purposes of justice on the charges of treason or misdemeanor, depending against Aaron Burr: they are on subjects irrelevant to any issues which can arise out of those charges, and could contribute nothing towards his acquittal or conviction.—The papers mentioned in the 1st and 3d paragraphs, as inclosed in the letter, being separated therefrom and not in my possession, I am unable from memory to say what they were. I presume they are in the hands of the Attorney for the U. States. Given under my hand this 7th day of September, 1807.

TH: JEFFERSON.

Mr. Hay, observed, that in *his own* and in the President's extracted copy from Gen. Wilkinson's letter there was not a variation of more than 10 or 15 words: The omitted passages, were indeed so manifestly improper to be submitted to the court.

Mr. Hay then rose to open the charge of the misdemeanor; May it please your honor and you gentlemen of the jury.

"The defendant before you is charged with a violation of the law of Congress of the U. S. passed in the year 1794. As it originally stood, the existence of this law was limited to a short period; but experience having proved its salutary tendency, it is now made permanent. The defendant stands charged with violating the 5th section of this act; and no other. That section is in the following terms:

"If any person shall within the territory or jurisdiction of the U. S. begin or set on foot, or provide or prepare the means for any military expedition or enterprise to be carried on from thence against the territory or dominions of any foreign prince or state with whom the U. S. are at peace, every such person so offending, shall upon conviction, be adjudged guilty of a high misdemeanor, it shall suffer fine & imprisonment at the discretion of the court in which the conviction shall be had, so as that such fine shall not exceed three thousand dollars, nor the term of imprisonment be more than three years."

You will observe, gentlemen of the jury, that an offence against this law may be committed by beginning or setting on foot within the territories of the U. S. any military expedition or enterprise against the territory of any foreign prince or state with whom the U. S. are at peace. The law declares, that if a man begins or sets on foot, or provides or prepares means for any such offence, he shall be liable to punishment.

The indictment filed in this case contains seven counts; between which there is some slight difference. These it is incumbent on me to state:

The first count in the indictment charges the defendant with *beginning* a military expedition at Blannerhasset's island, to be carried on from thence against the dominions of the king of Spain, with whom the U. S. are in a state of peace.

The 2d. charges him with *setting on foot* a military expedition against the territory of the king of Spain.

The 3rd. is the same as the last, except that the province of Mexico, is stated as *the territory* of the king of Spain against which the expedition is intended.

The 4th count charges the defendant with *providing the means* of a military expedition against the *dominions* of the king of Spain.

The 5th is the same as the 4th, except that Mexico is particularly mentioned as the province against which the expedition is intended.

The 6th is the same as the 4th, except that the foreign territory is said to be unknown.

The 7th charges him with *setting on foot* a military design against the dominions of a foreign state to the jurors unknown.

If the evidence produced proves him guilty on any count in this indictment, you must find him guilty. This is all that you are bound to say. The fine and imprisonment belong to the court. I shall trouble you with no remarks upon the enormity of this offence, nor upon the consequences which were likely to have resulted from this expedition, had it been carried into effect. The court will consider these circumstances, in estimating the fine and imprisonment. It is only your province to determine whether he is guilty or not of the facts charged in the indictment.

It is not necessary for me to enter fully into the evidence which will be exhibited before you. The case is shortly this: It is believed and it will be probably be proved to you, that the accused with several others had formed a scheme to dismember the Western from the Atlantic States, and that for this purpose preparations were actually made. But the design did not terminate with the separation. Their object was to make war upon the territories of the king of Spain. To effect this scheme, New-Orleans was to be seized and Mexico was to be invaded both by land and sea. During that period and ever since that time, Spain and the United States have been in a state of peace. To accomplish this object, men, arms, and provisions were prepared. About 35 or 40 men assembled on Blannerhassett's island under the direction of the accused. It will be proved to you, that they left that place and descended the Ohio, on his apprising them of the danger of an interruption from the civil, perhaps the military authority. It will be proved to you, that after they had arrived at the mouth of Cumberland river, they were joined by the accused, who took the command of all the force there assembled; that they descended the Mississippi to a considerable distance below Natchez, that at Bayou Pierre he received the first information that the first part of his project could not be accomplished; that he fell into the hands of the civil authority, from which he is said to have escaped, and that he was arrested and brought here.

