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(By Authority.)

AN ACT

For the relief of the sufferers by fire in the town of Portsmouth, New Hampshire.

BE *it enacted by the Senate and House of Repreſentatives of the United States of America, in Congreſs aſsembled,* That all perſons, who, being indebted to the United States for duties on merchandize, have given bond therefor, with one, or more ſureties, payable to the collector for the diſtrict of Portſmouth, in the ſtate of New-Hampſhire, or to the collector of the diſtrict of Boſton and Charleſton, and who have ſuffered a loſs of property by the late conflagration at Portſmouth, ſhall be and hereby are allowed to take up, or have cancelled, all bonds heretofore given for duties as aforeſaid, upon giving to the ſaid collector or collectors new bonds, with one or more ſureties, to the ſatisfaction of the ſaid collector or collectors, for the ſums of their former bonds reſpectively, payable in twelve months from and after the day of payment ſpecified in the bonds to be taken up, & cancelled, as aforeſaid; & the ſaid collectors are hereby authorized to give up, or cancel all ſuch bonds, upon the receipt of others, as deſcribed in this act; which laſt mentioned bonds, ſhall be proceeded with, in all reſpects, like other bonds, which are taken by collectors for duties due to the United States: Provided, however, that nothing in this act contained, ſhall extend to bonds which had fallen due prior to the twenty fourth day of December laſt.

NATHL. MACON,
Speaker of the House of Representatives.
GEO: CLINTON,
Vice President of the United States, & President of the Senate.
February 10, 1807.
APPROVED,
TH: JEFFERSON.

AN ACT

To provide for surveying the coasts of the United States.

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 be, and is hereby authorized and requeſted, to cauſe a ſurvey to be taken of the coaſts of the United States, in which ſhall be deſignated the iſlands and ſhoals with the roads or places of anchorage, within twenty leagues of any part of the ſhores of the United States; and alſo the reſpective courſes and diſtances between the principal capes, or head lands, together with ſuch other matters as he may deem proper for completing an accurate chart of every part of the coaſts within the extent aforeſaid.

SEC. 2. *And be it further enacted,* That it ſhall be lawful for the Preſident of the United States, to cauſe ſuch examinations and obſervations to be made, with reſpect to St. George's bank, and any other bank or ſhoal, and the ſoundings and currents beyond the diſtance aforeſaid to the Gulph Stream, as in his opinion may be eſpecially ſubſervient to the commercial intereſts of the United States.

SEC. 3. *And be it further enacted* That the Preſident of the United States ſhall be, and he is hereby authorized and requeſted, for any of the purpoſes aforeſaid, to cauſe proper and intelligent perſons to be employed, and alſo ſuch of the public veſſels in actual ſervice, as he may judge expedient, and to give ſuch inſtructions for regulating their conduct as to him may appear proper, according to the tenor of this act.

SEC. 4. *And be it further enacted,* That for carrying this act into effect there ſhall be, and hereby is appropriated, a ſum not exceeding fifty thouſand dollars, to be paid out of any monies in the treaſury, not otherwiſe appropriated.

NATHL. MACON,
Speaker of the House of Representatives.
GEO: CLINTON,
Vice President of the United States and President of the Senate.
February 10, 1807.
APPROVED,
TH: JEFFERSON.

AN ACT

Authorising the erection of certain Light houses and the fixing of stakes, buoys and beacons at certain places therein named.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the Secretary of the Treaſury be, and he hereby is authoriſed and directed, to cauſe a good and ſufficient Light houſe to be built at each of the following places, that is to ſay; on Fair-Weather iſland, in the ſtate of Connecticut and at Nauſhawn iſland near Tarpaulin-cove, in the ſtate of Maſſachuſetts, at ſuch points as the Preſident of the United States may ſelect for thoſe purpoſes; and to appoint keepers, and otherwiſe provide for ſuch light-houſes, at the expenſe of the United States; *Provided,* that ſufficient ground for the accommodation of ſaid light houſes, reſpectively, can be obtained at a reaſonable price: And provided alſo, that the Legiſlatures of the States of Connecticut and Maſſachuſetts, ſhall cede the juriſdiction over each place reſpectively to the United States.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and he hereby is authorised and directed, to cause the light house at present established on Smith's island, at the mouth of the river Potomac, to be taken down, and to cause another good and sufficient one to be built at such other spot on the said point, as the President of the United States may select: *Provided,* that sufficient ground for the accommodation thereof, can be obtained at a resonable price: and provided also, that the legislature of the state of Virginia shall cede the jurisdiction over the same to the United States. And the Secretary of the Treasury is hereby further authorised and directed to cause the light house heretofore established on North Island, at the entrance into Winyaw bay, in the state of South Carolina, to be rebuilt in such manner as may in his opinion be most likely to secure its future safety.

