quick as Tupper made that motion, there were 7 or 8 musquets levelled down at him. Tupper looked around him, and said, "Gentlemen, I hope you will not do the like." A man next to me about two yards off, said, "I'd as lieve as not." Tupper then changed his speech, and said, he wished him luck and safe down the river. Tupper before told Blan. he should stay and stand his trial. But Blan. said, no; the people in the neighborhood were coming down next day to take him, and he would go. Next day after, I saw the Wood county militia going down. The people went off in boats that night about one.

Q. All?

A. All but one, who was a doctor. All had some kind of arms.

Q. How many were there in all?

A. About twenty or thirty; I did not however count them. Every man I saw had arms.

Q. At what time of the year was this?

A. I do not recollect the particular time. I recollect the year; but not the month.

Q. Do you recollect whether it snows in September?

A. I do not recollect.

Examined by the counsel for the prosecution.

Mr. Wirt. Had you seen colonel Burr on the island?

A. Yes.

Q. Was he there before Blannerhassett went to Kentucky?

A. He was.

Q. Did you speak of the boats under the command of Tyler?

A. I did.

Q. Did the boats quit the island, at the time of hearing about the proclamation?

A. Yes.

Q. Did the county militia go there next day?

A. Yes.

Mr. Burr. Did you see Peter Taylor converse with Blan. that night?

A. I do not recollect.

Mr. Wirt. How long did Aaron Burr remain on the island?

A. *I* do not recollect.

Q. How long was he there before the departure of the boats?

A. About six weeks.

Cross Examined.

Mr. *Burr.* Did you know general Tupper?

A. Yes.

Q. Is that the person?

A. Yes.

Q. When the muskets were levelled at him, did they seem to have a mind to hurt him?

A. Yes; a gentleman near me said, "I'd as lieve shoot as not."

Mr. Burr. You said differently on a former occasion. Don't you recollect saying before, you said it looked like exercising?

A. I do not.

A desultory conversation here ensued between the opposite counsels.

Mr. Burr professed that it was his intention to degrade the witness by invalidating his credibility.

The cross examination proceeded.

Mr. Burr. Have you not been examined before?

A. Yes.

Q. By whom?

A. By Mr. Jackson.

Q. Had he not printed questions in his hand?

A. He had a paper in his hand.

Q. Did he set down your answers?

A. Yes.

Q. How long after the guns were pointed at general Tupper before the men went to their boats?

A. I do not recollect. Any thing that I am not certain of, I cannot speak to.

Q. Was Mrs. Blennerhassett there when the guns were pointed?

A. Yes.

Q. Was Tupper inside of the circle?

A. Yes.

Q. Was she too?

A. *I* don't recollect.

Q. Did you see Mr. Woodbridge there?

A. *I* don't know him.

Q. How long did you work with Blennerhasset?

A. Six weeks.

Q. At what time was it that you saw me there?

A. *I* do not recollect.

Mr. Burr. The counsel for the United States know, *I* presume, this circumstance, and have testimony to ascertain it.

Mr. Hay. We have not, as far as I am informed.

Mr. Burr. I will state that it was on the last day of August and the first day of September, that *I* was on the island.

Mr. Anthony (one of the jury). Did you see any powder?

A. No.

Mr. Hay. Were you in the boats?

A. I was not.

Mr. Burr. Where does general Tupper live?

A. In Marietta.

Q. Does he not belong to the state of Ohio?

A. Yes.

Q. When did you first know him?

A. Last fall.

Mr. Burr then asked the clerk for the statement, which he had taken of Albright's testimony, when it was submitted to the court on a former occasion, on the motion for binding Mr. Burr in higher bail. The Clerk handed him the copy, and the prisoner proceeded with the examination:—You said before that the men who raised their muskets against general Tupper, were not in earnest?

A. That was a piece of my opinion. I did not know whether they were in earnest; as there was no quarrel among them, and no firing afterwards.

Mr. Burr. I beg the court to call on the prosecution for the deposition of this witness, taken, before John G. Jackson.

