ers. The three witnesses acknowledged that they were all witnesses from the Delaware; and we know they were taken by that vessel from the American ship Neptune, off the Cape of New York.

Rodney, who said to have deserted from our Military, entered under the name of Wilson. Lord Howard declares, that when he visited the Cumberland's receivers at Norfolk he did not see him, nor did any of the Commander's crew recognize him, though it is said he formerly belonged to that ship.

When a man, therefore, was not recorded in his shipmates, how could this expected or supposed commander Bayne know that he was a deserter, and where is the evidence to substantiate the charge so often made against him?

It appears even from this document, that the men claimed by the British consul as deserters from the Halifax, and who, as the President of the U. S. affirms, had been proved to be native Americans, were seen on board the Cumberland, except Rodney, who announced another name; and it has not been satisfactorily proved that he was an Englishman.

It clearly appears, then, that Com. Bayne avoided the enlistment of such of the deserters from the Halifax, as had been either recognized or claimed by Mr. Jones, and that there was no ship in the seas attack on our Neutral Sovereignty.

Hence, the right of the refugee must be one by all true Americans as an honorable and generous display of high integrity and conduct, which is so peculiarly suited to the nature of a people who have but a tendency to deprive them of the confidence, friendship and esteem of those who are greatly their betters, and to exciting vengeance them to the utmost of wild and dreamy, if not of unmitigated.

TRIAL of AARON BURR.

ON THE INDICTMENT FOR A MISDEMEANOR

EXAMINATION OF EVIDENCE.

FRIDAY, SEPT. 19.

James M'Dowell.

Mr. Hare. Did you go as low as the Island Blennerhassett's Island? A. What number of men were assembled at the mouth of Cumberland river? A. About 100. Q. How many residents were joined them there? A. I do not recollect. Q. Did you see any boats of Arms? A. Q. Did you see any guns with boxes? A. I saw a few. Q. Supposed? A. Saw several guns and some rifles. Q. Do you know of any men who joined them at Fort Massac? A. I do not recollect to this question. Fort Massac was in the Indiana Territory—*Mr. Hare.* Did you see any powder? A. Yes. Q. What quantity? A. A couple of small cedars. Q. Did you see any bullets; and what quantity? A. I believe I did. Time myself, only from one barrel about two thirds full. I saw their rifles below Bayou Pierre. Q. Upon the Mississippi side below? A. Yes. Q. Do the party leave to be under Burr's command? A. They said, we call Burr's boats and party. They regarded themselves as under his direction. Q. Did Burr give any orders, officers apparently under Burr's command? A. Col. Tyler was an officer and Mr. Blennerhasset formerly in one; but not to have to much command as Col. Tyler. *Mr. Wirt.* Did you see any boat? A. Yes. Q. How many? A. I have seen three boats