they passed a law for a particular occasion, that they lost sight of the rights of the citizen, and established a dangerous precedent. It was his wish always to legislate on general principles, and not for particular occasions; and that they should confine themselves to the passage of such laws as might be safely administered at all times as the laws of the land. The gentleman from Mass. had confined his observations to the latter part of the objections he had made to the section, viz. the testimony to be adduced. But he would ask whether as a candid man he could obviate the first objection he had stated? If a man committed different acts in fifty different sections of the union, he might, under this provision, be taken in any one of them, and be tried and punished where it would be impossible for him to get testimony, and where he would be borne down by the arm of power. The language of the section is the trial may be had in any of the districts, where *any of the acts* constituting the offence shall have been committed. What are these acts? The first is the beginning or setting on foot a military expedition—this is one distinct act—the forming a conspiracy or combination—this is another act: and so of all the other acts recited in the bill; under which a man may be seized and dragged here for trial, provided any one of the offences was committed here, though all the rest were committed elsewhere.

Mr. Eppes said he had another objection to this provision. It gave the officers a right to seize a man, and try him in that district most prejudiced against him. In one district he may be very odious: in another highly popular. He believed this was very much the case at present. Would this be fair? If gentlemen are disposed to act properly, let the offence be tried in the district where it is committed. Let them adhere to the principles of the constitution.

Mr. E. said, that gentlemen might have an opportunity of turning their attention to the subject, he would move that the committee should rise.

Mr. Bidwell said before the question was taken on the rising of the committee, he wished for a moment to examine the nature of the objection offered by the gentleman from Virginia. The enumeration in the first section explained the different offences, and classes of offences, each of which made a different offence. The second section did not say one offence, committed in one place, should be tried in another. It is only in case of a combination of offences that this is to take place. The gentleman says, part of a conspiracy may take place in Kentucky, and part in another district. You must either then unite these offences, or render a person punishable for every part or circumstance, which collectively are made to constitute an entire whole. The having but one trial is for the benefit of the defendant, by which he is saved from the necessity of undergoing several trials in different districts and for different offences. The constitution, it is true, provides that the trial shall be in the district in which the offence is committed; but if the offence be not committed in a particular district, Congress may fix the place where the trial shall be had. Mr. B. said it appeared to him that the true spirit of the constitution was pursued by this law, which provides that a man may be tried in either district where any part of the offence is committed; and that when so tried there shall be a bar to any other trial for the same offence. So far from introducing a new principle, Mr. B. was of opinion the same course would be pursued without any special provision, which however was desirable, as making the point explicit, and placing it beyond all doubt. He said he had no other objection to the committee rising, than that arising from delay. The sooner the bill was passed the better; for although it could not operate on past offences, if passed in season, it might perhaps operate on acts which might take place after its passage.

Mr. *Smilie* said the provision in the bill had been so well explained by the gentleman from Massachusetts that he was surprised how any doubts could be entertained respecting it. It was well known that in the case of treason a man might commit one act in one state, and a different act in another state. Was he in this case to be tried twice for the same offence? This would be unconstitutional. So in this case, a conspiracy might be composed of various acts committed in different states. Would gentlemen be for trying the man accused of a conspiracy in different states, and for every act committed by him? Surely not.

Mr. *Eppes* said he would call the attention of the committee to two clauses of the constitution.

"The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed."

"In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed."

Mr. *N. Williams* said he apprehended, though he was sorry to make the observation, that the honorable gentleman from Virginia who objected to the 2nd section of the bill, did not correctly understand it. That according to his own understanding, the section did not contemplate the trial of distinct offences in any district or territory in which the offence should not have been committed. The words of the section are "that the trial of the above offences, may be had in any of the districts, and where *any of the acts* constituting *the offence* shall have been committed, &c." By this it clearly appeared, that when the offence to be tried, was made up of various acts, some of which were committed in one district and some in another, the offence might be tried in either of these districts.

Mr. W. said he should vote against the postponement, as he did not see the least difficulty in the case. The bill contained no new principle—none that was not known and applied in cases of treason, familiar to every one, and in cases of larceny, in which it was every day's practice to prosecute an offender in any county where the goods were found upon him, although stolen in another county. He said the bill appeared to him highly important, and he was sorry to discover a disposition in the House to delay the business under discussion.