Mr. Hay. Can gentlemen, when they please thrust their hands into my Porte Folio?

Chief Justice, was not satisfied, that the court had a right to call for the affidavit.

Mr. Wickham said, it was obvious, that there were certain suspicions attached to the credibility of the witness; and that it was their desire to compare his present testimony with his former affidavit.

Mr. Hay. objected that Mr. Jackson might not have taken down the testimony of the witness in his language, but couched it in his own; hence there might be an apparent variation between the present evidence and the affidavit. Besides the witness might not have recollected a great many circumstances at that moment, which have subsequently occurred on his mind, since he was set to think upon them.

Mr. Burr. We have a right to coerce this paper. If gentlemen will not surrender it, I may at all events avail myself of their refusal. My object is to prove such a diversity between the statement of the witness at different times, as may destroy all faith in his recollections.

Mr. Hay. Then Sir, although I might retain this paper, the gentlemen are welcome to make all the use of it that they can. Take it.

Mr. Burr then proceeded: Did you say that all in the circle had arms?

A. All that I saw.

Q. How many were in the circle?

A. I did not count.

Q. What kinds of guns had they?

A. Rifles and shot guns.

Q. Did you see any guns with bayonets?

A. I saw none.

Q. When did you see most arms; in the day or in the night?

A. I saw more of them in the day; but it was in the night, that I saw most arms in their hands.

Mr. *Parker* (a juror.) Why did you think that most of them had arms?

A. Because I was with them almost all night. In the day I saw some of them shooting at marks; and *I* saw other arms at that time lying upon the beach.

Mr. *Wickham.* Did you see them all with arms at once?

A. No.

Q. Did you know the men who had arms?

A. No.

Q. How then are you certain that you did not see the same arms at different times in the hands of different persons?

No positive answer.

Mr. *Burr.* If gentlemen have now done with the witnesses as to the overt act, or when they have done, *I* will thank them to inform us; for then we shall have some considerations to offer to the court.

Mr. *Hay.* We have other additional testimony to offer on this very point.

(TO BE CONTINUED.)

Treasury Department, United States, April 28, 1807.

WHEREAS the Commissioners of the Sinking Fund at a meeting held on the 23d day of March 1807, did among other things resolve, that the Eight per cent. Stock, created in pursuance of the several acts of Congress passed on the 16th day of July 1798, and 7th day of May 1800, should be reimbursed on the first day of January one thousand eight hundred and nine.

This is therefore to give notice that the principal of the said Eight per cent stock will, on surrender of the certificates, be paid on the first day of January 1809, to the respective Stockholders or their lawful representatives or attornies duly constituted and authorised, either at the Treasury or at the Loan Office, as the case may be, where credits have been given for the amount of Stock respectively held by them.

It is farther made known for the information of the parties concerned, that no transfers of the said Eight per Ceent Stock either from or to the books of the Treasury, or from or to the books of a Commissioner of Loans will be allowed after the first day of December, one thousand eight hundred and eight. And the interest on all certificates of said Stock, which shall not have been surrendered in pursuance of this notification, will cease and determine on the day preceding the day hereby fixed for the reimbursement thereof.

And whereas the Commissioners of the Sinking Fund at their meeting held on the 23d day of March as aforesaid, did also resolve, that the sum which after making the current payments for the years 1807 and 1808, and after reimbursing the Four and a half per Cent Stock, might remain to complete the annual appropriation of Eight Millions of dollars, for those two years, should, among other purposes, be applied to the purchase of the Eight per Cent Stock at private sale. and that such of the Cashiers of the Bank of the United States, and of its office of Discount and Deposit as the Secretary of the Treasury shall designate, be the agents under his superintendance for making the said purchases: Notice is hereby accordingly given, That James Davidson jun. Cashier of the office of Discount and Deposit at Washington, has been appointed agent for that purpose in Washington, to whom such of the proprietors of Eight per Cent Stock as may be willing to sell the same within the prices limited by law, are requested to apply.