I have only one additional remark for your consideration. The act of Congress is not intended to operate upon those who have accomplished their plans. Success is not necessary. It operates on those, who prepare and set on foot a military expedition. It is not necessary they advance far in the enterprise. If means are already accomplished and their destination is certain, it is sufficient. You, gentlemen of the jury, are to enquire, whether the accused did prepare these means with the view of making such an attack. If you conceive that such was his intention, you must pronounce him guilty.

Mr. Hay then called over the names of the witnesses on the part of the U. States.

Mr. John Graham was summoned to the book and was about to be sworn, when Mr Burr requested the attorney for the prosecution to state the substance of Mr Graham's testimony; and whether it related to the acts done on Blannerhassett's Island.

Mr. Hay observed, that he could give a very rough outline of Mr. Graham's evidence; as he had not frequently conversed with the witnesses on the subject: He believed however that Mr. G. would prove that the military expedition down the river was under the direction of the accused; that he had set on foot and provided means for the expedition; whose object was to invade the Spanish Territories, after the preliminary object of taking possession of N. Orleans had been accomplished.

Mr. Burr. It would save time, if gentlemen would state the contents of Mr G's testimony, with more precision. It is within their knowledge, that Mr. Graham has never seen me but once; and then only for a few moments, at the town of Washington—and that he was not at the Island at the time when the military expedition is said to have been there nor any other which is expected to be proved. We shall ask the court to confine the counsel for the prosecution to proving the facts first.

Mr. Graham was sworn, when Mr. Hay observed, that he hoped he was at liberty to bring out the evidence according to his own discretion; but that not having the advantage enjoyed by others of understanding the evidence, it was impossible for him to state the substance of each witness's testimony. He believed, that Mr. Graham would prove the setting on foot a military expedition.

Mr. Burr. In the district of Virginia?

Mr. Hay. Yes: begun in the district of Virginia.

Mr. Burr conceived that the opposite counsel should either restrict themselves to the bringing out the evidence in the order which they proposed on former occasions, or that they should be called upon to prove first the fact laid in the indictment.

Mr. Wirt. Part of the fact laid in the indictment is the destination of this very enterprize.

Mr. Botts. When we wished them on a former occasion to begin with the proof of the overt act, they urged that their course was the lucid order of nature. Will the gentlemen then depart from it in the present instance? It is either right to pursue this course, which they themselves recommended, or to prove first the act laid in the indictment. Rather than disturb them in the course which we had supposed they had selected, we had made up our mind to submit to all its inconveniences. The gentlemen had surely better begin at the island itself; and after they have proved the existence of their military expedition, they may then search all the world over for stuff and nonsense enough to fill up the vacuum which they have imagined.

Mr. Hay then observed, that he would not waste the time of the court in useless disputation; that he would take the gentlemen at their word; and begin at the island, and then he would look out for other nonsense, as the gentleman called it, to fill up the chasm of his story.

Mr. Hay then called up Peter Taylor, (H. Blannerhassett's gardner) whose testimony we have already published in a more expanded form on the trial for treason. He stated that there were about 30 of the party who landed on the island; that Comfort Tyler, as he had understood, had had the direction of them, before they arrived there; that Blannerhassett and Dove were the only persons whom he recollected that they had taken with them from the island; that he had seen a few arms; and also powder, bullets and provisions; he recited his interview with Dr. Bennet (whom Mr. Hay stated had departed from Richmond in spite of all his admonitions;) he repeated in the most consistent manner Blannerhasset's communications to him—how they were going to take Mexico and make Burr its king; and his daughter to be his successor; as also his conversation with Aaron Burr at Lexington. He stated that he saw no appearance of any preparations to settle land; that Blannerhasset, it was true, had originally held out the gift of a certain number of acres to every lively and orderly young man who would accompany him without their families or women; but that he had afterwards avowed the capture of Mexico as the object of these preparations.

