impartial jury of his country; the eighth juror, at least, must have possessed a mind far from impartial towards the author of *The Prospect*. It plainly proved that the judge denied to the prisoner the great constitutional privileges of compulsory process for witnesses and trial by an impartial jury. But we shall be told that these were errors in judgment. I do not suspect him of corruption, but I believe him to be impeachable for misconduct of this description, whether it be the consequence of his political profession, or party spirit. To allow judges to disregard the constitution, and shelter themselves under the doctrine that they are not punishable for errors of judgment, would be giving them a dangerous latitude indeed. It is true that judge Chase, in the latter part of the trial, appears to have been cool and candid.

I am a friend to the constitutional independence of the judiciary, but opposed to giving to that department an oppressive and overwhelming power, destructive to the liberties of the people. I regret extremely that it has become our duty to accuse a man so eminent for talents and learning, particularly for legal learning, of high crimes and misdemeanors! I wish I could ascribe his misconduct to the passion of the moment or to those ordinary prejudices which invariably constitute a part of the infirmities of human nature. I hope he will yield as one of a numerous band of centinels posted around the temple of justice. It is our duty to guard it with more than vigilant vigilance, and to prepare punishment for those who appear to us to have profaned, with unhallowed hands, to minister at its sacred altars!

WASHINGTON CITY.

MONDAY, MARCH 26.

We understand that the Executive have received the following

COMMUNICATION—OFFICIALLY.

For the safety of the navigation to and from TRONDHIEM, (in Norway): a lantern light has been erected on *Agnos Point*, which for the future will be kept burning from the 1st September to the 15th April, (both inclusive) half an hour after sunset till sunrise.

This lantern light is fixed on a red painted edifice, on the rock of the northern part of *Agnos Point*, about 60 feet above the water, eastward of the little bay, where Agnos farm lies, and not above 100 yards from the same. RINGFLUKEN, the dangerous rock on the east side of *Agnos Point*, bears east half south from the light, about 200 fathoms, and Gaasefloen, or the wellen rock, near Agnos Point, bears in a line with the Orlande Church, N. to W. from the light, distant from it about 120 fathoms, the Island Garten is N. N. E. from the light.

Vessels for Trondhiem coming from the west, and having the Island Garten to the northward, will be sure of seeing the light on Agnos, and may steer for the port tillthey have the light on South on their side, keep off right opposite the light, and steer to the shore, till they come within 30 fathoms of it, and then go along shore, they will thus pass safe safety Ringluen, or the wellen rock which lies N. E. to E. half N. from the Point—a distance of 120 to 130 fathoms.

Vessels coming from the eastward, may, when they have the light at W. half S. safely hold off and steer the course out.

Vessels having the wind a head and the light is light, may without danger cruise off until daylight, if long as the atmosphere does not prevent the light from being seen.

The following has been received from a gentleman at Alicante under date of 6 Dec. 1803.

[TRANSLATION.]

Under date of the 19th current the governor of the country, president of the supreme council of health has communicated to me the order whose tenor is as follows.

Sir,

By letter of the consul general of his majesty in the United States of America, residing at Philadelphia, it is known that there are suspicions that the yellow fever has appeared in that city and that for this reason he had suspended certifying the bills of its board of health. On this account the supreme council of health has resolved, that vessels as well national as foreign, which may arrive at our ports from Philadelphia, whose departure has taken place since the 8th of last September, and are not the bearers of bills of health which be clean, and legalized by the consul general Dr. Valentin de Foranda, be not admitted until every thing shall have been previously sent to one of the foul Lazarettos, as was provided in the order which I communicated to you on the 13th October last with respect to vessels coming from New York, where according to official advices the fame disorder is producing deplorable mortality; and with respect to those which coming from other ports have had communication with such as came from Philadelphia, I charge you that they be subjected to a quarantine of nine days for the term at least of 30 days. I communicate it to you in order that your board and the others of the territory, under your command, may exactly fulfil it, in conformity with what is provided in the edicts and general orders which relate to the preservation of health and its precautions.

The following is a copy of a letter from Captain BAINBRIDGE, to Commodore PREBLE, which has been handed to us by the Secretary of the Navy.

TRIPOLI, Barbary, 12th November, 1803.