SEC. 3 *And be it further enacted,* That the Secretary of the Treasury be, and he hereby is authorised and directed, to cause proper and sufficient buoys and stakes to be fixed in, and along the channel in Winyaw bay, leading to the harbor of Georgetown, in the state of South Carolina: and also, to cause proper and sufficient buoys and beacons to be placed on, or near the rocks and shoals in the channel leading into the habor of Salem, in the state of Massachusetts.

SEC. 4. *And be it further enacted,* That for the purpose of defraying the expences which may be incurred in the execution of this act, the following sums shall be, and the same are hereby respectively appropriated, to be paid out of any monies in the treasury, not otherwise appropriated: that is to say, for building the light house on Fairweather island, five thousand dollars; for building the light house at Naushawn island, two thousand five hundred dollars; for pulling down, and rebuilding the light house on Smith's point, six thousand dollars; for rebuilding the light house on North island, twenty thousand dollars; for fixing buoys and stakes in Winyaw bay, one thousand five hundred dollars; for fixing buoys and beacons in the channel leading to Salem harbor, one thousand five hundred dollars.

NATHL. MACON,
Speaker of the House of Representatives.
GEO: CLINTON,
Vice-President of the United States and President of the Senate.
February 10, 1807.
APPROVED,
TH JEFFERSON.

AN ACT

For the relief of Edmund Briggs.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the collector for the district of Newport be, and he hereby is directed to pay to Edmund Briggs, owner of the schooner Phebe, or his agent, the amount of bounty, or allowance arising on a fishing voyage, which was made in the said vessel, in the year one thousand eight hundred and two, upon satisfactory proof being exhibited to the said collector, that the said schooner was employed during the four months of the fishing season.

SEC. 2. *And be it further enacted,* That so much of the act, intituled, "An act for the relief of Robert Patton, and others," passed on the third day of March, one thousand eight hundred and five, as is contained in the second section thereof, be, and the same hereby is repealed.

NATHL. MACON,
Speaker of the House of Representatives.
GEO: CLINTON,
Vice-President of the United States, and President of the Senate.
February 10, 1807.
APPROVED.
TH: JEFFERSON.

AN ACT

For the relief of William Hearn.

BE *it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby authorised to inquire, by himself, or by some trusty agent whom he may appoint for the purpose, into the pecuniary circumstances of William Hearn, now imprisoned, by virtue of a writ of execution, in favor of the United States, in the prison of Washington county, district of Columbia; and if said Hearn shall assign and convey to the Secretary aforesaid, all the estate of every kind and description, which he may own or be entitled to, in possession, remainder, or reversion, to the proper use and benefit of the United States; or if he, the said Hearn, shall prove to the satisfaction of the Secretary, or agent aforesaid, that he has no estate, and has not transferred all or any part of his property, with intent to avoid the payment of the sum for which he is imprisoned, or to defraud the United States; then the Secretary of the Treasury shall give to said Hearn, a certificate, stating what he has done in the premises: and upon said Hearn producing such certificate to the marshal of the district of Columbia, he shall discharge said Hearn from his imprisonment: *Provided,* in case the certificate shall specify, that the said Hearn has satisfied the Secretary, or agent aforesaid, that he had no estate, and of course has made no assignment, then the said Hearn shall either pay, or execute to the marshal, his obligation, payable to the United States, for all fees and expenses, which have arisen in consequence of his, said Hearn's imprisonment, before he be discharged as aforesaid: *And Provided,* that nothing in this act shall be construed, to discharge any other person from any liableness to the payment of, or from any liableness to be imprisoned by virtue of the execution aforesaid, nor to release any estate, which the said Hearn may hereafter acquire, from a liableness to satisfy said execution.

NATHL. MACON,
Speaker of the House of Representatives.
GEO: CLINTON,
Vice-President of the United States, and President of the Senate.
February 10, 1807.
APPROVED,
TH: JEFFERSON.

The following are the remarks delivered by Mr. BAYARD in the Senate on the resolution inserted in our paper of the 9th inst. for investing a certain portion of the public lands in shares of the Chesapeak Canal.