After Peter Taylor had delivered his testimony, Morris B. Belknap was called in and sworn. The reader will recollect that Mr. Belknap was one of those witnesses who were examined on the trial for treason; but that his testimony on that occasion was confined to the overt act on the island, where he had not arrived before 8 or 9 o'clock on the night, on which the expedition had descended the river. His testimony was therefore necessarily short and perfectly distinct from the evidence which he gave on the present occasion.

Mr. Burr observed, that the gentlemen were about to depart from their usual method of introducing the evidence. They were now going from the Island.

Some desultory conversation ensued, when *Mr. Hay* observed, that he wished to prove by Mr. Belknap that he had conveyed a letter from Aaron Burr to the party on the island, which had produced their precipitate departure. If he was not mistaken, this was at least one great point in Mr. Belknap's testimony, and it would necessarily prove how much the party on the island were under the direction and agency of the accused.

Mr. Burr observed that if they were to shew his acts done without the district of Virginia, he should object to it; that he was willing that the whole of the testimony exhibited on the former case should be gone through; and to save the time of the court, that the whole of it might be read from the judge's notes; but now it seemed, they were proceeding to an enumeration of those acts which were done out of the district. He should also protest against the right, which gentlemen were about to assume, of bringing the acts and sayings of other people at any time and place, as evidence against himself.

Mr. Hay wished to prove by Mr. Belknap an act that was done, it is true, without the district of Virginia; but which was consummated in that district. He wished to prove that Mr. Burr had apprised the party in the island of his own apprehensions, that he had conveyed his dispatches by Mr. Belknap, and that they had produced the precipitate departure of his men.

Mr. Burr. I will permit the gentlemen to go on with Mr. Belknap's testimony, although it is not right to produce it, because I am satisfied that Mr. B. is incapable of proving any such circumstances as they relate.

(To be continued.)

A recent publication after mentioning the refusal of the American government to ratify the late treaty, makes the following observations upon the subject: "The question will now therefore be to be put, whether the terrors of the *Non-Importation Act, which takes place the 14th December*, are sufficient to induce government to yield more than has already been yielded to this people. The question will be to be put to the merchant, whether the naval force, the basis on which our constitution now rests, is to be sacrificed to the temporary convenience, for temporary it can only be, of our commerce. Every patriotic man will reply in the negative. Each will recollect that our naval force, now that continental Europe is at the feet of a merciless conqueror, is all that we can look to for support; and, thanks to that gracious Providence that has so often vouchsafed his protection to this envied island, it is a resource whence ample supplies may be justly expected. This is a period when an urgent appeal must be made to the feelings (to their interests will not be necessary) of every class of his majesty's subjects. This appeal will meet with a response worthy the inhabitants of a nation, which a firm and well grounded reliance on their ability to exert themselves efficaciously, enables them to make. Hence we have the strongest grounds to believe, that the attempts of the American government to obtain more favorable terms in consequence of the present state of Europe will be unavailing.

To America our conduct has been conciliating almost to meanness. She has menaced us by acts, holding out the penalty of death and plunder if they do such and such acts; she has passed non-importation laws; she has sent back a treaty which her negociators had signed with this government; her press, her legislative assembly, have teemed with the most violent invectives against this country; and now that we evince a determination to pause in our career of forbearance and engage in war rather than submit to a system of insult, we are told that we are going to be guilty of a *most ruinous folly*; that we are going to throw away a fourth of our commerce. Even should that be the case, there is no man, we believe, who will not say that loss ought to be submitted to rather than sacrifice our national character, and suffer ourselves to be insulted with impunity. It may be worth while, however, to show that that might not be the effect of the war.