Mr. Alston did not agree with the gentleman last up. On the contrary, he considered this section as exceptionable. What does it say? That you may try a man in any one of the districts where he may have committed an offence. This was putting a power into the hands of the prosecutor to harrass the accused beyond that which the constitution even contemplated. He thought the section might be so worded as to obviate the objections that had been raised.

Mr. Eppes said it was very possible, as stated by the gentleman from New-York, that he did not understand the section correctly, as he did not pretend to his high genius. His strongest objection to the section was that it gave the prosecutor a right to try the offence in that place where the strongest prejudice might exist against the accused. Mr. Eppes here recapitulated his first remarks, and added that, according to the second section, a man could be tried for any of the offences enumerated in the first section, in any one of the districts of the U. S. provided any of those acts shall have been committed in it. He would ask whether this would not be a violation of the constitution which guaranteed a jury of the vicinage to the accused? He would ask how a man could be tried here by an impartial jury collected from New Orleans, Kentucky and Indiana?

Mr. Jackson said that the section, according to the construction given it by his colleague, was highly objectionable, and stared the constitution in the face, and ought not to receive the patronage of the House. He, however, believed that the object of his colleague as well as the friends of the bill might be effected by taking a middle course; by confining the trial of the accused to the district in which he shall be arrested. This would preclude the possibility of an individual being transported for trial from one place to another, and his being thus dragged to a place where the rage of implacable passions may condemn him though innocent. If some such amendment were not made Mr. J. said he should vote for striking out the section; and if the section should neither be amended or stricken out, he should vote against the bill.

Mr. Sloan said that while they were so jealous of the rights of the citizen, it became them not to be indifferent to the safety of the community. He apprehended that the intention of this law was to nip in the bud plans that were treasonable and destructive of the peace of the U. S. The provision contained in the 2d section appeared to him highly necessary to guard the rights of the community.

Mr. *Dawson* said it was the opinion of the committee that introduced the bill, that a man must be tried in the district where he was apprehended, and this, he considered as the true construction. He did not think that a man could be transported from one district to another. Indeed he was at a loss to know under what legal authority this could be done. He believed this the fair construction of the law; but if gentlemen wished to make its language more explicit, he had no objection to an amendment to that effect.

Mr. G. W. Campbell observed that the section might be so modified as to make it correspond with the ideas of both sides of the House. It was essential to fix some place for the trial of crimes, which should be partly committed in one state and partly in another. It was material to determine in which state the crime should be tried, which circumstance ought not to be left to the option of the prosecutor or the government. If the bill were so amended, it would answer every valuable purpose for which it was framed. He, therefore, proposed, in case the committee did not rise, to offer an amendment to the 2nd section, providing that the trial should take place in the district "in which the defendant shall be arrested, or into which he shall be first brought."

Mr. *Eppes* withdrew his motion for the rising of the committee, when the question was taken on his motion to strike out the 2nd section, which was disagreed to—Ayes 21.

Mr. G. W. Campbell then offered his amendment.

Mr. Jackson said it did not remove his objections to the section. Suppose a man were apprehended in a place where the offence with which he is accused was not committed. Would it not be competent under this provision to carry him to a place where he might be the victim of the most implacable feelings.

Mr. G. W. Campbell replied that the provision embraced such cases, and that the effect apprehended by the gentleman would not follow.

On motion of *Mr. Smilie*, the committee rose without coming to a decision on the amendment, when the House adjourned.

TUESDAY, Jan 6.

Mr. Holmes, from the Committee of Claims, made a report on the petition of Daniel Gelder, stating that his case is already provided for. The House concurred in giving him leave to withdraw his papers.

Mr. Holmes, from the said committee, made an unfavorable report on the petition of Mary Gresham, in which the House concurred.

Mr. *Tallmadge* presented a petition from Ann Welsh, which was referred to the committee of Claims.