SIR,

I had the honor of writing to you on the first and fifth instant from this place, giving an account of the loss of the United States frigate Philadelphia, late under my command. I now transmit you further particulars of that unhappy event: the following bearings were taken from the place where the ship grounded.

The westmost of the fmall Rocks which form the Harbour, W. by S. 1-2 S. the fmall of the Mifque near the Denith Cogfolt's Flag-ftaff S. W. by W. five Englifh to the eaft of the town S.W. Bearings taken by the point of compafs. When the ship grounded, her head was N. E. After giving up the chafe in purfuit of the cruizer, and bearing off there, thinking on their rocks was an unexpected to me, as if it had happened in the middle of the Mediterranean fea; immediately had all fails aback, run all the guns aft, founded & found a fufficient depth of water after, & a fmall diftance from each fide. A confultation of the officers was called, when it was unanimoufly agreed to heave the guns overboard and lift the water; this was done as expeditiously as poffible, and a fire kept up at the gun-boats from our ftern and weather quarterguns; in fitting the lower ftern chafers, the fteru caught fire, which was put out without much confufion; the gun-boats carrying barfs 18 and 24 pounders were keeping up a fire again us, but directed their fhot at our maft. Finding that the guns and water did not lighten her fufficiently, the officers were of opinion that the foremaft fhould be cut away, which was done, but without the defired effect. A reinforcement of 5 more gunboats coming upon our lee-quarter, where it was impoffible for us to fire a gun, except down in the water, and the weather guns confiderably depreffed fufficient to heave within the diftance of the boats. At 4 P. M. every hope was fled of our being able to get her off, and not the leaft power whatever of injuring our enemy, and few no alternative but our eventually becoming prifoners to Tripoli; a council of the officers was called, when they were unanimoufly of the opinion that it was impoffible for us to get her off the rocks, and that continuing in our fituation would only be facrificing lives without affecting our enemy, or rendering the leaft fervice to our country. Is fuch a dilemma, too painful to relate, the flag of the United States was ftruck. I truft that a want of courage can never be imputed where there is no chance of reliftance. Difcretion ftand to brave minds to be obliged to furrender without having had an opportunity of defence. Some fanaticks may fay that blowing the fhip up would have been the proper refufal. I thought fuch conduct would not ftand acquitted before God or man, and I never prefumed to think I had the liberty of putting to death 300 fouls becaufe they were placed under my command, and thofe perfons who argue thus, to have been in our fituation, would no doubt have had very different ideas.

Although I feel confcious that my conduct will bear the niceft inveftigation, yet I am no ftranger to the cenfures of an ungenerous world, and the regrets and mortifications which are incident to a change of public opinion, which does not always follow meritorious exertions; and an accident, although occafioned by circumftances which no prudence could forefee or valor controul, may weigh againft years of arduous fervices; yet I have a confolation in believing that my friends are too fincere to feel adverfity of fortune change their opinion.

I have the honor to be,
Sir,
With the moft fincere refpect,
Your obedient fervant,
WM. BAINBRIDGE.

Commodore Edward Preble
commanding the U. S.
Squadron, Mediterranean ftation.

It will be fatisfactory to the friends of Mr. Macdonough, Mifffiippian, to learn that he was not on board of the Philadelphia at the time of her capture, having been, fome days previous, transferred by commodore Preble to the fchooner Enterprife.

It will be perceived by the proceedings of the Houfe of Representatives of Friday, that Mr. Dawfon's refolutions to recede the Diftrict of Columbia have received the virtual rejection of that body: we fay rejection, inafmuch as a poftponement to the next feffion is, in effect, the fame thing. The manner in which this feffion was entered into ftrongly indicates, not only the difapprobation of the propofed meafure, but likewife of a difpofition to mark the difapprobation in the moft emphatic manner. The Houfe in the firft inftance refufed to difcuffe the refolutions by a majority of at leaft three to one, and then difmiffed them by a poftponement.

The amendment propofed by the Senate to the bill compriding the City of Washington, which directs the fum of 50,000 dollars to be appropriated towards finifhing the Prefident's Houfe, for the accommodation of Congrefs, and purchafing a Houfe for the Prefident—inftead of applying it generally to the public buildings, was concurred in by a majority of one. We underftand that if all the members in the city had been on the floor, it would not have prevailed.

