

tee of the whole on the state of the territory, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. McClure reported, that the committee had considered the state of the territory, had made some progress therein, and directed him to ask leave to sit again.

A message from the legislative council by Mr. Sullivan, their clerk—Mr. Speaker, it is the opinion of the legislative council that it is not consistent with parliamentary proceedings, or that freedom and independent character and open conduct which the representatives of a free people ought to maintain, for any house to sound the intentions of the other by a resolution on the subject of any bill which is designed to be brought before either house, therefore have disagreed to the resolution from this house for the removal of the seat of government.

Mr. Noble asked leave to bring in a bill providing a mean to help and speed poor people in their suits, leave being given, he presented a bill providing a mean to help and speed poor people in their suits, which was read the first time, and on motion, ordered to be read a second time.

Mr. Robb from the committee to whom was referred the necessity, if any, of making further provision for the appointment of constables presented a bill which was read the first time, and on motion, ordered to be read the second time.

On motion,

The bill to prevent malicious prosecutions was read the second time, and

On motion,

Ordered to be committed to a committee of the whole and made the order of the day for Tuesday next.

The house then according to order resolved itself into a committee of the whole on the bill to amend an act licensing and regulating taverns, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Pennington reported, that the committee had according to order considered the bill, had made some amendments thereto, and desired the concurrence of the house to the same, and

On motion,

Ordered to be engrossed for a third reading on Monday next.

A message from the legislative council by Mr. Sullivan, their clerk—Mr. Speaker, the legislative council request of this house a copy, or the original report of the auditor and treasurer for their inspection.

Mr. Noble from the committee of enrolled bills reported, that the committee had examined a bill entitled 'An act to revive and amend an act entitled an act to incorporate the Vincennes Library company,' had found said bill duly enrolled.

Ordered that the house adjourn until ten o'clock on Monday next, and the house adjourned accordingly.

## LAWS of the U. STATES.

SECOND SESSION TWELFTH CONGRESS.

(By Authority.)

AN ACT in addition to the act concerning letters of Marque, Prizes, and Prize Goods.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That all prizes of vessels and property, captured by private armed ships commissioned under the authority of the U. States, which may be condemned in any district or circuit court of the U. States, shall be sold at public auction, by the marshal of the district, in which the same shall be condemned, within sixty days after the condemnation thereof, sufficient notice of the time and place, and conditions of sale being first given, on such day or days, on such terms of credit, and in such lots or proportions as may be designated by the owner or owners, or agent of the owner or owners of the privateer which may have captured the same: *Provided*, That the term of such credit shall not exceed 90 days; and the said marshal is hereby directed to take and receive, from the purchaser or purchasers of such prize vessel and property, the money therefor, or his, her or their promissory notes with endorsers, to be approved by the owner or owners of the privateer, to the amount of the purchase, payable according to the terms thereof.

Sec. 2. *And be it further enacted*, That upon all duties, costs and charges, being paid according to law, the said marshal shall, on demand, deliver and pay over to the owner

or owners of the privateer, or to the agent of such owner or owners of the privateer, which may have captured such prize vessel and property, a just and equal proportion of the funds received on account of the sale thereof, and of the promissory notes directed to be taken as aforesaid, to which the said owner or owners may be entitled, according to the articles of agreement between the said owner or owners, and the officers and crew of the said privateer; and a just and equal proportion of the proceeds of the sale as aforesaid, shall, on demand, be also paid over, by the said marshal, to the officers & crew of the said privateer, or to their agent or agents. And if there be no written agreement, it shall be the duty of the marshal to pay over in manner as aforesaid, one moiety of the proceeds of the sale of such prize vessel and property, to the owner or owners, agent or agents of the owner or owners of the privateer, which may have captured the same; and the other moiety of the said proceeds to the agent or agents of the officers and crew of the said privateer, to be distributed according to law, or to any agreement by them made: *Provided*, That the said officers and crew, or their agent or agents, shall first have refunded, to the owner or owners, or to the agent of the owner or owners of the privateer aforesaid, the full amount of advances which shall have been made by the owner or owners of the privateers, to the officers and crew thereof.

Sec. 3. *And be it further enacted*, That for the selling prize property, and receiving and paying over the proceeds as aforesaid, the marshal shall be entitled to a commission of one per cent. and no more, first deducting all duties, costs and charges, which may have accrued on said property: *Provided*, That on no case of condemnation and sale of any one prize vessel and cargo, shall the commissions to the marshal exceed 250 dollars.