On motion of Mr. *Parke*,

Resolved, That the committee on public lands be instructed to enquire into the expediency of establishing an office for the sale of the lands of the U. S. west of the Grenville treaty boundary line, and east of the Vincennes and Delaware purchases, and that they report by bill or otherwise.

Mr. Early, from the Committee of Commerce and Manufactures, presented a bill to provide for surveying the coasts of the U. S. which was referred to a committee of the whole on Monday.

On motion of *Mr. Clark*,

Resolved, That the committee on post offices and post roads be instructed to enquire into the expediency of continuing the post road from Athens to New Orleans, through W. Florida, south of the line of demarcation, with the consent of the Spanish government, and to report by bill or otherwise.

Mr. Clinton presented the petition of Peter L[illegible], which was referred to the committee of Claims.

A bill authorising the discharge of William Hearn from imprisonment, was read the third time and passed—Ayes 71.

A message was received from the Senate, stating that they had passed the bill making military appropriations for the year 1807, without amendment.

A bill for the relief of George Little was read the third time.

The bill makes provision for a claim preferred by capt. Little, commander of a ship of the U. S. arising out of the following circumstances. During our differences with France, a law was passed inhibiting commercial intercourse with France. Under this law, and the orders given by the executive government, capt. Little captured the Flying Fish, which, on an adjudication by the courts of the U. S. was restored as an illegal prize, and damages awarded against capt. Little, who claims an indemnity from the government, on the ground of having in the capture executed the orders given him by the secretary of the navy.

The debate principally turned on the point, whether the law, or the instructions, ought to have been the guide of capt. Little. As the report of the committee of claims, with the report of the secretary of the navy, state all the important facts in this case, we shall confine ourselves to a publication of these documents at an early period.

Messrs. Holmes, Tallmadge, Cook, Dana, Hastings, Quincy, and Alexander advocated; and Messrs. Smilie, Gregg, Chandler, Bedinger, and Fisk, opposed the passage of the bill.

When the question was taken by yeas and nays, and the bill passed—Yeas 70—Nays 31.

The Speaker laid before the House a communication from the Post Master General, stating the respective sums paid to his clerks, which was referred to the Post Office committee.

Mr. Stanton, from the committee on claims barred by statutes of limitation, made a report, recommending that all just and equitable claims for services rendered, or supplies furnished during the revolutionary war with G. Britain, &c. now barred, ought to be provided for by law.

Referred to the committee of the whole on Thursday.

Mr. Early from the committee of Commerce and Manufactures made a report unfavorable to the petition of Reuben Ally, in which the House concurred.

Mr. Eppes moved to discharge the committee of the whole from the further consideration of the bill providing for the punishment of certain crimes against the U. S. with the view of recommitting it for amendment to a select committee; which motion was lost by the casting vote of the Speaker—Ayes 50—Noes 50.

FOR SALE,

7 Puncheons Jamaica } SPIRITS.
1 do. Antigua }
2 Pipes L. P. Madeira, of a very superior quality, } WINES.
2 Do. L. P. Madeira,
4 Half pipes do.
4 Quarter casks, do.
1 Pipe L. M. do.
3 Pipes L. P. Teneriffe,
2 Pipes Cogniac Brandy,
3 Hhds. Brown Sugar,
Six casks London Porter in casks of six dozen bottles each, and
Six bags of Green Coffee, by

BULLER COCKE, Barry's Wharf near the Navy Yard.

Washington, Jan. 7—3t

SADDLE & HARNESS MAKING.

THE Subfcriber informs his friends and the public in general, that he has opened fhop oppofite to Mr. MYER's HOTEL, Pennfylvania avenue, where he intends carrying on the above branches. Thofe who favor him with their cuftom may depend on having their work done of the beft materials with difpatch, and on the moft reafonable terms.

An Apprentice to the above bufinefs is wanted by

JOHN PELTZ.

January 7—3t

WASHINGTON CITY.

WEDNESDAY, JANUARY 7.

The Senate of South Carolina have inflicted another deep wound on the national character, by rejecting the bill passed in the House of Representatives of that state prohibiting the importation of slaves.

The legislature of Maryland have passed an address to Thomas Jefferson, President of the U. S. approving his administration, and expressing a hope that he will permit his name to be used among the candidates for the next President.