In the first place, as the external commerce of America constitutes more than nine-tenths of her revenue, that source of supply would be nearly if not quite cut off by the war; and Europe would not be able to procure any colonial produce but by English ships. The carrying trade of Great Britain would be increased, as the supplies to her colonies that are furnished in American vessels would then be carried in British vessels, and the indiscriminate issue of licences to neutrals would be restricted. The building of British shipping which has decreased since 1803, from 135,000 tons to 58,000 tons, would receive additional encouragement. Thousands of our seamen now provided with certificates of American citizenship, would return to our service from the inability to find employment under the American flag; and the capture of that property of the enemy which is now covered by the veil of neutrality, would reward the gallantry of our navy. But it may be said we should at one blow lose our present exports to America, which amount to seven millions per annum. If this loss were absolute it would be a most serious consideration; but it would in fact be only relative; the true question, as it has been said, is, "whether G. Britain shall lose those exports, or those to her W. India colonies, which amounts to six millions per annum, and which must cease if her colonies are ruined by the continuance of the present system. Besides British manufactures would still find their way to America through indirect channels; though, as Mr. Randolph has justly observed, with this difference, that she would then pay a joe for a blanket from St. Thomas's or some other neutral port, which she now gets for a dollar direct from Great Britain.

London paper.

Respecting the affair of the Chesapeake, "the late ministers," says the London Courier, (a ministerial paper) "we see, in a long article they have published, deny that we *had a right to search a ship bearing the flag and commission of the U. States*; that in so doing, *we violated the sovereignty of the U. S.*—that the right exercised by capt. Humphreys, *is not recognized by any writer of authority upon the law of nations*, and that no civilian will venture, to defend his conduct."—"But," adds the Courier, "did not the Americans begin by committing an outrage against us, by refusing to deliver up his Britannic majesty's subjects?—Are the Americans to decoy away our seamen and thus diminish our means of acting against the enemy; and by putting them on board a ship bearing the flag and commission of the U. S. to protect these men, and withdraw them from their allegiance and duty to their sovereign? This is neither consistent with reason nor justice." "If it be said," adds the Courier, "that he should have applied to the American Government, and that upon their refusal to give them up, or upon their returning an unsatisfactory answer, *he should have confined himself to the sending off an account of the transaction to his own government*, we reply, that a case might happen when a ship or squadron sent upon a particular service, to a distant part, might, from desertion to neutral ships bearing the flag and commissions of neutral powers, be wholly unable to execute that service." Only one anti-ministerial paper (the Morning Chronicle) was received here, by the Sally Anne; and that observes, "the conduct of the commander of the Leopard was entirely unwarrantable. He had no right to search a vessel bearing the flag and commission of the U. S. The facts as here stated, though true, would not effect the question of right; and, besides the facts themselves are directly disputed. We trust that ministers do not mean to insist upon so untenable a claim as that which has been enforced in this instance. For the error of the officer many apologies might be suggested, and we do not mean to insinuate that he has been guilty of any thing beyond error of judgment; but for the government, were they to sanction his act no apology whatever could be conceived." Such appears to have been the opposite sentiments upon this affair in England. We would here remark, that the letters received and published in London were from Halifax; that the American newspaper accounts were those first published at the southward; and that both the letter and newspaper accounts, in several important particulars, are as ludicrously incorrect, as was the report which gained *so much* credence among certain folks here, that the British squadron in the Chesapeake had attacked and captured a "*flock of cattle!*" When the true and whole ground shall have been made known and discussed in England, we are still of opinion, that due satisfaction will be given for the *the gross and unjustifiable MANNER* in which the sovereignty of this country, has been violated, in the attack upon our national flag.

Boston Centinel.

LONDON, July 30.

Two Messages from his Majesty were delivered to Parliament yesterday, and a Copy of the treaty with Prussia was presented. The first Message informs Parliament that a "Treaty of subsidy has been concluded with Sweden. By this treaty Sweden is bound to employ 18,000 men in Pomerania, instead of 14,000 employed before; the subsidy to be paid by this country to be in proportion to the force employed, according to the terms of the former treaty. The message also states, that advances have been made to the king of Prussia to the amount of £ 100,000, and that supplies of arms and military stores have also been furnished to his Prussian majesty, to the amount of £ 200,000. The second message recommends the enabling his majesty to take all such measures as the exigencies of affairs may require, in order to counteract and defeat the intentions and plans of his enemies, to provide for the safety of his dominions, and to maintain the honor of his crown.

We are authorized to state that three Troops of Cavalry, of this Territory, have offered their services to the President of the U. S.

Natchez Herald.