Mr. President,

I am apprehensive that the resolution now under consideration, not being viewed as a national object, will not be regarded with the attention it deserves. Having some acquaintance with the subject, and being strongly impressed with its importance, I deem it a duty to communicate to the Senate the facts which I possess, and to unfold those views of the object proposed, which have presented themselves to my mind. I shall not feel it incumbent on me to employ any argument to prove the general utility of canals. If, however, there be but one opinion on this subject in old and populous countries, how much more benefit may we not expect from the improvement in a young country where labour and capital, which it is calculated to save, are so much more wanted.

The relative position of the Delaware and Chesapeake bays long since awakened the attention of a distinguished body, as to the practicabilit, of opening a water communication between them.

In the year 1769, Dr. Franklin, Mr. Rittenhouse, Mr. Gilpin and Mr. Hollingsworth, were appointed a committee by the Philosophical Society of Philadelphia to examine the ground between the bays, and to ascertain the practicability and probable expence of opening a communication between their waters. Their report strongly recommended the project, as one not only susceptible of being accomplished, but as a work eventually promising an adequate profit. The want of capital at that time, the disturbances then arising with Great Britain, the occurrence and consequences of the war diverted for a long time the public attention from this interesting object.

When, however, peace and a flourishing commerce had recruited the exhausted resources of the country, it again occupied the minds of those men, whose views, extending beyond themselves, are employed upon objects of general benefit and utility.

A rival interest had long been felt by Pennsylvania and Maryland as to the waters of the Susquehannah. The Susquehannah, and the streams falling into it rendered navigable, it was evident that a great proportion of the produce of Pennsylvania and a part of that of the state of New York would pass down the river, and seek a market at Baltimore.

The legislature of Pennsylvania, having this impression, enacted penal laws against removing the obstructions to the navigation of the river. The expected advantage had rendered Maryland unwilling to consent to unite at their heads the waters of the two bays. This unworthy spirit, which opposed a partial interest to general benefit, yielded at length to the enlarged and liberal views which comprehended the whole interests of the two states.

Pennsylvania agreed to allow the navigation of the Susquehannah to be opened, and Maryland to permit the heads of the bays to be united by a canal.

In the years 1799, 1801 and 1802, by legislative acts of Pennsylvania, Delaware and Maryland, a company was incorporated with a capital of 500,000 dollars for the purpose of cutting the canal. Subscriptions were obtained nearly to the amount of 400,000; the company was organized, and the work undertaken.

Engineers of ability were employed to survey and level the ground upon several routs, which different opinions had distinguished as preferable, and after a full knowledge on the subject was attained, the line of the canal was fixed by the board of directors from Welch point on the Elk to a point near Mendenhall's landing on the Christiana river. The extent of this route is 21 miles. A shorter distance might have united the waters of the two bays. But the safety of the harbours and navigation, and the boldness of the waters, secured by the route adopted, not only justified, but strongly recommended the extension of the line and the probable encrease of expence. An opinion had existed that the bays might be united so as to allow the waters of the one to flow into the other. The scheme was considered; but it was found that it could not be executed, so as to answer the intended purpose, without an expence infinitely beyond the means of the company. A canal with locks was in consequence determined on. The depth of the canal was fixed at 7 1-2 feet, to afford navigation to the common vessels belonging to the bays. To supply the locks of the canal the sources of the Elk river were purchased and conveyed to the main by a smaller canal. This canal of supply proceeding from near the line of Pennsylvania, and furnishing a barge navigation, is nearly completed; the length of it is about five miles.

In making surveys, in the purchase of water rights and lands, of boats and materials, in payment of labourers and incidental expences, the company has expended upwards of 100,000 dollars. The magnitude of the work, and its numerous details of expence were not distinctly perceived at the time it was commenced. When it was found that one-fourth of the capital of the company was exhausted, and the work which alone had been originally contemplated not commenced, a general despondency pervaded the subscribers to the project, and many despairing of the completion of the work, and considering the payment of their subscriptions as a direct sacrifice of their property, refused to pay their instalments, and have put the company to the expence, and subjected them to the delay of law-suits. In consequence their operations have been paralised and the work suspended.

Under these circumstances, which I felt myself bound to unfold to the view of the Senate, it is that the company now comes to ask the assistance and support of the general government.

This, sir, I acknowledge they have no right to expect, unless the aid we contribute belongs to the interest of the public. I shall, therefore, confine my enquiries to the advantages which different states and the union at large will derive from the scheme. Virginia, Pennsylvania, New-Jersey, Delaware and Maryland, have an immediate interest in the canal. It opens an inland water commonication between them all. The waters emptying into the Chesapeake penetrate immense tracts of country. The towns and landings on these waters have new markets opened to them, and the assistance of additional capitals.