A letter received by a gentleman in this city from New Orleans, dated November 21, states that a Spanish officer just arrived from Baton Rouge, gave information that an official account had been received there of the arrival of don Joseph de Salcedo, captain general of New Mexico, on the frontiers at the head of 8,000 men.

This intelligence is of so dissimilar a complexion from that recently received from the same quarter, that we cannot attach much credit to it.

Extract of a letter to a member of Congress, dated Nashville, December 17th, 1806.

Colonel Burr has just arrived in this place from Kentucky. His agents are endeavouring to obtain Spanish or British gold for post notes. They are also endeavouring to purchase up pork, &c. Some boats are built and others on the stocks for him. All is surmise with respect to his object and destination.

Another of the same date.

The principal occurrence which seems to agitate the public mind at this moment is, that Col. Burr is here making preparation to descend the river immediately. It is stated by some, that his flotilla on the Ohio is great, and that a vast number of men are about to descend with him. Conjectures are various with regard to his object.

The following is an extract of a letter received from a gentleman of the highest respectability residing in west Tennessee—It will tend to shew the impression made in that quarter by the Conspiracy attributed to col. Burr—The letter is dated Bellview Dec. 18.

"Much sensibility has been produced here, on the subject of a Spanish war. General orders have been issued for the militia to be held in readiness, to march at a short notice. On this occasion our people have discovered a spirit worthy of freemen. I hope and believe, that on great emergencies the Americans would imitate the same spirit which stimulated their fathers in seventy-six.

"There has been a considerable rumor among us, on the subject of a conspiracy being meditated against the government, by some of the western people and others—but to me the whole is in conclave—for myself, I apprehend no danger from it, inasmuch as I do think that the people of this country are too well disposed towards the government to indulge the most remote thought of such a measure,—nay, they would become indignant at the idea. In fact, I think there is no man of common sense who would attempt such a thing at this time."

A letter received, dated Trinidad, Nov. 22nd, states that Miranda had gone to Barbadoes—that a British expedition for the Spanish Maine was preparing there—that Miranda was to receive a commission of brigadier-general, and that a number of his officers were also to receive commissions in the British service.

From Annapolis,—to the Editors.

"This day [Jan. 2.] the House of Delegates passed the *School Bill*, 49 to 17—they also voted an appropriation of 2,000 dollars to the *Penitentiary*, 31 to 29. An order has passed both Houses to close the Journal of accounts up to Sunday, consequently the Legislature will rise this day." *Evening Post.*

At a Meeting of the inhabitants of the city of Washington, convened at MYER's hotel, on Monday evening January 5th 1806, for the purpose of taking into consideration the *propriety* of addressing the PRESIDENT of the United States on certain subjects.

The object of the meeting having been fully discussed, Whereupon,

Resolved, That a committee be appointed to draft an ADDRESS to the President of the United States, expressive of their approbation of his administration and of his private character, requesting him to serve another constitutional term, and that they report at the next meeting to be held on FRIDAY evening next 7 o'clock, at MYER's Hotel.

Ordered, That Messrs. Van Ness, F. P. Hamilton and H. Herford, be said committee.

Ordered, That the proceedings be published in the National Intelligencer.

By order,

GEORGE ANDREWS, Chairman,
TH. HERTY, *Sec.*

New-York, January 1.

A gentleman who arrived here in the schooner Maria Theresa, from Havanna, has obligingly favored us with the following translation of the official account of the taking of Buenos Ayres.

SOUTH AMERICA.

Extract from the official accounts received at Havanna, relative to the re-taking of Buenos Ayres, by Don S. Liniers.

AUG. 1.—Last night a detachment of 500 English attacked 200 Spaniards encamped four leagues from the city, and made them leave the field, with 4 cannon and 8 prisoners—few were killed wounded on our either side.

5th.—Our transports crossed from Sacramento to the river of Las Conchas, with a favorable S. E. wind, and landed 2,700 men, with cannon, other arms, &c.

8th.—Very heavy rain from the 6th until last night. We have this moment received news that our troops are marching towards this city, suffering great hardships from the many swamps that lay between us, and impede the passage of the artillery.