HOUSE OF REPRESENTATIVES.

FRIDAY, MARCH 23.

Mr. Nicholfon from the Managers appointed to confer with the Managers of the Senate on the difagreeing votes of the two Houfes on the Louifiana bill made a report, recommending that the Houfe fhould recede from their amendment, propofing a fubftitute for the fourth feftion of the bill as it came from the Senate. The fubftitute provides for the election of a legiflative council by the people of Louifiana. Mr. Nicholfon obferved that the Managers on the part of the Senate, had reprefented that the election of a legiflative council by the people of Louifiana would be attended with inconveniences which he, for one, had never perceived before. It was ftated by one of the Managers, who had been in Louifiana, and by another well acquainted with the fituation of the country, that the fettlements there were ufually in parifhes in which the inhabitants were generally of one defcription: Some of thofe parifhes were entirely compofed of Spaniards, fome of French, fome of Germans, and fome of Greeks. If each of them were to fend a member, the legiflative body would be compofed of perfons of different languages. The Mr. Nicholfon faid, was the principal reafon which the Managers were to recommend that the Houfe fhould recede. There were other reafons, of a very powerful nature, which it was not necefs for him to ftate.

Mr. Smile declared himfelf in favor of receding; as he wiffed the bill paffed, under the conviction that, without the propofed new feftion, it would provide for the people of Louifiana a better government than they at prefent enjoyed.

Mr. Allen obferved that, in confequence of a limitation in the bill, it would require nine years, which would be antecedent to the time when the contemplated legiflative council, as eligible by the people, would be organized. He was, therefore, in favor of receding.

The queftion was then taken, by Yeas and Nays, on the receding, and carried in the affirmative Yeas 51—Nays 43.

The Managers further recommended that the Houfe fhould infift on their amendment, declaring null all grants fubfequent to the treaty of St. Ildefonfo—with an amendment, faving fome fuch grants to a certain extent made to actual let fers.

Mr. R. Griffwold faid he fhould vote againft the amendment, with the view of afterwards voting againft infifting on the original amendment of the Houfe.

Mr. Nicholfon and Mr. Smile faid a few words in favor of agreeing to the amendment.

When the queftion was taken on concurring with the report of the Managers, it was carried—Yeas 54.

The Houfe took up the bill, received from the Senate, altering the time of the next feffion of Congrefs to the 1st Monday of November.

On the queftion whether the fame fhall pafs?

Meffrs. Leib, Sloan, Bedinger, and J. Clay fupported; and Meffrs. Thatcher, Lyon, Hager, and Elmer, oppofed it.

When the queftion was taken by Yeas and Nays, and the bill paffed—Yeas 54—Nays 43.

Mr. Claiborne call d up the bill making further provifion for extinguifhing debts due by the United States.

Mr. Leib faid he was friendly to the principle of the bill; but defired, from the late period of the feffion, of its paffage; he, therefore, moved its poftponement to the 1st Monday of December.

Mr. Elmer expreffed a coincidence of fentiment with Mr. Leib.

Mr. Claiborne faid it was well known to the Houfe that he was friendly to this bill; he was, however, fenfible that it was too late to act upon it during the prefent feffion. His only wifh, therefore, at this time, was to put the bill in fuch a refpectful fituation as would recommend it to the early attention of Congrefs at the next feffion. He, therefore, acquiefced in the poftponement.

The motion of poftponement was then carried without a divifion.

The Houfe went into committee of the whole—Mr. J. G. SMITH in the Chair—on the bill, from the Senate, to punifh certain crimes againft the United States.

The firft fection of the bill was read. It provides for the punifhing *with death* any perfon who fhall wilfully burn, link or deftroy any veffel.

Mr. Leib moved to ftrike out "*with death*," and to infert, "by imprifonment not exceeding fourteen years."

This amendment gave rife to a debate of fome intereft and length, on the comparative advantages of fanguinary and mild punifhments, and on the relative magnitude of the offence the punifhment of which was under confideration.

Meffrs. Leib, Smile, J. Clay, Rhea, and Stanton fupported; and M. E. N. Claiborne, Holland, R. Griffwold, Southard, Macon and Thatcher oppofed, the amendment, which, on the queftion, was loft by a majority of—Ayes 32—Nays 47.