Sec. 4. *And be it further enacted*, That it shall be the duty of the marshal within 15 days after any sale of prize property, to file in the office of the clerk of the district court, of the district wherein such sale may be made, a just and true account of the sales of such prize property, and of all duties and charges thereon, together with a statement thereof annexed of the promissory notes taken on account thereof, which account shall be verified by the oath of the said marshal; and if the said marshal shall wilfully neglect or refuse to file such account, he shall forfeit and pay the sum of 500 dollars for each omission, or refusal as aforesaid, to be recovered in an action of debt by any person interested in such sale, and suing for the said penalty, on account of the party or parties interested in the prize vessel or property sold as aforesaid, in any court having cognizance thereof.

Sec. 5. *And be it further enacted*, That the owner or owners of any private armed vessel or vessels, or their agent or agents, may, at any time before a libel shall be filed against any captured vessel or her cargo, remove the same from any port into which such prize vessel or property may be first brought, to any other port in the United States, to be designated at the time of the removal as aforesaid, subject to the same restrictions and complying with the same regulations with respect to the payment of duties, which are provided by law, in relation to other vessels arriving in port with cargoes subject to the payment of duties: *Provided*, That before such removal, the said captured property shall not have been attached at the suit of any adverse claimant, or a claim against the same have been interposed in behalf of the United States.

H. CLAY,

Speaker of the House of Representatives.  
Wm. H. CRAWFORD,  
President of the Senate, pro tempore.  
January 27, 1813.—Approved,  
JAMES MADISON.

Chillicothe, February 28.

We have received intelligence from the army up to the 16th inst. at which period the head quarters remained at the foot of the Maume rapids.—Nothing of importance had occurred since the expedition against the Indians at Presqu'isle, if we except an interest-

ing scene which took place on the discharge of the remains of the Kentucky troops a few days after. Gen. Harrison having addressed them most affectionately on the services they had rendered their country, and the hardships they had endured, the officers advanced without discrimination to take leave of him. The soldiers perceiving it, rushed to him with tears in their eyes and with solemn asseverations that they would again join him in the spring. Previous to their leaving the army, the following tribute of respect to the transcendent virtues & exalted worth of the commander in chief, was addressed to him, signed by every remaining officer of the detachment lately under the orders of gen. Winchester.

(COPY.)

Head Quarters, foot of the Maume rapids, February 13th, 1813.

Gen. W. H. Harrison,

SIR,

Although various causes have reduced the respective regiments to which we belong to an inconsiderable number, we had flattered ourselves when we marched from our late encampment on Portage river to this place, that you would have been enabled immediately to lead us on, and to have given us an opportunity under your immediate eye of avenging the injuries sustained by our friends and our country on the river Raisin, in the last month—to have regained the ground lost—&c to have been aided you in repairing the losses sustained. Had circumstances enabled you to have proceeded, we would not have doubted the result under your auspices: and we should have remained with you regardless of the time we had served, or the fatigues we had undergone, and uninfluenced by any pecuniary considerations. But as events not within your controul, seem to forbid immediate active operations, the time we have remained in the wilderness as the advance of the north western army, requires our return to civilized life, & to our homes.

When permitted to return, we shall, all, after a service of six months under you, carry back to our friends and our country, a confirmation of their high opinions of your military worth, which were formed at a first acquaintance.

And should circumstances again call us to the field we should be highly gratified at being placed under your immediate command.

In the mean time, permit us to assure you that we entertain for you individually, the highest sentiments of personal respect and esteem.

Philadelphia, February 3.

By the Ann Maria, capt. Donalson, arrived here yesterday from Lisbon, a London paper of the 20th Dec. is received, with an official copy of marshal Kutusoff's reports of two brilliant victories obtained on the 16th and 17th of Nov. near Smolensk, over the French divisions of Ney and Davoust. On the 16th, the fruits were 11,000 prisoners, including many officers of distinction; on the 17th, several thousand prisoners beside one entire body of infantry who capitulated in the night, consisting of 12,000—upwards of 200 pieces of cannon were taken, and the loss in killed and wounded very great; in a word the destruction of the French army was complete. Davoust was wounded, but escaped across the Dnieper. It was reported that Bonaparte was in the action of the 17th, but made his escape. The Russian general Winzingerode and his aid (taken at Moscow) were retaken.

The Baron de Marachelle of Davoust, with many eagles and other trophies taken were deposited in the cathedral of St. Petersburg, on the 25th of November, in the presence of the emperor and royal family, with a solemn te deum. Lord Cathcart's dispatches are of the 27th November—He states that Bonaparte left Smolensk on the 13th Nov. after blowing up the ancient and venerable cathedral of that city. Great hopes existed that the invader would be intercepted in his retreat towards Minsk.

It is stated in the Federal Gazette that a pilot just arrived from off the Capes, had brought the intelligence that the British fleet had disappeared. This measure of the enemy is supposed to be a feint.

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