

# Exhibit 4

for the establishment of an uniform system of bankruptcy.—Referred.

On motion of Mr. LATTIMORE,

*Resolved*, That a committee be appointed to inquire into the expediency of providing by law for repairing, and keeping in repair, so much of the road leading from Nashville, in Tennessee, to Natchez, in the Mississippi Territory, as is included within the boundaries of the Chickasaw and Choctaw nations of Indians; and also, of repairing, and keeping in repair, the road leading from Fort Hawkins, in the State of Georgia, to Fort St. Stephens, in the Territory aforesaid; and that the said committee have leave to report by bill or otherwise.

Messrs. LATTIMORE, ROBERTSON, GEDDES, WILSON of Pennsylvania, and CANNON, were appointed the said committee.

Mr. KILBOURN, of Ohio, offered for consideration the following resolutions:

*Resolved*, That the Committee of Ways and Means be instructed to inquire into the expediency of laying and collecting an income tax from such people of the United States as have capital vested in public or any kind of stock, or in private loans, or in any other way yielding profits to the owner; and on those who are engaged in professional or other employments, producing an annual income exceeding a certain amount which the said committee may think proper to fix; it being intended that this inquiry shall extend only to such capital or employments as are not taxed by any existing laws.

*Resolved*, That the said committee be instructed to inquire into the expediency of increasing the tax upon the income, or dividend, of the capital vested in the several banking institutions within the United States, on which a tax is now imposed by law of Congress.

On the question now to consider this resolution, the vote was as follows: For its consideration 60, against it 66.

Mr. JACKSON, of Virginia, moved that these resolutions be printed, with a view to calling them up at some future day. He could not see, he said, why a vast mass of property, more productive than any other, not now taxed at all, should not be taxed as well as all the land, and nearly all the industry of the nation.

This motion was opposed by Mr. SEYBERT, and advocated by Mr. KILBOURN, and negatived by the following vote: For printing 66, against it 63.

#### PETITION OF JOSHUA PENNY.

Mr. YANCEY, from the Committee of Claims, made a report on the petition of Joshua Penny; which was read, and the resolution therein contained was concurred in by the House.—The report is as follows:

That the petitioner states that, on the night of the 22d of August, 1813, a party of armed men, from the ship *Ramifies*, commanded by Commodore Hardy, forcibly entered his house, took him from his bed, and carried him by force, and entirely destitute of clothing, with the exception of his shirt, to that ship, then lying off Gardiner's bay, where he was immediately put in irons and close confinement; that he was then sent to Halifax, where he was imprisoned and badly treated

till the 20th of May, 1814; that he was at that time liberated from prison, and sent to Salem, in Massachusetts, in a cartel. It is also stated by the petitioner, that while he was confined on board the ship, he received nothing for subsistence but bread and water, and that his treatment was wanton and cruel. The only cause assigned for all his punishment was, that he had once been in the employment of Commodore Decatur, as a pilot to a torpedo. The petition is not accompanied with any documents to establish the facts, but the committee have no reason to disbelieve their correctness. The petitioner asks of Congress "some compensation on account of his great and uncommon sufferings."

In common with every friend of humanity, the committee sympathize with the petitioner, while they deprecate and abhor the conduct of the enemy in such cruel and unheard-of treatment towards a citizen, not in the military or naval employment of the Government; they cannot, however, adopt the principle, that for every such violation of the usages of civilized warfare, on the part of the enemy, the Government is bound to make compensation for the injury. They view the present as one of the multiplied examples, on the part of the enemy, during the present war, of outrage known only in the history of British aggression and British warfare. The principle upon which this opinion is founded has been established in a variety of cases during the present and last session of Congress. They recommend to the House the following resolution:

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

#### BANK OF THE UNITED STATES.

The House then resumed the consideration of the message from the Senate announcing their amendments to the amendments of this House to the bill to incorporate the subscribers of the Bank of the United States of America.

The first amendment having been stated, which proposes to make the capital of the bank thirty-five millions instead of thirty millions—

Mr. MCKEE, of Kentucky, expressed his hope that the amendment would not be agreed to, considering it as the keystone of all the amendments of the Senate. He could see no possible advantages to result from the addition of five millions of capital, particularly as connected with the section authorizing the stoppage of payment in specie. He could see no consequence to result from that clause, which was not disastrous and ruinous, and he therefore hoped it would not be agreed to.

Mr. HAWKINS, of Kentucky, denied the applicability of the remarks of Mr. MCKEE to the amendments of the Senate. The only question, since the Senate had agreed to expunge the condition of a permanent loan to the Government was, whether the Senate should be accommodated by increasing the capital of the bank by the addition thereto of five millions; for, in fact, the retention of the clause authorizing the suspension of specie payment was immaterial, unless that it is more expedient to incorporate such a provision at once, than yield it to the importunity of the bank hereafter. For he had no doubt, if the war continued, the bank must sooner or