Mr. Dawfon moved that the Houfe fhould refolve itfelf into a committee of the whole—on the refolutions, offered by him, for the recedion of the diftrict of Columbia.

Mr. Hager faid this point had been fully and fairly inveftigated the laft feffion. He did not, expect, after the decision of the laft feffion, the Houfe would have been again called upon to difcuff it. He believed the mind of every member was made up refpecting it; the Houfe, therefore, the Houfe would not agree to go into Committee.

Mr. J. Lewis faid he fhould vote againft the Houfe refolving itfelf into a committee of the whole; and fhould that motion be negatived, its was a mere to difcharge the committee of the whole from all further confideration of the refolutions.

The queftion was taken on going into committee, and negatived—Ayes 39.

Mr. J. Lewis then moved to difcharge the committee.

This motion was carried, without debate—Yeas 63, exhibiting a great majority of the members prefent.

This operates as a virtual rejection of the refolutions.

An act to erect a light houfe at the mouth of the Miffiffippi, and to erect other light houfes was read a third time and paffed.

The Houfe went into committee of the whole, on the bill fupplementary to the act refpecting the election of Prefident and Vice-Prefident—Mr. TENNEY in the chair.

The committee having gone through the bill, reported it without amendment; when it was read a third time and paffed—Ayes 49.

A meffage was received from the Senate, ftating their agreement to the report of the committee of conference on the Louifiana bill, which is confequently paffed.

It may not be unfatisfactory here to ftate that the bill, as finally ftyled, is limited in duration to one year from the 1ft day of October next, (when it is to take effect) and thence to the end of the next feffion of Congrefs.

It directs the appointment by the Prefident of a governor, to hold his office for four years, the appointment annually of a legiflative council compofed of inhabitants of Louifiana, and the appointment of judges.

It will be perceived that the principle of the Senate, withholding for the prefent the right of fuffrage from the people of Louifiana, prevailed. Which, however, to the limitation of time introduced in the bill by the Houfe of Repreftatives.

The Houfe went into committee of the whole—Mr. NICHOLSON in the chair—on the bill making an addition to the Diaries of the governor, judges and fecretary of the Indiana territory.

The bill adds to the falary of the governor 500 dollars, to that of the judges 400 dollars, and to that of the fecretary 375 dollars, for two years from the 1ft of October next.

Mr. Early fpoke in favor of the bill, on the ground that, by the annexation of a part of Louifiana to the Indiana territory, the duties of thefe officers was greatly increafed.

Mr. Lyon oppofed the bill, and moved to amend it by ftriking out the additional compentation allowed the governor.

Meffrs. Leib and Clay advocated the amendment.

When the queftion was taken on Mr. Lyon's motion, and carried—Ayes 51, Mr. Macon moved to ftrike out "to the judges each 400 dollars."

Mr. Macon obferved that it was an incorrect procedure to give judges a temporary falary.

Mr. Morrow oppofed the motion.

Mr. Macon's motion was then agreed to—Ayes 47.

The committee then rofe and reported progress; when leave was refufed to them to fit again, and the bill poftponed to the 1ft Monday of December.

An engrofled bill fupplementary to an act prefcribing the mode in which the oath in one ftate fhall be authenticated to as to take effect in another ftate was read the third time and paffed—Ayes 57.

Mr. Nicholfon offered a refolution declaratory of the opinion of Congrefs that the firft feftion of the act providing for perfons difabled by known wounds received during the revolutionary war, &c. fhould be in confequence, to include all perfons who in confequence of difability arifing from known wounds refigned their commifions.

Mr. Smile oppofed the motion, under the idea that one act of Congrefs could only be explained by another act of the fame kind.

Mr. Nicholfon faid this was as much a legiflative act as although it began with the words "be it enacted."

Mr. I. C. Smith fuggefted the propriety of accomodating the ftyle to the phraiology of the laws. He was of opinion that one folemn act of legiflation could only be fuperceded by an act equally facred.

Mr. G. W. Campbell expreffed the fame opinion.

On motion of Mr. Nicholfon, the refolution was referred to a committee empowered to report by bill.

The Houfe took up an amendment of the Senate (entirely verbal) to the bill fupplementary to the naturalization law, and concurred therein.