10th. At 12 o'clock, general Liniers sent Don Hilario Quintance, lieutenant of infantry, to ask the British general to surrender himself in the course of 15 minutes; but that officer returned without an answer, as he was denied admittance into the fort. At 4 o'clock, the following letter was sent to the British general:

"*Very Excellent Sir*,

"The fate of arms is variable—it is less than a month since your excellency took this capital without any opposition: attacking with a very small number of troops a multitude of people, who surely were more deficient of a good commander than courage to oppose your intention: But at present, penetrated by the highest enthusiasm and valor, they are ready to throw off a hateful yoke, and demonstrate, that the courage shewn by the inhabitants of Ferrol, the Canary Islands, and Porto-Rico, is not a stranger to those of Buenos Ayres. I come at the head of well disciplined troops very superior to yours. The maritime forces that occupy the entrance of the river, will not leave a retreat for your excellency. Thousands of inhabitants, well armed, full of honor and courage, only wait for a signal from me to overthrow the British troops. The just esteem due to the courage of your excellency, the great generosity of the Spanish nation, and the horrors that inspires the destruction of men, induces me to give your excellency this advice; and I expect that as your excellency is well acquainted with your perilous situation, without resource, you will let me know in the precise term of fifteen minutes, if you are disposed to a desperate effort, and give your troops up to a total destruction, or surrender to a generous enemy.

"May our Lord guard your excellency many years.

"(Signed)
"*SANTIAGO LINIERS.*

"Army before Buenos Ayres, Aug. 10, 1806.

"*To the very excellent Sir* WM. CARR BERESFORD.

This letter was answered with the following lines:—

"I have taken this town after two victories: Its fate arms will decide.

(Signed)
BERESFORD."

On the 11th Aug. our troops attacked and entered by assault at the Retiro, where we took a guard of 50 men prisoners.—We entrenched ourselves here, and placed a 24 pounder facing every street. All night several skirmishes between our patroles and the advanced guards of the enemy took place.

12th.—All this day and night several skirmishes between the Catalonians and the enemy; our artillery fired also on the British shipping, and did damage. Our long expected long boats, in which we place great hopes, are not arrived yet.

13th—At 10 o'clock this morning, our brave Catalonians, the Blandengues and Dragoons on foot, attacked the enemy at all points. Our artillery was placed fronting the Retiro, and feveral 24 pounders at every ftreet, taking the enemy between two fires. The attack continued very hot till evening, when the Englifh flag was pulled down and the Spanifh hoifted. The enemy furrendered themfelves prifoners of war, but the officers are to have the honors. The Britifh general and officers were quartered in feveral houfes, and the troops locked up in the corporation houfes. The enemy has had many killed and wounded; and we have alfo great lofs——On the 14th, *Te Deum* was fung with great rejoicings.

The Englifh veffels at Barragan Bay have all efcaped. Of four fhips of the line that prefented themfelves before this harbor, one was funk by the forts, two were ftranded, and the other efcaped.

PUBLIC SALE.

BY virtue of a deed of truft made to me by WM. W. Berry and Elifha Berry, will be fold at Public Sale on Friday 16th inft at Mr. Greenwell tavern, 100 acres of land of Land lying in Prince Georges county on the public road leading from the Lower bridge over the Eaftern Branch, to Upper Marlbro', and within three miles of faid bridge. The faid Land is as heavily covered with wood as any in Prince George's county, confifting of hickory, oak, chefnut and poplar, and independant of the richnefs of the foil (which is of an excellent quality) its contiguous fituation to the city of Wafhington, offers great advantages to thofe difpofed to furnifh the city with wood and timber. The land will be fhewn to any perfon inclined to purchafe at any time before the day of fale on application to William W. Berry. Perfons defirous of viewing faid land, will find it at leaft to meet the above defcription. The Land WILL be fold for cafh, and an unequivocal title will be made to the purchafer. Sale to commence at 12 o'clock.

ALEX. BOONE, Truftee.

January 7—3t

A YOUNG MAN,

Is wanted to attended the bufinefs of a Grocery Store.

Apply at this Office.

January 2—3t