The British frigate Jason, and the brig Columbine, went to sea on Wednesday.—Five seamen deserted from the former on Tuesday evening. A Swedish seaman, who also had deserted from the Jason, was picked up by the sloop Gazette, from Charleston, and brought to this port, after he had swam about two miles.

N. Y. D. Adv.

INDEPENDENT WASHINGTON VOLUNTEERS.

THE Members of the *Independent Washington Volunteers*, are requested to muster on the Parade Ground near the Centre Market, on Saturday the 19th inst. at 4 o'clock, P. M.

CHARLES JONES, Captain.

September 16—

THE TROOP OF COLUMBIAN DRAGOONS will meet on Saturday next on the usual parade ground at 4 o'clock in the evening. Those members who have their uniforms, will appear completely equipped—the members who have not provided uniform will appear in undress. As it is intended to go into the consideration of bye laws, it is earnestly requested that every member will attend.

WM. BRENT, Captain.

Sept. 18.

BANK OF COLUMBIA,
Sept. 17th. 1807.

The President and Directors having this day declared a Dividend on the Capital Stock of the Bank for the half year ending the 20th inst at the rate of Eight per cent. per annum. The same will be paid to the stockholders or their representatives on Monday the 21st inst. or at any time thereafter.

WILLIAM WHANN, Cashier.

Sept. 18—w6t

This is to give notice,

That the subscriber of Georgetown in the district of Columbia, hath obtained from the Orphan's Court of Washington county, and district aforesaid. letters of administration on the personal estate of [illegible] Christopher Richmond, late of the said county, deceased. All persons having claim against the said deceased, are hereby warned and required to exhibit the same with the vouchers thereof to the subscriber on or before the 20th day of March next, or they may otherwise by law be excluded from all benefit of the said estate. Those standing indebted to the deceased are requested to make immediate payment.

All claims forwarded by mail must be post paid.

JO. CARLETON.

Georgetown, September 18—taw4w

By the Orphans Court of Saint Mary's county—June Term 1807.

ORDERED that Joseph Edwards, administrator of Stourton Edwards, late of St Mary's county deceased, give the notice required by law for creditors to exhibit their claims against the estate of the said deceased, and that the same be published once a week for six weeks, in the Washington Federalist and National Intelligencer. In testimony whereof I have set my hand this 9th day of June, A. D 1807.

JAMES FORREST, Reg. Wills for Saint Mary's county.

This is to give notice that the subscriber of St. Mary's county, hath obtained from the Orphans court of St. Mary's County in Maryland letters of administration on the personal estate of Stourton Edwards late of the county aforesaid, deceased. All persons having claims against the said deceased, are hereby warned to exhibit the same with the vouchers thereof, to the subscriber, at or before the 9th day of December next, they may otherwise by law be excluded from all benefit of the said estate Given under my hand this 9th day of June, 1807.

JOSEPH EDWARDS, admr.

Sept. 18—w6t

Montgomery county court, March term 1807.

PATRICK LYDDAU an Insolvent debtor of Montgomery county having applied by petition in writing to Montgomery county court praying the benefit of an act of Assembly for the benefit of sundry insolvent debtors, passed at November session, one thousand eight hundred and five, and a schedule of his property, and a list of creditors on oath, as by the said act is required being annexed to his said petition; and the said Patrick Lyddau having proved to the satisfaction of the court, that he hath resided in the state of Maryland, the two last years preceding the passage of the said act. It is thereupon adjudged and ordered that the said Patrick Lyddau appear before the said court at the court-house of said county on the first Monday of November next, then and there to produce to the said court the assent in writing of the creditors holding two-thirds of the amount of his debts and to answer such interrogatories as may be propesed to him by his creditors; and that the said day be, and it is hereby appointed the time for said creditors to appear and recommend a trustee for their benefit, and the said Patrick Lyddau give notice to his creditors who reside out of the county of the passage of this order, by causing a copy of it to be inserted in the Washington Federalist four successive weeks previous to the day aforesaid; and that personal notice be served on all his creditors who reside in Montgomery county of the passage of the said order.

Test UPTON BEALL, Ck. of Montgomery count, court

August 19—w4

There is due for your subscription 5 dollars from May 12. 1807 to May 12. 1808
and there will be due on dollars in advance.