An interior navigation of twenty-one miles, exempt from risk, saves a voyage of five hundred, exposed to the danger of enemies and the common perils of the sea. The cheapness, facility, and safety of the intercourse must necessarily quicken the commerce between the northern and eastern and southern states. The manufactures of the north will be exchanged through this channel for the produce of the south. I will not trespass so far as to go through details upon this head. I will mention, however, one article connecting the interest of Virginia with the scheme. That state abounds with coal. The consumption of this article in many towns is already considerable, and must increase with the population and manufactures of the country. At present English coal is sold as cheap in Philadelphia as the coal of Virginia;—the canal would bring the Virginia coal to market at a price which would soon exclude the English. The capital of Philadelphia enables that city to import cheaper than Baltimore; and the rate of its market attracts the custom of a great portion of the western country. Great quantities of merchandize are carried from Philadelphia, passing Baltimore, to the west and south.

I shall be justified in saying that the chief market of the western country will be brought sixty or seventy miles nearer to them.

To them therefore this canal is an object of considerable interest.

In a national point of view the canal proposes the greatest advantages in the event of a war.

Without the aid of England a war with any principal power of Europe would suspend, if not destroy, our external navigation. To possess then interior navigation, uniting distant parts with the centre of the country, would be an advantage of incalculable value. And I would beg the Senate particularly to consider the important service the execution of the scheme would render in military operations, in facilitating the transportation of troops, baggage, stores, and ordnance, to and from distant points of the country. The movements of an enemy possessing the sea, exposed to more hazards, could not be made from certain points with more celerity and ease than those of our own army. But, sir, however great the importance of this canal may be considered even by itself, yet the nation ought to view it, and its just consequence is only seen when regarded as a principal link in a great chain of interior navigation extending from the northern to the southern extremities of the country.

A canal is contemplated from the Delaware to the Rariton. This will open a communication between the Delaware, the North river, and the Sound. A communication is nearly affected between the Mohawk river and lake Ontario. A similar one is practicable between the Hudson and lake George, which would extend the navigation to Quebec. To the eastward the connection of Buzzard's and Boston bay carries the navigation to Boston. To the south a canal from Elizabeth river, through the Dismal Swamp to Pasquotank river, extends the navigation to Albemarle and Pamticoe sounds; and a connection of the inlets, which is represented as practicable and likely to be undertaken, carries it to Georgia. Thus we see an unbroken chain of interior navigation can be formed, binding together all the Atlantic states, securing in time of war and facilitating in time of peace, the internal trade of the country.

This extensive work is not only practicable, but I consider there is no hazard in affirming that before the lapse of many years it will be accomplished. The extensive and powerful private and public interest which depend upon it will not suffer the object to be neglected. The waters of no country of the same extent offer so easy and complete a communication as those of the U. S.

I have not enumerated all the points of connection. I have stated only those more immediately relating to the subject of our consideration.

There is reason to believe that the subject of internal navigation has not escaped the attention of the administration. The present moment is propitious for the undertaking. Your treasury is full, and the redeemable part of the public debt cannot absorb the whole of your revenue. In the other House a committee has been appointed to devise a plan to dispose of the surplus. I have, however, to lament that doubts of the highest authority exist as to the constitutional right of this government, to apply the public money to objects of this kind. Though the plan I mean to propose to the Senate is not exposed to this objection, yet I shall beg permission very briefly to consider it.

It is admitted that the constitution does not expressly give the power to cut canals; but we possess and are in the daily exercise of the power to provide for the protection and safety of commerce, and the defence of the nation. It has never been contended that no power exists which has not been *expressly* delegated.

There is no express power given to erect a fort or magazine, though it is recognized in the delegation of exclusive legislative powers in certain cases. The power to erect light houses and piers, to survey and take the soundings on the coast, or to erect public buildings, is neither expressly given nor recognized in the constitution, but it is embraced by a liberal and just interpretation of the clause in the constitution, which legitimates all laws necessary and *proper* for carrying into execution the powers expressly delegated. On a like principle the bank of the U. S. was incorporated. Having a power to provide for the safety of commerce and the defence of the nation, we may fairly infer a power to cut a canal, a measure unquestionably *proper* with a view to either object.

But, sir, the plan I mean to propose is entirely clear of the constitutional objection Without any such objection I should despair of obtaining a grant of *money* for such an object. While money cannot be had to fortify our seaports, I cannot expect it to dig canals, I am going to ask for land upon principles of reciprocal benefit to the company and the government. We have, sir, 300 millions of acres, which I may say with certainty cannot be sold in a century. I will not enquire whether we