The Houfe took up and agreed to an amendment to the Senate's bill for the relief of the heirs of John Haberham.

Both thefe bills have, therefore, paffed the two Houfes.

Mr. Jas. C. Smith reported a bill embracing the contents of Mr. Nicholfon's refolution (above ftated.)

Ordered to a third reading.

SATURDAY, MARCH 24, 1804.

A bill fupplementary to the act making provifion for perfons difabled by known wounds, &c. was read the third time and paffed.

This bill gives the conftruction to the act to which it is fupplementary ftated in the proceedings of yefterday.

The bill further to regulate trade and intercourse fo far as the Indian tribes was poftponed to the firft Monday in November.

The Houfe went into committee of the whole—Mr. TALIAFERRO in the chair—on the bill from the Senate, authorizing the payment of 2,000 dollars to Philip Sloan.

The committee fe and reported their agreement to the bill; which the Houfe ordered to a third reading, and paffed—Ayes 66.

The Houfe went into committee of the whole—Mr. VARNUM in the chair—on the bill from the Senate, to amend the laws providing for the organization of the accounting offices of the treafury, war and navy departments.

Mr. Dana obferved that he had appeared to be a bill for the revival of the office of commiffioner of loans. This might be neceffary; but as there had been no report on the bill, he was not prepared to fay that the meafure was neceffary.

Mr. Nicholfon called for the reading of the reports of the committee of ways and means, and an accompanying letter from the fecretary of the treafury, which were read.

The committee rofe and reported the bill.

The Houfe immediately took it up, and ordered it to a third reading. The bill was accordingly read the third time, and on the queftion whether the fame fhall pafs?

Mr. Conrad defired the taking of the Yeas and Nays. Mr. Conrad faid that he had expected a very different bill from the report; in confequence of the refolutions entered into by the Houfe at an early ftage of the feffion. It was then generally expected that two offices would be abolifhed; it now appeared that it was propofed to accumulate to create a new office. He ftrulled the bill would not pafs.

The queftion was then taken on the paffage of the bill, by Yeas and Nays, and paffed in the negative—Yeas 42—Nays 44.

A letter was received from the Secretary of the Treafury, ftating the compenfation received by council employed by the feveral departments of the government in fupport of prefecutions on the part of the U. States.

A bill from the Senate, appropriating 15,000 dollars to extinguifh Indian claims was paff d—Ayes 42—Noes 38.

A meffage was received from the Senate ftating that they had paffed the bill concerning the city of Washington, with an amendment declaring the appropriation of 50,000 dollars to finifhing the Prefidents Houfe for the accomodation of Congrefs, and directing the purchafe of a houfe for the Prefident.

Meffrs. J. Lewis, Smile, and Sloan fupported; and Meffrs. J. L. Smile, Dawfon, Claiborne, and Elmer oppofed this amendment; when, the queftion was taken by Yeas and Nays, on agreeing to it, and paffed in the NEGATIVE—YEAS TWENTY-SEVEN—NAYS SEVENTY-SEVEN.

PUBLIC SALE.

BY virtue of a decree of the Circuit court of the diftrict of Columbia for the county of Washington in the fuit of Thomas Jaw against James Piercy, jun. James Ray, Samuel Treat, and James Piercy, fen. defendants, in Chancery, will be fold at the premifes in the highbeft bidder at public auction on Saturday the 9th day of May next, the lot of ground defcribed in the county annex'd bill, ftuate in the city of Washington, and known and diftinguished in the general plan of the faid city by lot numbered one, in fquare numbered Even hundred and forty four, it being the fouth half part of faid fquare and containing forty three thousand four hundred and forty fquare feet of ground, with the fuper Houfe, and all the other buildings and improvements thereon or thereunto belonging. The fuper houfe is large and commodious and is fuited to the extremely well calculated for fugar refining—the other buildings confift of feveral wooden houfes, finished with fome regard to the ease of conducting the bufinefs to live in. The fale will commence at 12 o'clock A. M. The terms made known at the time of the fale and immediately on the courts ratifying the same, the time of which ratification will be notified in the fame paper in which the fale is advertised, within one month after the report of the faid fale fhall be made to the court, which report will not be made until the fourth Monday in July, when the court commence their next fitting for the county of Washington.

DANIEL C. BRENT, Trustee.

March 23—tfof