (which were much lower than the unconditional ſales by individuals) amounted to dolls. 884,819 88 cents, out of which lots have been ſince ſold to the amount of dolls. 9,886 24 cents only; for about the prices at which they were eſtimated.

Beſides the debts and property before mentioned, there is due to the city (including intereſt) upwards of 100,000 dollars—eighty thouſand dollars (principal) whereof, is for the 1000 lots mentioned in the commiſſioners' repreſentations, to have been conveyed to Meſſrs. Morris and Greenleaf, under the circumſtances therein particularly detailed; and concerning which, a bill has been filed in the high court of chancery of the ſtate of Maryland. The balance, between four and five thouſand dollars principal, is due for valuable water lots, originally bought by James Greenleaf, and re-ſold in the uſual manner for default of payment, and for which the ſecond purchaſer has always been ready to pay the purchaſe money; but has been prevented by an injunction of the chancellor of Maryland, on a bill filed by Mr. Greenleaf's truſtee. This bill, as well as that filed, with regard to the 1000 lots, is ſtill pending, and the counſel for the city are of opinion, the deciſions in both caſes will be favorable to the public intereſt.

The debts due, and to become due, from the city (except for the advances from the treaſury of the United States, and the two loans by the ſtate of Maryland, of 100,000 dollars each) are very inconſiderable. And it is hoped that the large fund herein before ſtated (by the future ſales of the property, being made commenſurate, only with the demand therefor, agreeably to the proviſion contained in the 5th ſection of the before recited act of Congreſs) will not only be adequate to the indemnity of the government, for its liberal patronage, but will alſo yield a ſurplus for the uſe of the city.

The ſtate of the public buildings (directed to be reported) is the ſame as at the laſt ſeſſion of Congreſs, or not materially changed. The private buildings, then 735 in number, have ſince increaſed a few more than 100.

The before mentioned repreſentations of the commiſſioners in January and December, 1801, and the documents accompanying them, which were laid before congreſs, being very full and minute, on the affairs of the city, prior to their reſpective dates, I beg leave to refer to them; but if there be any thing which you, ſir, deem neceſſary, and which thoſe repreſentations and the preſent do not embrace, it will afford me much pleaſure to communicate it.

I have the honor to be,
With ſentiments of the greateſt reſpect,
Sir,
Your moſt obed't ſervant,
THOMAS MUNROE.

Preſident of the United States.

WASHINGTON, *January* 21ſt, 1803.

SIR,

I NOW encloſe you the account and copies of the contract and bill of particulars reſpecting the jail, directing at the laſt ſeſſion of Congreſs, to be built in this city.

Although every effort was made to complete the plan adopted for the ſum appropriated, it could not be done:—It was then determined to finiſh only certain parts of the building, & to keep the amount for ſuch as ſhould be finiſhed within the appropriation. Meſſrs. Huddleſtone and Neſmith, contracted to complete all the building, except the interior of the weſt wing and the iron grated doors, which were at firſt contemplated to be put in, for the ſum of dollars 7,426, and Mr. George Hadfield, whoſe plan was adopted, was appointed to ſuperintend the erection of the building. An eſtimate of the ſum neceſſary to complete the weſt wing of the ſame manner as the eaſt wing, is herewith tranſmitted, which amounts to the ſum of two thouſand, five hundred and ſeventy-ſeven dollars, leaving out all the iron grated doors—If a kitchen ſhould be built, and one is abſolutely neceſſary, the further ſum of about three hundred dollars will be wanted.

The contractors have completed their work, except a few articles, which will be done. In the 6th article of the contract, it is ſtipulated, that ſuch alterations or additions to the mode of building the jail as could not be adjuſted by the parties, was to be left to reference—ſome alterations were conſidered as proper, and directed by the ſuperintendant, and one reſpecting the cell doors was directed by me. The contractors claim for extra work, the ſum of one thouſand and ninety-eight dollars:—on this ſubject however, there is a conſiderable difference between the ſuperintendant and them. They claim for many things as extra work, which he does not admit to be extra. There is alſo a difference of opinion between them on the amount of the deduction that ought to be made in the iron work. If he is correct in his opinion, there remains the ſum of 449 dollars for extra work only to be examined, which will be ſeen by a reference to his letter to me, a copy of which is ſent. The contractors under the 6th article of the contract, claim a right of reference upon thoſe ſubjects. If all theſe claims ſhould be eſtabliſhed, and Congreſs determine to finiſh the jail and build the kitchen, the ſum of 3,272 66, in addition to the ſum of dollars 272 34, of the ſum appropriated, which is in hand, will be requiſite.

When I appointed Mr. Hadfield the ſuperintendant, I agreed to give him for his ſervices the ſum of two hundred dollars, and this is the amount of his claim againſt me; but he ſtates, that he thinks this ſum too ſmall a compenſation for his trouble.—He has, in drawing plans, making out bills of particulars and eſtimates, and ſuperintending the work, been cloſely engaged for ſeven months, and that two dollars per day for his ſervices, cannot be thought unreaſonable—and I muſt do Mr. Hadfield the juſtice to ſay, that I think the ſum of 200 dollars is not a ſufficient compenſation for his trouble, and I believe he has been very attentive. If it ſhould be thought proper to come up to Mr. Hadfield',