ALBERT GALLATIN,
Secretary of the Treasury.

w.

WASHINGTON CITY.

WEDNESDAY, SEATEMBER 2.

Yesterday a few minutes past noon, intelligence was received at the Navy Yard, in this city, of the death of the gallant Commodore EDWARD PREBLE, of the U. Sates navy. Immediately, in commemoration of the loss sustained by the death of this valuable officer, the flags of the frigates in ordinary, and at the Marine garrison, were struck half mast; at half past noon one gun was fired at the Navy Yard, which was repeated every half hour, till half past 5 o'clock, when the firing was repeated every five minutes, till 17 minutes before sunset—at which time commenced a discharge of 17 minute guns; when, with the departing sun, the colors were struck, amidst the sincere regrets of his brother officers.

In the death of the brave and intelligent Preble, his country has sustained a great—we hope, particularly in the present crisis of our affairs, not an irreparable loss.

G. W. Campbell is re-elected a representative of the state of Tennessee for the next Congress.

Mr. Campbell had	5143 votes.
Mr. Miller	2281

The militia in the vicinity of Stanton, Virginia, made a very handsome parade on the 20th ultimo. In the two regiments, which paraded on the occasion, there are no less than 902 volunteers.

A committee of the corporation of the city of New York have made a report for more effectually defending that port: for which purpose they recommend certain measures in aid of those taken by the general government, the expence of which is estimated at three hundred thousand dollars. This plan has been adopted.

FOR THE NATIONAL INTELLIGENCER.

Observations on the conduct of Great Britain—Continued.

The most interesting consideration appears to invite to further temperate and candid discussions of this subject, at the present crisis "*The Brief Investigation,*" lately submitted to the public, was respectfully & unreservedly communicated, in the early part of 1797, to the executive, nearly as it was printed, with the writer's name. Instead, therefore, of insidiousness and malice, it is hoped, that candor, caution, and decency, towards the government and the public interests, have been manifested. The subject was not deemed at all proper for public discussion at that moment. Yet it appeared very hazardous to the country, that it was so connected with political inconvenience; for the inculpation of France, in a case imperiously demanding the inculpation of England, seemed to be made in America; not only without refutation, but even to the apparent conviction of our government. Now, when danger exists, and the Legislature are about to determine upon important measures, the freedom of the pres is used to lay "*The Investigation,*" with decency and moderation, before them and the country.

It will not be denied, that the British proclamation of the 15th of November, one thousand seven hundred and ninety two, and the accompanying directions of that government to their custom-houses, did prevent ships and provisions, belonging to powers at peace with all the world, from proceeding to France, contrary to what might have been done by the English statutes, contrary to the French treaty, and contrary to the faith and law of nations. It is certain, that there was then a dreadful war for liberty, the right of interior government, and the integrity of their dominions, between France on the one part, and Austria and Prussia on the other. It is also certain, therefore, that the vessels and provisions of the powers at peace with all the world, were the vessels and provisions of neutrals, in the ordinary and legal meaning of the term. As England was not formally nor actually at war, she was a neutral also; and, though a neutral with numerous treaties of peace and commerce she acted contrary to the rights, as well of neutrality, as of justice, amity, and peace, in interrupting her sister neutrals in their lawful movements to the ports of belligerent France, from the ports of peaceful Britain, at which these neutrals had touched, or in which they had purchased or laden cargoes, upon the faith of nations, and under the protection of the British statutes & treaties. This conduct, though strongly complained of by France, was repeated, until and after M. Chauvelin's last representation, on the 7th of January, 1793. The friendly vessels of France were similarly treated by neutral England. Thus we see, that England, even when a neutral power herself, so early as 1792, violated the rights of neutral commerce, in open defiance of the law of nations, of various treaties with neutral states and France, and of her own statutes! The ships and property of France (it is repeated) were treated in the same unwarrantable manner, and her legislature resounded with complaints. France was thus early, plainly, and unquestionably instructed in a lawless method of procuring the indispensible staff of life, at the expense of neutral rights. But it was pretended by *American* apologists, that it was a measure of general policy in the court of St. James's, to guard against a scarcity of grain in G. Britain. This, if true, would only prove, that England promptly violated the neutral rights, to guard, by anticipation, against a possible scarcity, when she enjoyed interior order and peace. But the cardinal question forcibly recurs; did she not thereby set the fatal example of violating neutral rights? It was several months, before France followed her in any similar measure, though pressed by the necessities of an internal revolution, and by foregn war, and though under the actual pressure of a famine. But it is manifestly not true, that this British conduct was to guard against scarcity at home; for, on the 15th November, grain was declared inadmissible in Liverpool, at the low duties, and England permitted foreign grain to be freely cleared out in 1792, for all other places but France, even to the enemies of that country, while she ordered her custom houses to refuse its exportation to France alone. Will it be said that England excluded grain from Liverpool, her great manufacturer's mart, and permitted it to be exported to all her own friends, and to all the enemies of France, in order to prevent a deficiency of subsistence in Great Britain? Farther—the reality of the intention of distressing France by these prohibitory measures, is proved by the refusal to permit the exportation of blankets, cloths, and cordage, to France, in 1792, contrary to law and treaty, which actually took place But perhaps we are expected to believe, that it was intended to feed the good people of England upon bale goods, iron manufactures, gun powder and cordage.

We are told that France did not complain of the English stoppage of grain, as an infraction of neutral rights. This, if true, would not alter the injurious nature of the British conduct. It was most natural for France, who was at war with Austria and Prussia, not to complain as a neutral, but to remonstrate as she did, that her treaty was broken, and that the laws of England were violated to injure her alone. But she went further: she declared on the 7th of January, 1793, by Mr Chauvelin, her resident minister in London, to Lord Grenville, that England had broken faith with all Europe; that foreign merchants had been induced to send their cargoes of grain to British ports by an English proclamation, dated soon after the 15th of November, 1792, which took off the prohibition from foreign grain; and yet, that their foreign grain so imported, was refused a clearance for France alone, about four weeks after. M. Chauvelin treated these measures as highly injurious and offensive, nay, as hostile to France, in which he was perfectly regular. He could not with propriety go further than incidentally to make a general representation of a breach of faith in regard to other nations, seeing that they had ministers on the spot This criminating representation he did make in serious terms. It appears, that lord Grenville acknowledged, on the 9th of January, 1793, the receipt of M. Chauvelin's representation of the 7th, about the British measures concerning *grain*: He, however, gave no other reply to its strong and solemn complaints, but that of declaring, that the English proceedings about the exportation of grain, &c. were founded on political motives of jealousy and uneasiness. He does not deny *one* of the facts brought forward by the French, nor pretend, that they were measures intended to prevent want in England.*

The British government having thus early and thus readily adopted this conduct, so palpably and extremely irregular in itself, and injurious to the powers *not at war*, that is, to their sister neutrals, pursued it till the French declaration of hostilities, on the 1st of February, 1793. This was dated on the very day, previously fixed by England, for sending away M. Chauvelin, the minister of France.

* "The *British* State of Europe and Annual Register of 1793," records, that "when the British ministry laid an embargo on *all* vessels in the British ports *laden with corn for France*, the French envoys, consuls, and residents, at Hambourgh, Lubec, Bremen, &c. contracted for corn in those places. In a short time, the king of Prussia (then the close ally of England) *being informed of those contracts*, sent letters, of the 19th of January, 1793, to the magistrates of those cities, commanding them, in the most peremptory manner, instantly to notify the French ministers to depart in two days." England is said to have previously concurred with Prussia in the Pilnitz confederacy; and certainly did form, in July 1793, a treaty with Prussia, in the very terms of the article of the Russian convention, on which we have seen that the neutral spoliations were mainly founded.

The same English authority adds, that "*neutral* British cruisers were stationed to intercept the Hamburgh and Baltic vessels in their voyages to France." And adds, that when the French national convention heard of this measure, they gave orders to stop the Hambourgh, Bremen, Lubec, and Dutch vessels. All this was before the French decree of May 9th, 1793, and greatly contributed to bring it on. The detention of all vessels for France, even with foreign wheat, by England, in December, had been communicated by the French ministers in Paris to the convention, who temperately ordered a *reinvestigation of the facts*, before they would act upon the subject. Their embargo was postponed by this moderation and prudence, till February, when the Prussian acts toward Hamburgh, &c. and the stationing of the English cruisers, had taken place. Here are the early causes of the decree of the emperor of France of November 1806, which however does not prevent our trade to Great Britain.

Communicated for the Evening Post.

Particulars of the detention of the ship Othello, Russell Glover, master, in the Chesapeake Bay, by a French privateer.

The above ship sailed from Liverpool on the 29th June, with a cargo of dry goods, bound to Baltimore. August 17th, being 49 days out, took a pilot off the capes of Virginia, the wind being light and contrary for several days, did not make much way—on the 22d, it blowing fresh from the Northward, the pilot thought best to anchor in the mouth of the Patuxent—that evening seeing a schooner come down and anchor close by, supposing her from Baltimore, I sent my mate on board to enquire for a newspaper, who informed him, that he had not one, and that there were no arrivals for several days. The schooner Three Sisters lying close by, he went on board, and was informed by captain Rich, that in his opinion he was not from Baltimore, but was a smuggler—About 8 o'clock, an officer boarded me from the French ship Patriot, lying in the Patuxent. After enquiring the news from Europe, what British vessels were off the Capes, he requested some newspapers, and departed politely. About two o'clock in the afternoon of the 23d, I got under way and stood up; shortly after *I* perceived the schooner Three Sisters, and the privateer under way and standing up also—at nine o'clock, wind and tide being abated, the pilot brought the ship to anchor off Sharp's island during the night, as *I* have since been informed by the watch on deck, the privateer worked round us, and at one time was along side; when being asked what he wanted, sheered off and made no reply but came to anchor under the ship's stern. At day light the next morning, while the crew were employed in getting up the anchor, *I* heard a noise on deck, and on my going up was informed by the mate and pilot, that the privateer had fired several ballets at us. *I* immediately took my trumpet, and hailed him to know what he wanted; *I* told the pilot to continue heaving the anchor, when he immediately worked to windward, fearing *I* should run him down as he afterwards said—having brought his vessel within pistol shot, all his men fired two rounds each, while *I* was engaged in hailing him; they must have taken good aim, as several of the balls lodged very near, and one passed through the mate's hat. —While my men were employed lowering the boat, he kept up a continual cry, "*haste, haste, or I'll fire again.*" On my going along side, *I* asked if he was a pirate; he replied not, and wished to know if any one was killed; saying "*I* am no pirate, but a French privateer from Guadaloupe," then demanded my papers, which he examined superficially, and declared my ship a good prize, for having British manufactured goods on board: my boat was immediately filled with his men, armed with guns, pistols, swords, knives, &c. and after demanding my keys, proceeded on board the ship, leaving me behind: he then ordered all the crew below, placing two centinels over them, and told the pilot to take the ship to sea, for which he should receive four hundred dollars, but on his objecting, was ordered to do so at his peril, they then commenced to examine all trunks, &c. in the cabin, and using to great excess, provisions, porter, &c. &c. About 11 o'clock in the forenoon, *I* was permitted to go on board the ship, he having my papers in possession; on my going below *I* told him that *I* supposed he intended to plunder; when he replied not, and returned my keys, saying he was sorry he could not prevent his men from destroying my cabin stores, and assured me that no person on board should lose any property: looking under my pillow for my watch, I discovered it was taken, and having demanded it, he ordered one of his men to restore it. I then opened my chest, where I had a considerable sum of money, when he told me he examined that himself, and nothing would be missing, which was the case. I was then abruptly ordered on board the schooner, and declaring the ship a good and lawful prize, and said he would take her to Guadaloupe. On my re-